

**In War, Those Who Die Are Not Innocent
(‘*Na Guerra, Quem Morre Não É Innocente*’):
Human Rights Implementation, Policing,
and Public Security Reform
in Rio de Janeiro, Brazil**

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Human Rights Implementation, Policing,
and Public Security Reform
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In tijden van oorlog zijn zij die sterven niet onschuldig:
De implementatie van mensenrechten, politiewerk en de
hervorming van de openbare veiligheid in Rio de Janeiro, Brazilië

(met een samenvatting in het Nederlands)

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door

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geboren op 9 februari 1980
te Karachi, Pakistan

Promotor: Prof. dr. P. van Reenen
Co-promotor: Dr. C.G. Koonings

*To my parents, Imdad and Rubina, for their unconditional love and unwavering support over the years. Thank you for teaching me to dream and letting me follow those dreams wherever they took me.
And my brother, Ahmed, for always keeping his door and his ears open in the event that I came face to face with reality.*

*'...you create your future so that you can have a past, a past that reflects your own will rather than a past imposed by history...'
Ruben Martinez*

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Cover photo courtesy of Sandra Delgado, photo one and two courtesy of the civil police of Rio de Janeiro, all other photographs courtesy of the author.

1 Introduction

'Deep in the sea are riches beyond compare. But, if you seek safety it is on the shore.'
Sheikh Sa'adi of Shiraz

In June 2000, a young man armed with a pistol hijacked a bus near the Botanical Gardens, an upper-middle class neighborhood of Rio de Janeiro. The proximity of the hijacking location to the headquarters of Rede Globo, a local media conglomerate, meant that the incident was broadcast live to millions of Brazilians. The presence of numerous students from the Catholic University of Rio de Janeiro on the bus and the subsequent police and state response to the incident that lasted over four and a half hours, has etched this day in the minds of Brazilians and many other people around the world. During hours of failed negotiations the bus became increasingly surrounded by media cameras, police officers, and the public and the police seemed unable to stop the growing crowds or to resolve the hostage situation. Despite the presence of trained negotiators and snipers, the special military police squad was powerless to control or neutralize the situation; in fact they were being held back from doing their jobs by the state governor and higher-ranking police officials who were monitoring the situation from a distance and did not want viewers at home to be confronted with a violent, bloody shootout.

It later came to light that the hijacker was Sandro di Oliveira Nascimento, a survivor of the police massacre of sleeping street children on the footsteps of the Candelária Church in 1993. Having survived Candelária, he had lived for many years on the streets, had been in and out of police custody and used this incident and the protection that the presence of the media provided him to highlight the plight of the poor in Brazil. The incident finally came to a head when a police officer tried to shoot Sandro as he was leaving the bus with one of the hostages. The police officer accidentally hit the hostage instead prompting Sandro to open fire on the hostage as well. The hostage died immediately which caused other police officers and the public to charge towards Sandro, kicking him and calling for his death. The police eventually placed him in the back of a police van and suffocated him while the world watched. Officers charged with Sandro's murder were later acquitted and continue to work for the military police of Rio de Janeiro. This incident has been analyzed by many academics and practitioners because it highlights some of the key issues of policing in Rio de Janeiro, including those highlighted in this book, such as political interference in police work, political concern with maintaining the right image rather than effectiveness, the consequences of having an ill-prepared and under-resourced police force, the impunity with which police officers can use force, and the social inequality deeply entrenched in Brazilian society. This incident also brings to light why researching ways to improve police compliance with human rights in Rio de Janeiro with its high rates of crime and social exclusion is so imperative.

IN WAR, THOSE WHO DIE ARE NOT INNOCENT

This book concerns itself with the implementation of human rights strategies within the state police forces of Rio de Janeiro as an attempt to improve policing and enhance police compliance with human rights standards. The International Bill of Rights, initially in the form of the Universal Declaration of Human Rights and later expanded to include the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights, was adopted by the United Nations in order to provide protection to people from abuse at the hands of the state and its agents.¹ While the Universal Declaration of Human Rights is a non-binding instrument intended as a guideline for standards that all states are supposed to live up to, the International Covenants are binding instruments. Therefore states that have ratified the International Covenant on Civil and Political Rights and/or the International Covenant on Economic, Social, and Cultural Rights are obliged to promote and guarantee the protection of these rights within their territorial jurisdiction.² A state's obligation to uphold human rights is extended to all state agents and state institutions.

As the state institution charged with the maintenance of public order and the implementation of the law, the police are one of the state institutions responsible for protecting and guaranteeing people's human rights (Marenin, 1996; Manning, 1977). Yet as they are able to use force while carrying out their duties the police can also be violators of key human rights. The consequences of human rights violations carried out at the hands of police officers have frequently been documented by human rights organizations (Amnesty International, 2006). These violations include summary executions, torture, the excessive use of force, arbitrary detention, the planting of evidence, and other forms of corruption.

The understanding that as state agents the police are supposed to uphold the law, which includes human rights, yet they are often involved in human rights violations has led to a realization of the importance of implementing human rights within the police and increasing police compliance with human rights standards. It is not enough to document human rights violations committed by the police and to demand that these officers be held accountable, there has to be an attempt to get police officers to understand human rights and to respect people's human rights while performing their duties so that human rights violations at the hands of the police occur less frequently (Human Rights Watch, 1998). From the scholarly perspective, this research sheds some light on human rights implementation and how that can take place in order to increase police compliance with human rights standards. What can be done to make sure that the police comply with human rights standards? What form does human rights implementation take and what does it mean for the reality of policing?

1 Office of the United Nations High Commissioner for Human Rights, <http://www.ohchr.org/english/index.htm> Last visited 27 November 2006

2 *Idem.*

CHAPTER 1

1.1 WHAT ARE POLICE HUMAN RIGHTS STRATEGIES?

While some organizations have continued to research, catalogue, and denounce police human rights violations, others have begun to demand, promote, and support human rights implementation through financial and operational assistance (Amnesty International, 2006). Human rights implementation can take various forms; this section will focus on one of these forms, police human rights strategies. The implementation of human rights within the police has taken many different forms. Attempts to implement human rights have taken the form of improved selection criteria, human rights training, community-oriented policing programs, enhanced internal and external oversight, improved working conditions, increased access to technology, and a focus on mediation over the use of force (Frühling, Tulchin, and Golding, 2003; The Independent Commission on Policing for Northern Ireland, 1999).

For the sake of this research, attempts to implement human rights within the police in order to increase police compliance with human rights standards have been termed police human rights strategies. Police human rights strategies have been defined as those laws, policies, projects, or programs that implicitly or explicitly aim to improve police compliance with human rights values, standards, and norms. Explicit human rights strategies are those in which human rights are the core concerns of the strategy and the primary intention of the strategy creators and stakeholders whereas implicit strategies are those in which human rights are not stated as a core concern and may not be the intention of the strategy creator but whose design and contents include human rights elements. Both explicit and implicit police human rights strategies can have intended and unintended outcomes that have positive or negative implications for human rights. The police human rights strategies examined in this book are part of a greater movement towards public security and police reform as they are strategies that have distinct human rights implications within the larger realm of strategies to reform public security and the police.³ Although the strategies dealt with in this research were selected for the implications they have for human rights and are labeled police human rights strategies, they are not necessarily conceived as such by those who create them and nor are they implemented with the expressed purpose of improving the compliance of police officers with human rights values, standards, and norms.

Reforms of the police and the larger public security system have been implemented throughout the world in order to transform the police and security apparatus predominantly following a political transition or regime change and in order to counteract rising crime rates. At other times attempts to reform the police have been implemented in order to improve the image of the police and the quality of police work often in response to a highly public incident involving police abuse or increased public criticism

3 Many terms are used to designate the provision of security to the population such as human security and citizen security; I prefer to use the term public security as it is the one which is most commonly used in Latin America by governments and citizens in order to define the duties of the state in providing security to their people. Bailey and Dammert (2006:1) define public security as the protection of persons, property, and democratic political institutions from internal and external threats.

of the police, to make the police more efficient and productive, or to implement a new philosophy into the police (Bailey and Dammert, 2006; Frühling et al, 2003; Bayley 1994). Attempts to reform the police, and public security in general, do not have to have positive implications for human rights, in fact sometimes they simply involve providing the police with new cars and weaponry, yet other reform efforts do entail increasing police respect for individual citizens and their rights. Democratic policing, for example, is thought to be a strategy that embraces the rule of law, respect for human rights, increased accountability and transparency, the demilitarization of police forces, and improved police-public relations (Glebbeck, 2003:45).

Police and public security reform has taken different forms based on where it is being implemented. For example, in Latin America, police reform was predominantly implemented in the 1980s and 1990s following the transition to democracy and the end of years of civil war in some countries. In El Salvador and Guatemala, part of the post-civil war reconciliation effort involved creating entirely new police forces whereas in other countries that did not experience civil war police reform was not so wide reaching (Hinton, 2006; Glebbeck, 2003). In the Southern Cone countries there was no significant purging of the police forces following the decline of the repressive, military dictatorships and the return to democracy (Pereira, 2000; Weschler, 1990). Those police officers who had committed gross violations of human rights during the military dictatorships were allowed to continue performing their duties, and police reform, if it was implemented, had more to do with countering rising crime rates than the promotion of human rights. In fact, as will be detailed in chapter three, the police forces in Brazil, particularly in Rio de Janeiro, did not undergo reform following the transition to democracy. Although some governors of the state of Rio de Janeiro did try to make the police more respectful of human rights, the implementation and outcome of reform always hinged on its ability to decrease rising crime rates and make people feel secure (Hinton, 2006). In many Latin American countries faced with significant increases in rates of crime and violence in their cities, respect for human rights repeatedly bowed to pressures to decrease crime and increase safety.

1.2 THE MOTIVATION BEHIND MY RESEARCH

It is only more recently that some Latin American governments are reconsidering their human rights obligations and promoting greater respect for human rights amongst their police and security forces. This is partly in response to the international pressure on states to improve the provision of human rights in their countries and to hold their police forces accountable (Bailey and Dammert, 2006). States are at the receiving end of an increasing barrage of negative publicity due to their inability to control their security forces. Since the mid-1990s, intergovernmental organizations, like the United Nations and the European Union, and some individual states have been involved in helping countries to live up to their obligations (Ziegler and Neild, 2002). These organizations and states have provided financial and operational assistance to those states whose police forces have frequently been documented as partaking in human rights violations, including many Latin American countries. Certain philosophies of policing

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and particular programs valued by donor countries are often promoted along with the provision of financial and operational assistance in order to implement human rights within police forces. Despite the program goals to improve policing, to make police officers more effective in providing security, and increasing respect for human rights amongst police forces and the provision of resources in order to achieve these goals, the implementation and outcomes of these programs remain unclear (Frühling et al, 2003). This is because little information exists on how the financial and operational assistance provided is used by receiver states and what this means for greater police compliance with human rights standards. Particularly in Latin America, little is known about the attempts to reform police forces and the influence that these programs have on daily policing practices (WOLA, 2002).

What strategies have been created to improve the police and increase police compliance with human rights standards? How have these strategies been implemented? What form do these strategies take? How do they influence the reality of policing? How do police officers experience these strategies? What are the societal and institutional factors that facilitate or impede the implementation of these strategies? It is these questions and the lack of answers available thereto that inspired this research. While it is important to document and denounce police violations of human rights and create programs in order to tackle this problem, it is also important to investigate how these programs have been implemented and what their outcomes mean for police compliance with human rights standards. This is because despite the negative press and the international and national investments in police reform, police forces in Latin America continue to violate human rights (Human Rights Watch, 2006; Amnesty International, 2005). Perhaps if the implementation and outcome of these programs could be analyzed and the reality of policing could be examined then the programs could be altered and adjusted to the reality in their country of implementation and be more effective in achieving their goals. This book endeavors to uncover the answers to these questions, to shed some light on the implementation of human rights within the police, and to determine if and how police compliance with human rights standards can be increased. Rio de Janeiro, Brazil, was chosen as the case study for this research therefore this book concentrates on police human rights strategies currently being implemented in Rio de Janeiro. Four strategies were selected to be the focus of this research, these strategies are: training law enforcement officials, community-oriented policing, the *delegacia legal* (model police station) program, and the disarmament program. The implementation of each police human rights strategy is described, its influence on the police organization is examined, and the societal and institutional factors that facilitate or impede the implementation of the police human rights strategy are analyzed. Before detailing the questions that guided this research and discussing the methods used to conduct the research, I will explain the reasons for conducting this research in Rio de Janeiro.

1.3 LOCATION, LOCATION, LOCATION

Brazilian police forces have repeatedly been associated with human rights violations (Justiça Global, 2004; Lemgruber, Musumeci, and Cano, 2003; Huggins, 1998). Despite

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the existence of evidence, scholarly research, and denunciations by human rights organizations, police officers in Brazil are rarely held accountable for their role in these human rights violations. As described in detail in chapter three, since their creation police forces in Brazil have been used by the elites and later by the state for their protection and in order to repress those considered dangerous or undesirable (Holloway, 1993). Under the twenty-one years of military rule (1964-1985), Brazilian police forces along with the military were responsible for numerous gross human rights violations against political opponents and those labeled as subversives (Huggins, Haritos-Fatouros, and Zimbardo, 2002; Weschler, 1990). These police and military officers were never held accountable because the military regime passed an Amnesty Law in 1979 granting a general amnesty for anything that took place during the years of military rule. The hope of Brazilians was that the transition to democracy would bring with it greater respect for human rights and the rule of law (Ahnen 2003; Pinheiro, 1999). Due to the strength of the Brazilian security apparatus and the slow transition to democracy, no police or public security reform was planned following the transition. There was no purging of police officers who had been involved in repression and no restructuring of the police organizations. Due to this and a combination of other factors that will be detailed in the following chapters, police violations of human rights continue to occur in Brazil. In fact, human rights violations under democracy far outnumber the occurrence of such violations under military rule (Amnesty International, 2005; Ahnen, 2003). Although no Amnesty Law exists to protect police officers from being held accountable for the violations that they committed after the transition to democracy, police officers are rarely held accountable for their actions. The repressive tactics used by the police against those labeled as subversives during the military dictatorship are now turned against real or suspected criminals, typically poor, young, black men as will be discussed in detail in chapter three.

The persistence of human rights violations under democracy, especially in a state like Brazil that has ratified all human rights treaties and even translated the human rights provisions provided in these treaties into its own domestic law and does not lack the resources to be able to promote and guarantee human rights, makes Brazil a fascinating subject in this study of human rights implementation. The unwillingness or inability of the Brazilian state to ensure the promotion of human rights by its police forces says a lot about the historical inequality in Brazil and the Brazilian state's greater concern regarding the provision of security to a few rather than the provision of human rights for all (Hinton, 2006; Caldeira, 2001). Police-public relations set the tone for the kind of relationship a state wishes to have with its citizens. Public perceptions of the police as incompetent and abusive reflect on the state and bring the legitimacy of the whole system of democracy into question (Bailey and Dammert, 2006; Hinton, 2006).

The issues raised with regard to Brazil also apply to the city where research for this book was conducted, Rio de Janeiro, regarded by some as a microcosm of Brazil's social problems (Hinton 2006: 11). The *cidade maravilhosa* (marvelous city) as its residents call it, has often found itself in international headlines partly because its breathtaking views have long attracted tourists and partly because the presence of drug gangs that often engage in shootouts with the police make it one of the most dangerous cities in the

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world (The Economist, 2003). Whereas other Brazilian cities have recently been appearing in the headlines due to their rising crime rates and the presence of organized criminal groups, the city of Rio de Janeiro lost its sheen many years ago. As will be detailed in chapter three, the shantytowns (*favelas*) of Rio de Janeiro have long been abandoned by the state and filled by small gangs. Contact between common criminals and political prisoners during the military dictatorship led to the formation of organized criminal groups (Veenstra, 2006; Peralva, 2000; Leeds, 1996). These organized groups set up their bases in Rio de Janeiro's many *favelas* where they were out of reach of the state and its agents. Initially they conducted armed robberies to support themselves but with the influx of cocaine into the Brazilian market and Rio de Janeiro's key location on the transatlantic drug route, these organized criminal groups turned to the drug trade. The profits to be earned from the trafficking in drugs and arms and the importance of having access to a secure location from which to conduct this trade led to the need to employ armies of youths to provide security for the arrival, packaging, and sale of large amounts of cocaine (Dowdney, 2003). The conflict between rival gangs as they attempt to take over each other's territories, and by extension the drug trade, and the attempts of the police to launch a war against drugs and crime has made Rio de Janeiro a very violent city in a violent region of the world (Barcellos, 2004). Police forces in Rio de Janeiro find themselves on the front line of this war against drugs and crime and in their attempts to win this war they have committed many human rights violations (Amnesty International, 2005; Huguet, 2005; Justiça Global, 2004).

Although there are cities more violent than Rio de Janeiro in Brazil, Rio's position as a tourist center and the face of Brazil means that there have been numerous attempts to make Rio de Janeiro more secure. Along with the state-sponsored initiatives to reform policing and make Rio de Janeiro more secure, Rio de Janeiro also boasts an active civil society that has long demanded and backed reform that would make the police less abusive and provide greater security. Despite this, little research has been conducted on the reality of policing in Rio de Janeiro and the reform efforts that have been implemented. Academics have tended to focus on the neighboring state of São Paulo (Mesquita Neto, 2004; Mesquita Neto and Loche, 2002; Caldeira, 2001; Pinheiro, 1999; Chevigny, 1995). The occurrence of large-scale human rights violations at the hands of the police, the presence of programs to reform the police, and the dearth of previous research in this field in Rio de Janeiro makes it the ideal location for this research focused on the implementation of police human rights strategies within the police forces in Rio de Janeiro and the societal and institutional factors that facilitate or impede the implementation of these strategies.

1.4 RESEARCH QUESTIONS

The main questions that I intended to answer while conducting research in Rio de Janeiro were as follows:

1. Which police human rights strategies, if any, have been implemented within the police forces in Rio de Janeiro?
2. What do these strategies entail and how are they implemented?

3. What are the outcomes of these strategies?
4. How do officers and other stakeholders involved experience these police human rights strategies?
5. What are the societal and institutional factors that facilitate or impede the implementation of these police human rights strategies?
6. Do these strategies ensure greater respect for human rights standards?
7. What lessons can be drawn from the Rio de Janeiro case study that might be of relevance for other Latin American cities?

The first five questions are dealt with in each of the four empirical chapters on police human rights strategies currently being implemented in Rio de Janeiro, whereas the last two broader questions are discussed in the conclusion of this book.

1.5 METHODOLOGY

As this research concentrates on the implementation of police human rights strategies within the police in Rio de Janeiro, how these strategies were implemented, how they influence the reality of day-to-day policing in Rio, and what the outcomes of these strategies are in terms of police compliance with human rights standards, the main focus of this research are the police officers themselves. Therefore the methods used to gather research data had to be geared towards the police. The methods used while conducting this research were participatory observations, informal conversations, interviews, a survey, and the analysis of secondary data.

Fieldwork for this research was conducted in Rio de Janeiro in 2003, 2004, and 2006 using both qualitative and quantitative methods. My initial, explorative trip to Rio de Janeiro was conducted in the summer of 2003. During this time, I attended a month-long course organized by Columbia University's Teachers College. This course focused on human rights and the non-governmental organizations (NGOs) that were involved in promoting greater access to human rights in Rio de Janeiro. As a participant of this course, I had access to numerous human rights NGOs and made important contacts, including some police officers who were involved in a project coordinated by a local NGO, who I was able to call on when I returned for my intensive fieldwork periods. This course also provided me with an in-depth look into the human rights situation in Rio de Janeiro, which would prove to be very valuable. Following this course, I returned to the Netherlands to plan my research in detail and prepare for an intensive fieldwork period. It was during this stage that I decided to focus on police training, community-oriented policing, and the disarmament program as potential police human rights strategies.

I returned to Rio de Janeiro in October 2003 for a six-month period. As will be discussed in detail in chapter three, policing in Brazil is conducted on a state level. Within states, policing duties are divided between the military and the civil police forces. The military police are responsible for patrolling the streets and maintaining public order while the civil police are responsible for registering and investigating

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crimes. Due to their greater numbers, their greater presence on the streets, and the fact that they have more contact with the population, the military police force was thought to be more important in terms of the protection and violation of people's human rights although the role of the civil police in investigating crime should not be downplayed. Considering the difficulties researchers often encounter in entering the police, it was decided that I should concentrate all my energies on gaining entry into the military police force. Knowing that the military police is a very hierarchical organization and any attempt at researching them would require permission from the top, I started my research by contacting the only high-ranking military police official whose contact information I had, a military police colonel. This colonel was the then president of the institute of public security, the research arm of the state secretariat for public security. The secretariat assigns the military and civil police chiefs and designs and coordinates all police operations in the state. After many phone calls to gain access to this colonel, I managed to set up an appointment with him. This appointment, although successful, began in true Brazilian fashion. The colonel was at another meeting at the time that we had designated and I had to wait two and a half hours for an audience with him. But my patience paid off and I managed to gain entry into the military police force and the full cooperation of the state secretariat for public security.

While I explained the purpose and details of my research to everyone involved with it, I did not focus too much on the term human rights while conducting research within the police as there is a widespread belief within the police organizations in Rio de Janeiro, and society in general, that human rights only benefit criminals. Any attempt to discuss human rights results in a lengthy discussion about how human rights do not apply to the reality of policing in Rio de Janeiro and only serve to make things worse. Therefore I concentrated the discussions on police and public security reform, improving police service to the community, and efforts to improve the police and the standard of police work.

Having secured official permission, I began my research into the military police by entering the military police academies. The researchers at the institute of public security made appointments for me with the directors of the two military police academies: the academy for the patrol officers and the academy for the high-ranking officers. The then directors of the military police academies met with me, gave me a tour of their respective grounds, and invited me to return whenever I wished. So I began conducting research by visiting the military police academies, attending courses with the military police recruits, and conducting observations of their training. During the few months I spent inside the military police academy I conducted interviews with the directors of the academies, the officials in charge of selection, the officials in charge of creating the training curriculum, the professors who taught courses, and other academy officials; I also got to know the recruits and interviewed them.

It was during this time that I had a chance meeting with the vice-director of the civil police academy. She insisted on receiving me at the civil police academy so that she could show me around. As little was known about the civil police, I agreed to an appointment with her so I could see the academy for myself. After showing me the academy and introducing me to many civil police recruits and some of the professors at the civil police academy, the vice-director of the civil police academy took me to the

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civil police headquarters and introduced me to the then chief of the civil police and his cabinet. The chief of the civil police was very interested in my research and offered to help as best he could.

During these meetings I learnt about the *delegacia legal* (model police station) program for the first time. I was fascinated by the description of this program and what it could mean for police compliance with human rights standards. I decided I had to see this program for myself and the change it had brought within the civil police so I asked for appointments to be set up for me to visit a conventional and a converted civil police station. The fact that such a large-scale reform project was being implemented into a closed and under-studied organization and the chief of the said organization was offering me his full cooperation, led to me expanding my research to include the civil police as well. As many civil police officers had begun their careers in the military police before moving to the civil police, researching the civil police also gave me an insight into the military police. So I began conducting research within both the civil and the military police academies. I followed the same procedure within the civil police academy as I had within the military police academies; I attended courses with civil police recruits, conducted interviews with the director of the civil police academy, the officials in charge of selection, the officials in charge of creating the training curriculum, the professors who taught the courses, and other academy officials. I also got to know the recruits, observed their training, and conducted interviews with them.

Following my stay within the military and civil police academies, I began visiting military police battalions and civil police stations around the city in order to gain an understanding of the reality of policing in Rio de Janeiro and how this reality could be influenced by police human rights strategies, like the community-oriented policing program and the model police station program. Although I visited numerous stations and battalions around the city, three military police battalions involved in implementing community-oriented policing and three civil police stations that formed part of the model police station program were selected and it was in these stations and battalions that I conducted in-depth research. This was done in order to acquire a comprehensive understanding of policing in Rio de Janeiro as it was thought that policing and the implementation of police human rights strategies would differ depending on the socio-economic status of the location where it took place. The three locations chosen were Copacabana and Ipanema in the south zone, Lapa in the center, and Bonsucesso in the north zone. Copacabana and Ipanema are middle to upper-class neighborhoods and they are also the center of tourism in Rio de Janeiro. Lapa is a historical neighborhood in the center of Rio de Janeiro. Although parts of it are residential, much of Lapa is dominated by shops and businesses, making Lapa rather deserted at night once the businesses have closed. Lately there has been some attempt to revive this area of Rio de Janeiro and many clubs have opened in Lapa helping it to become popular with the young crowd and lose some of its dangerous image. Lastly, the neighborhood of Bonsucesso is a working-class neighborhood in the north zone; an area of Rio de Janeiro dominated by industrial plants and *favelas*.

As I was researching both the military and the civil police forces, I visited the military police battalions and civil police stations on alternating days in order to give each an

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equal amount of attention and to be able to conduct in-depth research into both organizations at the same time. Conducting in-depth research within the military police battalions included accompanying officers on patrol, conducting observations, engaging in informal conversations, and interviewing the officers once they had become used to my presence. Conducting in-depth research with the civil police included observing officers register crimes, accompanying them during investigations, engaging in informal conversations with officers and other station staff, and finally conducting interviews with the officers. Although lower-rank police officers were the primary focus of this research due to their frequent contact with people and the fact that they form a larger proportion of a police organization, it was also important to take the role of the higher-ranking police officers into account, especially the battalion and station chiefs. Maintaining this balance between the higher and lower ranks was problematic in both organizations though somewhat more so within the military police due to the strict hierarchy present in this organization.

The extent of my access to a military police battalion often depended on the type of relationship I had with the battalion chief. The differentiation between ranks in the military police and the fact that they did not interact with each other except for when the higher ranks were giving orders to the lower ranks meant that I often had to choose between spending time with the higher-rank officers or the lower-rank officers. I usually began my research within a military police battalion by getting to know the higher-rank officers before focusing on the lower ranks which was not always looked upon kindly by some higher-rank officers as the lower ranks were considered to be substandard. Even within the civil police, this difference between the higher and lower ranks proved to be a problem. My frequent discussions with the chief of one of the stations led the lower-rank officers to believe that I was an employee of the state secretariat for public security sent to 'spy' on them. Many of these officers did not agree to talk to me until they heard from numerous different sources that I was a researcher and not a government 'spy'. Apart from requiring more time, researching both the military and civil police forces also posed another problem. Officers from both police forces wanted to hear my thoughts on their rival force; they often asked where I was when I was not with them, whether I also had lunch with the other officers, which force I preferred etc. Other than these complications the process of entering the police forces and getting to know the officers well enough so that I could interview them was relatively smooth. I ate lunch with the officers on a daily basis while I was accompanying them on duty. A couple of times I had drinks with a group of officers at the end of their shifts, but mostly I tried to draw a line between our work and personal lives. As a friend of mine was married to a low-rank military police officer, I did have the opportunity to converse with other officers in more informal settings.

In addition to conducting research within the police academies, military police battalions, and civil police stations, I also attended courses for law enforcement officials organized by universities and non-governmental organizations (NGOs), conferences organized by state entities and universities, protests and other civil society events, and I interviewed academics, government representatives, policy makers, human rights activists, and NGO officials. My access to all these locations and people was facilitated by certain key academics and policy makers to whom I am grateful, yet while conduct-

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ing my research I made sure to distance myself from these officials. This is because some of them were *personas non gratas* within the police organization, but I also tried not to drop the names of even those who were accepted within the police because I did not want my research and my opinions to be confused with the opinions of these well-known individuals. Although the research focused on the police, it was important to conduct interviews outside the police as well, as the events I attended and the state and NGO officials that I interviewed gave me more insight into the societal and institutional dynamics in which the implementation of police human rights strategies takes place. This ensured that my data, although focused on the police, would not simply consist of the police perspective of the world around them. Apart from taping and taking notes during interviews, after each conversation or encounter I also recorded what I observed, read, and discussed in my field notes.

During my second intensive fieldwork period from October 2004 to January 2005, I designed and carried out a survey amongst the residents of the city of Rio de Janeiro to gauge citizen's perceptions of the civil and military police forces and the two wide-scale strategies that people had more contact with, community-oriented policing and the model police station program. Although the research focuses on police human rights strategies and how they are experienced by police officers, it is also important to know how these police human rights strategies, the police organizations, and the public security situation in Rio de Janeiro are perceived by the people. This is because human rights standards are meant to protect people from state institutions, therefore police compliance with human rights standards cannot be determined without taking people's perceptions of the police and their actions into account. Furthermore, people's perceptions of the police influence their belief in the competence and legitimacy of the state making a look at the public perception of policing and police human rights strategies crucial in order to fully understand the outcome of implementing police human rights strategies within the police. As a result, I designed a survey with local researchers in the field of public security and human rights in order to gain an insight into how the residents of the city of Rio de Janeiro perceive police human rights strategies, the civil and military police forces, and the provision of public security in their city. This survey was carried out in cooperation with a prominent research institute in December 2004 and January 2005. During this time the survey (appendix I) was put to 800 respondents by fourteen researchers in seventy-five neighborhoods across the city according to the population distribution in the city's designated administrative regions. The survey was composed of both open and closed questions and the total non-response rate was 12.8 percent.

I supplemented my six-month long fieldwork period from October 2003 to March 2004, and my four-month long fieldwork period from October 2004 to January 2005 with a final five-week trip to Rio de Janeiro in June and July 2006. During this final fieldwork trip, I concentrated on updating my data so I revisited the police academies, the military police battalions and the civil police stations where I had conducted in-depth research and I tried to gain a better understanding of the societal and institutional factors that facilitated or impeded the implementation of the researched police human

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rights strategies so during this final fieldwork period I conducted follow-up interviews with several academics, policy makers, politicians, and NGO representatives.

The information gathered using the methods listed above was further supported by previous research on crime, violence, and security in Rio de Janeiro, reports by government officials and the police organizations, and newspaper articles, thereby enabling me to research and analyze these police human rights strategies from a variety of perspectives. Between fieldwork trips, I maintained contact with many of my contacts via email and organized and analyzed the data gathered. I coded the data collected according to subject and analyzed it using the qualitative research program, *Atlas.ti*, prior to writing each chapter.

As mentioned earlier, the methods used to conduct this research were participant observations, informal conversations, interviews, a survey, and the analysis of secondary data. I will briefly highlight each of these methods below:

Participant observations: This method was primarily used while attending courses with police officers within the police academies and universities, while conducting research in the military police battalions and the civil police stations and involved observing the content of the courses, the manner in which they were taught, the behavior of the police recruits during the courses and their other day-to-day activities, observing how police officers interacted with each other and with their supervisors within battalions and stations, how they responded to citizens' requests for information and assistance, how they pursued a suspect or investigated a crime. This method was useful in gaining an understanding of the reality of police training and daily policing and assisted me in formulating relevant interview questions.

Informal conversations: While I was present within the police academies, military police battalions, and civil police stations I engaged in informal conversations with the police officers and other employees I encountered. I also spoke with the police officers while on patrol, during lunch breaks, and while driving to different locations; while I was in the Netherlands I continued this informal contact via email. Through these informal conversations I was able to gather much relevant information about the police officers, their personal lives, their perceptions of their work and the police human rights strategies, and I was able to follow up this information during my interviews.

Interviews: I conducted interviews with low-rank police officers, high-rank police officials, politicians, policy makers, academics, NGO representatives, and residents of Rio de Janeiro. These interviews consisted of open questions and were adapted to the position of each interviewee. When necessary, follow-up interviews were conducted to gain more information on a topic or to follow a topic over time. In total, I conducted one hundred and twenty-two interviews while conducting fieldwork in Rio de Janeiro.

Survey: A survey was conducted amongst the residents of the city of Rio de Janeiro in order to gain an insight into their perceptions of community-oriented policing and the

model police station program, the civil and military police forces, and security in Rio de Janeiro.

Secondary data: I examined previous research, police and government reports, and newspaper articles to get a more all-rounded perspective of police human rights strategies, the police, and the public security situation in Rio de Janeiro.

1.5.1 Self-reflection

Looking back at my entry into the police forces in Rio de Janeiro and the research I conducted there, I realize it was very important to have the right contact to facilitate my entry into the organizations. My contact with a military police colonel who was the director of the institute of public security gave me and my research legitimacy in the eyes of the police and having access to the researchers at the institute of public security also facilitated my contact with academics, policy makers, politicians, and NGOs working in the field of public security. My entry in the field was also facilitated by the fact that I was conducting long-term research; many police officers had expressed their distrust of and disdain for researchers or journalists who only spent a brief amount of time with the police and then made massive generalizations based on what they had seen and heard. Police officers of all ranks seemed more open to my research because it involved long-term commitments and return visits; although some police officers only believed that I would return when I did actually return for my second fieldwork trip. Additionally, the fact that my research focused on police reform and not on police human rights violations certainly worked in my favor especially as my research involved an in-depth look at the police experience and gave police officers the opportunity to talk about themselves.

My entry into the police through a well-respected, high-ranking police officer in order to conduct what the police perceived to be non-threatening research assisted me in gaining access to the police. I also believe that the fact that I am a young woman and therefore seen as relatively unthreatening also worked in my favor. Lastly, my Pakistani background was something that many research participants could relate to. Instead of a representative from an organization in the 'first world' coming to Brazil to tell the police how to do their job, research participants saw in me a young woman from the 'third world' who knew how things worked in a developing country and the problems the police encountered, coming to see how police officers in Rio de Janeiro experienced the reality of day-to-day police work. My Pakistani background also helped me break the ice throughout my research, not just with the police, as most people I met in Brazil had never met someone from Pakistan before. My background, my facial features, and my nose ring received a lot of interest and always helped me to start a conversation and to get to know someone because my interviewees would inevitably always be curious about Pakistan and Islam. Most interviewees had questions about life in the East and the method of behaving prescribed by Islam based on a soap opera they had seen some years ago focusing on Islamic women. So by my answering their questions and striking a rapport with them I created an opportunity to ask them questions in return.

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As a young woman within a predominantly male organization I had to be careful with the messages I sent. While within the police organizations I made it a point to dress modestly, to wear a wedding ring, and to maintain a friendly yet professional rapport with the police officers. I was not always successful in stopping advances from police officers, in fact as one police officer argued 'I know you are married but you have been here in Brazil for so long away from your husband, trust me he has already cheated on you so you should not hesitate to cheat on him. So lets go out tonight', but eventually the novelty of having a young woman in their midst wore off and police officers began to express more interest in my safety and the progress of my research than in getting me to go out with them.

My entry into the police organizations and contact with individual police officers was relatively smooth albeit time-consuming. My initial meetings with high-ranking police officials and politicians always took longer than I anticipated they would as the person I was supposed to be meeting would inevitably be late or be present but otherwise occupied so there would always be a long wait until I actually got to meet my contacts. After being made to wait for a few hours during my initial meetings I made it a rule to only schedule one meeting per day and to use my waiting time to catch up on my reading and to reread my notes. It was only during my last fieldwork period when I already had a relationship with my contacts and was returning for information to fill the gaps in my research that I began scheduling two or more meetings in one day.

Individual officers were often wary of me at first and many did not quite understand what a girl from Pakistan was doing working in the Netherlands and conducting research in Brazil. Initially many police officers did not know what to make of me or how to interact with me. One military police officer attending an extension course at one of the local universities once stopped the class in session, stood up, pointed to me and yelled 'hey, I have never seen you before. Who are you? Tell me; are you a friend or foe?' Both at the police academies and at military police battalions and civil police stations, the officials in charge would introduce me to the police recruits and police officers yet this information was often lost on the officers who did not seem to know who I was or what I was doing until I introduced myself to them individually. Whereas some police officers immediately began talking to me, introducing me to their friends, and inviting me to lunch, others continued to distance themselves from me. The few women that worked within the battalions and stations tended to avoid me though I did have better luck with women within the police academies and at the extension courses. I tried to approach those officers I felt were avoiding contact with me, I accompanied them on patrol and during investigations and I tried many different ways to make them open up to me and although some did, others remained closed off to my research. The type of research I conducted depends on people's cooperation so if people consistently did not want to cooperate I could not force them to.

My close contact with the police on a daily basis meant that I was able to gain an understanding of the reality of policing in Rio de Janeiro and how police officers experience their duties. This also meant that I was able to gain a greater appreciation of the difficulties encountered by police officers in performing their duties and how they perceived themselves to be stuck between serving the state and protecting the

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population. This was problematic for me as within the human rights community the police are considered to be ‘the bad guys’ and being understanding of their plight is not always appreciated. Yet it was clear to me during my research that the police had to work in dangerous circumstances and encountered many other difficulties as part of their function for which they received little in terms of financial compensation, in fact many police officers did not even have health insurance coverage.

Lastly, my daily accompaniment of the police meant that I was exposed first hand to the crime and violence in Rio de Janeiro. I often found this difficult to digest, for example, while patrolling with the military police, visiting forensic investigators at the morgue, or following the registration and investigation of cases within the stations. The cases that the police were unable to solve due to a lack of evidence made the deepest impressions on me and I often wondered how police officers were able to deal with years of unsolved cases and being unable to assist everyone. The violence also affected my research in another way; I was not always able to patrol with military police officers or visit GPAE units in the *favelas* if there had recently been a violent incident or riot as the commanders of the respective battalions considered it too dangerous for me to be out with the police officers. During these moments of tension, which usually only lasted a few days, I still made it a point to be on the streets observing the officers and used my contact with NGOs and religious organizations to gain entry into the *favelas* so I was often able to see what was going on even though I could not accompany the police.

1.6 BRIEF OUTLINE OF THE BOOK

This book consists of nine chapters divided into three parts. The first part, which follows after this introduction, endeavors to set the stage on which the rest of the book will play out. The data provided in these two chapters create an analytical framework that is important in understanding the police human rights strategy-specific information that will be provided in the empirical chapters. The first chapter in this part, chapter two, deals with human rights implementation, policing, and public security reform in Latin America whereas chapter three further focuses this discussion on Rio de Janeiro. After this discussion of the conceptual framework, the focus shifts to the section on the police human rights strategies that are currently being implemented in Rio de Janeiro. There are four chapters in this section, one for each police human rights strategy covered during my research: police training, community-oriented policing, the *delegacia legal* (model police station) program, and the disarmament program. The final section focuses on the bigger picture surrounding the implementation of human rights within the police in Rio de Janeiro. Therefore chapter eight concentrates on how policing, police human rights strategies, and public security in Rio de Janeiro are perceived by those outside the police forces and the societal conditions that influence police compliance with human rights standards and, finally, the conclusion attempts to tie all the information together and see what lessons can be drawn from the Rio de Janeiro case study that are of relevance to other cities in Latin America.

2 Human Rights, Policing, and Public Security Reform in Latin America: A Conceptual Framework

'Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world'

Preamble, Universal Declaration of Human Rights

'We have not come here in pomp and show; we have taken refuge in this place from a series of unfortunate events'

Hafiz

2.1 INTRODUCTION

This book concerns itself with the police human rights strategies that have been implemented in order to increase police officer compliance with human rights standards. The reason for implementing these strategies, the process of implementation, the perception of these strategies, and their outcomes in terms of greater human rights compliance are addressed in subsequent chapters of this book. The core chapters of this book deal with the four police human rights strategies concentrated upon in this research, the training of police officers, community-oriented policing, the *delegacia legal* program, and the disarmament program. Yet before these four police human rights strategies can be examined and analyzed, a greater understanding of human rights implementation, policing, the societal and institutional factors that influence policing, and open the way for public security reform in Latin American need to be reached. Therefore this and the following chapter will focus on developing a conceptual framework through which the police human rights strategies described in the subsequent chapters can be analyzed. Whereas this chapter deals with the issue of human rights, policing, and public security reform in Latin America, the following chapter will focus specifically on the case study of Rio de Janeiro where fieldwork for this book was conducted.

In this chapter, I discuss the concept of human rights as put forward in the International Bill of Rights and the role human rights values, standards, and norms can play in protecting people from abuse by state institutions. Despite the development of the international system for the protection of human rights, the state is primarily responsible for promoting human rights and guaranteeing the provision of these rights to the people under its jurisdiction. The compliance of the state with its duties is largely dependent on the ruling regime within a state as some regimes are more involved in human rights violations than others. The responsibility of the state is then extended to the state agency charged with the maintenance of order and the enforcement of the law: the police. The police are granted a monopoly over the legitimate use of force and they have the ability to use force in order to enforce the law and maintain order. In enforcing the law, which includes human rights, the police protect people's rights, yet they can also violate those rights. As police behavior reflects largely on the legitimacy of the government and the political system as a whole, there has been a lot of attention

devoted to ensuring greater police compliance with human rights standards and this chapter looks at what police compliance with certain human rights could mean. Following a look at human rights, state responsibility, and the role of the police in complying with human rights, this chapter turns its attention specifically to Latin America. Latin America's violent past, the presence of deep-seated inequalities, and the process of democratization are described briefly before democracy's collision with increasing levels of crime and fear of crime are discussed. This increased focus on, and fear of, crime and violence has led to a focus on the police and public security¹ in general. This chapter then looks at policing in Latin America and the factors that have influenced its formation over the years, such as long-standing societal inequalities, the persistence of large-scale impunity, and the evolution of private policing. This chapter finally concludes with a discussion on police and public security reform, some of the forms it is currently taking in Latin America, and how the outcomes of these reform efforts will be evaluated within the context of my research.

2.2 HUMAN RIGHTS

Most modern states have ratified human rights treaties, which means that all persons, agents, organizations, and institutions should respect the human rights of people under the jurisdiction of these states. The police as one of the state entities responsible for the maintenance of social order, the prevention and detection of crime, and the provision of assistance to the public are therefore obliged to comply with human rights standards (Rover, 1998). But before attempts to increase police compliance with human rights standards can be discussed, human rights have to be defined. So what are human rights?

Human rights are internationally agreed values, standards, or norms that regulate the conduct of states towards their populace on a variety of issues ranging from security to political representation to well-being (Baehr, 1999). They essentially constitute a manner through which the interaction between those who have power and those who do not can be regulated (Donnelly, 2003). However, the theory and concept of human rights does not protect people from being the target of humiliation, discrimination, and oppression. Only when human rights values, standards, and norms are implemented and enforced do they truly become effective in protecting people.

The International Bill of Human Rights consists of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social, and Cultural Rights, and the two Optional Protocols to the International Covenant on Civil and Political Rights.² The Universal Declaration

1 Public security emphasizes the protection of persons, property, and democratic political institutions from internal and external threats (Bailey and Dammert, 2006: 1).

2 The legal status of human rights instruments varies: declarations, principles, guidelines, standard rules, and recommendations have no binding legal effect, but such instruments have a certain moral force and provide guidance to states in their conduct whereas covenants, statutes, protocols, and conventions are legally-binding for those states that ratify them (Office of the United

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of Human Rights was adopted and proclaimed on 10 December 1948 by General Assembly resolution 217A (III), whereas the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights were adopted and opened for signature, ratification, and accession on 16 December 1966 through General Assembly resolution 2200A (XXI) and entered into force in 1976. The first Optional Protocol to the International Covenant on Civil and Political Rights was also adopted by the same resolution in order to provide a way to deal with communications from individuals claiming to be victims of violations of any of the rights set forth in the Covenant.

The Universal Declaration was conceived as a statement of objectives to be followed by governments, therefore it is not legally binding. The declaration does not form part of international law, but it is a powerful tool in applying diplomatic and moral pressure on governments that violate any of its articles. As covenants, unlike declarations, are legally binding for the states that ratify them, committees have been set up to monitor the implementation of Civil and Political Rights and Economic, Social, and Cultural Rights. A body of independent experts known as the Human Rights Committee monitors the implementation of the International Covenant on Civil and Political Rights by state parties. All states party to the Covenant are obliged to submit regular reports to the Committee on how the rights guaranteed in the Covenant are being implemented. States must report initially one year after acceding to the Covenant and then whenever the Committee so requests (usually every four years). The Committee examines each report and addresses its concerns and recommendations to the state in the form of 'concluding observations'. The Committee can consider interstate and individual complaints in relation to alleged violations of the Covenant by state parties to the first Optional Protocol.³ The Committee on Economic, Social and Cultural Rights (CESCR) is a similar body of independent experts set up to monitor the implementation of the International Covenant on Economic, Social, and Cultural Rights by states party to the Covenant. All states that have ratified the Covenant are obliged to submit regular reports to the Committee on how the rights guaranteed in the Covenant are being implemented. States must report initially within two years of ratifying the Covenant and thereafter every five years. Like the Human Rights Committee, the Committee on Economic, Social, and Cultural Rights examines each report and addresses its concerns and recommendations to the state party in the form of 'concluding observations'. Unlike the Human Rights Committee, the Committee on Economic, Social, and Cultural Rights cannot consider individual complaints.⁴

In the years since the adoption of these treaties, human rights have become a very powerful concept, in essence a common standard of achievement for all nations and all peoples. In fact, countries are sometimes even pressured into ratifying human rights treaties and upholding the rights guaranteed in them. Yet this does not mean that

Nations High Commissioner for Human Rights). <http://www.ohchr.org/english/index.htm> Last visited 27 November 2006.

3 <http://www.ohchr.org/english/bodies/hrc/index.htm> Last accessed 26 November 2006.

4 <http://www.ohchr.org/english/bodies/cescr/index.htm> Last accessed 26 November 2006.

countries that have ratified human rights treaties fully understand or believe in the importance of human rights. Many countries ratify human rights treaties because of pressure from other countries or because it is the socially acceptable thing to do whereas other countries consider human rights to be a Western concept and therefore contrary to their own cultural beliefs (Donnelly, 2007; Sikkink, Risse-Kappen, and Ropp, 1999; Tharoor, 1999).⁵ Thus while in theory human rights are considered to be universal rights granted to one and all on the basis of their being human, in reality human rights are interpreted differently by states. As human rights were created specifically to control state abuses and depend largely on the initiative of individual states when it comes to implementation, how a state interprets the concept of human rights influences to a large degree the protection of human rights in that state. For example, as DaMatta (1981) points out, and as we will see later in this book, even though Brazil has ratified all existing human rights treaties and has adopted international law into its national legal system, human rights continue to be viewed not as obligations of the state towards its citizens but the privileges granted to some on the basis of who they are and whom they know. This interpretation of human rights in Brazil means that Brazilian residents are not universally protected and continue to be subject to human rights violations at the hands of the state.

Although human rights are not universally accepted or adhered to, human rights protection is increasingly taking center stage in the international arena and various entities have been created in order to ensure that states uphold their obligation to implement human rights and to protect those under their jurisdiction from abuse.⁶ Despite the growing international system for the protection of human rights, the implementation of human rights and the protection of all peoples from violations at the hands of the state remain problematic. Firstly, states have to ratify human rights treaties. Although there is considerable international pressure for states to do so not all states have ratified the existing human rights treaties. Until states ratify these treaties, they are not obliged to implement human rights within their territories and the committees cannot monitor the implementation of human rights within these states. Secondly, once states ratify human rights treaties they have to report to the committees that monitor the implementation of these human rights. Although these reports have to be handed in every few years, many states do not honor their obligations and hand in their reports after long delays. The reports that the states do hand in are compiled by the states themselves so they may not be completely honest in terms of state compliance in human rights violations. Non-governmental organizations that work in the area of human rights can submit shadow reports regarding the state's implementation of human

5 This problem with the universality of rights and obligations is why certain academic disciplines chose not to deal with rights based on the grounds of one's humanity but concentrate on issues of citizenship instead. As Turner (1993: 162) argues, there has never been a discussion within sociological literature on the idea of rights because sociology is generally skeptical about the existence of universal rights and obligations. Sociology prefers to concern itself with the theory of citizenship and the rights afforded an individual based on his/her presence in, and contribution to, a nation or a city-state.

6 <http://www.ohchr.org/english/about/publications/docs/fs2.htm> Last accessed 27 November 2005.

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rights and the committees can also turn to reports by other United Nations entities, such as the special rapporteurs. The committees base their concluding observations on the information they receive from all these sources, therefore these obligations can be critical even if a state has not acknowledged its negative human rights record. But states are not bound to implement the committees' recommendations. The Committee on Economic, Social, and Cultural Rights cannot accept individual complaints from people whose rights have been violated. The Human Rights Committee can, but only from individuals from those states that have ratified the first Optional Protocol allowing the Committee to accept individual complaints and even then only when the complainant has exhausted all domestic remedies. Therefore despite the extensive system for the international protection of human rights, the implementation of human rights depends largely on states and their willingness to comply with human rights standards.

As explored in this section, many states have adopted the International Bill of Human Rights, in particular the International Covenant on Civil and Political Rights, and upholding these human rights standards is now considered the obligation of these states. While this obligation of states is being increasingly monitored by human rights treaty bodies, charter bodies, and other interstate and nongovernmental entities involved in human rights promotion and protection, a state's compliance with human rights values, standards, and norms continues to be largely influenced by the regime in power in a country and the extent to which it chooses to implement human rights. This is due to the fact that despite the international system for the protection of human rights, states are still the key duty bearers in terms of human rights implementation.

2.3 STATE RESPONSIBILITY AND THE ROLE OF THE POLICE

As discussed in the previous section, the primary responsibility for complying with human rights standards and protecting people from abuse within a territory over which it has effective control lies with the state.⁷ This responsibility is a legal requirement under international and national law. States that have ratified human rights treaties are supposed to translate and incorporate human rights values, standards, and norms into their own legal systems (Donnelly, 1998). Even those states that do not do so provide for similar rights in their national legal framework (Sikkink et al, 1999). Crimes such as murder, torture, or physical assault are not just violations of human rights but are also

7 Essentially human rights were created to protect people from abuse by state institutions, therefore other groups that commit violent acts and abuse people's rights cannot be held legally accountable for human rights violations. These groups, such as drug gangs or terrorists, can be held accountable for violations of the law but not of human rights law, which is directed at states. Under human rights law, states have an obligation not to violate people's human rights and they can be held accountable for doing so, they can also be held accountable for failing to protect people from the abuses of others, thereby allowing people to fall victims to crimes committed by others (United Nations Declaration of Human Rights). <http://www.unhcr.ch/udhr/lang/eng.htm> Last accessed 25 July 2005.

violations of the penal code in most countries. Therefore human rights, such as those examined in this book, are protected by international and national law.

States are responsible for upholding people's rights yet the 'state' is an abstract concept as different organs represent a state. What exactly are state organs? A state organ exercises legislative, executive, judicial or another function, holds a position in the organization of the state, and regardless of its character as an organ of the central government or another unit of the state is considered, under international law, in its conduct to be acting on behalf of the state. 'A state organ includes any person or entity which has that status in accordance with the internal law of the state.'⁸ According to the above definition police organizations, as well as individual officers, are organs representing the state. Through their primary aims of maintaining public order, preventing and detecting crime, and providing assistance to the public, the police are one of the main state agencies charged with the responsibility of protecting human rights (Marenin, 1996; Manning, 1977; Bittner, 1970; Skolnick, 1966).

The legal responsibility that states bear for respecting human rights and implementing human rights standards in the territories over which they have effective control includes the obligation to prevent people's rights being violated or abused by state officials and others and to promote and guarantee the full enjoyment of human rights. States are required to provide security and maintain order, as they are two essential conditions for people to fully enjoy all their human rights (Vincent, 1987). This is not meant to trivialize the importance of other human rights, such as the access to food or housing, but to drive home the fact that without the presence of order and security access to other essential human rights would be difficult or impossible to achieve (Carothers, 1997). For example, in the shanty towns of Rio de Janeiro, or in other violent neighborhoods, the absence of security means that the inhabitants of these areas also do not have access to food, healthcare, sanitation, or stable housing as the entities that provide these services are too scared to enter certain areas.⁹

As states are the key duty bearers in terms of the implementation of human rights, the extent to which a state complies with human rights standards depends largely on the regime in power at any given time. In this way, human rights compliance is related to the socio-political situation in a given state. Although human rights violations at the hands of state agents like the police can occur at any time under any regime, there are some political conditions that are likely to be more respectful of, and more violating of, human rights (Human Rights Watch, 2004). According to O'Donnell (2004), democratic states that legitimately ensure order through the establishment and maintenance of the rule of law are more likely to be human rights complying. 'Adhering to the rule of law means the government is bound by law, that there is equality before the law, that there are predictable and effective judicial hearings, and that human rights are integral' (Amnesty International, 2006:18). Situations that are thought to be more inhospitable to human rights and under which human rights violations by state security forces are more likely to take place are when states are governed by repressive, authoritarian regimes, during the existence of internal conflicts when regimes face insurgencies, and

8 Article 4, Annex to UN resolution A/Res/56/83.

9 Author interview, 5 July 2006.

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under democracies that can be classified as 'illiberal' (Diamond, 1999; Zakaria, 1997). Although I will elaborate these three situations separately, it is important to note that in reality it may not be clear which situation a state is in. In particular, the line between the last two situations is blurred and in reality they may not appear to be different from one another.

The first socio-political situation in which human rights violations at the hands of state agents, such as the police, occur is one that many Latin American states have experienced: repressive, authoritarian regimes. Under an authoritarian regime, state agents find themselves charged with the security of the state and not the maintenance of the rule of law or the protection of the populace. As national security is of primary importance the regime uses its security forces, the police and the military, to defeat opposition to the regime, real or imagined, at all costs (Pereira, 2003). This reign of state terror, which I will elaborate on further in as much as it relates to the development of policing, democracy, and the rule of law in Latin America, inevitably leads to the regime's excessive use of force against the population. Therefore under a repressive, authoritarian regime the security of the state is valued over the protection of the populace and the state violates the human rights of those under its jurisdiction for its own benefit (Huggins, 1998). The second situation is that of internal conflict. In this situation, the regime in power can either be stuck between two warring sides or more commonly is one of the sides and is facing a rebellion or insurgency against it. This insurgency can take the form of the 'rebels' taking up arms, attacking key government positions, and trying to overthrow the regime or the 'rebels' controlling areas of the state and essentially exercising their own form of government in these areas (Call, 2002). In an attempt to quell the insurgency and regain control of the entire state, the regime is likely to use its security forces in counterinsurgency missions. These counterinsurgency missions can take the form of bombing areas under 'rebel' control and conducting massive arrest operations. Along with the actions of official state security agents, some internal conflict situations also involve paramilitary groups who are loosely linked to the state but cannot strictly be considered state agents. Therefore in internal conflict situations, the inhabitants of a state are at the mercy of either the government security forces, the paramilitary forces, or the 'rebel' forces and the assaults these groups inflict on each other mean that the human rights of the inhabitants of a state during an internal conflict are at a serious risk of being violated (Fumerton, 2002). Although the state cannot be held legally accountable under human rights law for the actions of the paramilitary or the 'rebel' forces because they are not state agents, it can be held responsible for failing to provide security, maintain order, and protect its populace from abuse by these non-state forces. Lastly, the third socio-political situation in which human rights violations occur is that of 'illiberal' democracy. In this situation, although a state is officially democratic it remains weak, fragile, and incapable of maintaining the rule of law (Arias, 2006). This means that the state is unable to provide security and other essentials to its populace, it may also be unable to control its own security forces or be willing to give the security forces free reign in order to control crime or other social ills (Goldstein, 2006; Pereira and Ungar, 2004). Without oversight and control mechanisms these security forces are free to do as they please; a situation that makes it more likely that they will abuse their

authority and violate people's rights. Additionally, the inability of the ruling regime to provide security in these situations has left a security gap that is being filled by armed groups threatening to replace state entities as the main security providers (Amnesty International, 2006; Hinton, 2006; Leeds, 2006). These armed groups, which Leeds (1996) refers to as parallel power structures, have sprung up all over Latin America further contributing to increasing insecurity and causing disorder as will be discussed later in this book (Amnesty International, 2006; Leeds, 1996). Therefore in the situation of an illiberal democracy, the rights of the state inhabitants are in danger of violation at the hands of out of control state agents and they can also be victims of abuse by other armed groups, a state of affairs that the regime should, but is too weak to, protect people from. The three situations dealt with here highlight the importance of the ruling regime in relation to a state's compliance with human rights standards.

As I have strived to explain in this section, the primary obligation to comply with human rights standards and protect the people under its jurisdiction from abuse by state agents lies with the state. Although the state is the key duty bearer in terms of respecting and abiding by human rights, the implementation of human rights depends largely on the regime in power within a state. The socio-political situation in a given state can influence the extent of its compliance with human rights standards.

As one of the main state agents responsible for maintaining order and enforcing the law, the police have an ambiguous relationship with human rights (Chevigny, 1995). On the one hand, they are responsible for maintaining order and respecting, abiding by, and enforcing the law, which includes human rights. On the other hand, they are employed by the state to ensure public order and are given a monopoly over the legitimate use of force against those under its jurisdiction in the process of which they may run the risk of violating human rights as the three situations detailed above illustrate. Therefore, the police walk a very fine line in the course of their duties of enforcing the law and ensuring public order and this is why they are required by law to use legitimate force only when it is justified (Pinizzotto, David, and Miller, 1997; Neyroud and Beckley, 2001). According to Bayley (as quoted in Chevigny, 1995: vii) 'the police are to the government as the edge is to the knife.' The police often have to use force to enforce the law but when they use too much force consistently, excessively, or non-legitimately society resists police action and the organization as a whole becomes delegitimised (Marenin, 1996: 316). Yet when police forces in societies with high crime rates use little or no force, they are often labeled by the population as weak, unprofessional, and defeated by or allied to criminals (Glebbeck, 2003). This complex relationship between the police and human rights will be explored further in the next section.

2.4 THE POLICE AND HUMAN RIGHTS

The police, as one of the state entities responsible for the maintenance of order, the prevention and detection of crime, and the provision of assistance to the public, are obliged to comply with human rights standards. For most people, the police are the

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most visible representatives of the state. Hinton (2006) describes the police as the most visible face of law enforcement which means that they are also blamed for everything that goes wrong within law enforcement. As state institutions the police operate with national authority and within national boundaries. They reflect national, regional, or local realities, political culture, history, society, and the economy (Chevigny, 1995). Therefore policing is shaped by the societal and institutional realities of the state or area in which it is conducted. The police come from the society they police and will adopt and express similar attitudes. If negative attitudes towards a certain racial or social group exist in society then the police are likely to share these attitudes as well (Amnesty International, 2006; Huggins, 1984).

2.4.1 The Police

The police, like any other organization, adapt to the situation and circumstances around them. Therefore police organizations around the world develop and function differently from one another. Chevigny (1995) argues that, some exceptions withstanding, police departments reflect the social assumptions of the larger society in which they operate into their own bureaucratic organization and the relations between superiors and rank-and-file police officers. For example, in the United States most high-ranking police officers have served in the lower ranks and worked their way to the top whereas in Brazil high-ranking officials and low-ranking patrol officers are selected, trained, and socialized separately for their specific functions. Despite these differences there are similarities that allow some discussion on the police in general. In this section I will briefly discuss the police and their role in society before focusing on the implementation of human rights within the police.

One of the most commonly cited explanations of the nature of the police is derived from one of Weber's (1930) three fundamental characteristics of a state: monopoly over the legitimate use of force. In modern society it is the police, as an institution¹⁰ of the state, which is granted this monopoly over the legitimate use of force within the jurisdiction of the state. The police as the primary instrument of law enforcement is the body through which the state can execute legitimate force and maintain internal order (Midgal, 1988). In Weber's model, people are, ideally though not necessarily, managed by their government rather than being coerced and at the same time the state and its management of affairs becomes legitimate meaning that while the state has given the police the authority to use legitimate force, the police are not always expected to use it.

Police forces and their duty of policing have been described in many ways. Blackstone (as quoted in Bittner, 1990: 235) writing in the mid 1700s defines policing as 'the due regulation and domestic order of the Kingdom, whereby the individuals of the

10 Skelnick (1957, p.4-5 quoted in Lammers *et al.*, 2001, p.399), 'The term 'organization' (...) suggests a certain bareness, a lean, no-nonsense system of consciously co-coordinated activities. It refers to an expendable tool, a rational instrument engineered to do a job. An 'institution', on the other hand, is more nearly a natural product of social needs and pressures – a responsive adaptive organism'.

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state, like members of a well governed family, are bound to conform their general behavior to the rules of propriety, good neighborhood and good manners, and to be decent, industrious and inoffensive in their respective stations.' In 1829 Sir Richard Mayne, the first Justice of Peace of the newly formed Metropolitan Police Service in London wrote 'The primary object of an efficient police is the prevention of crime: the next that of detection and punishment of offenders if crime is committed. To these ends all the efforts of police must be directed. The protection of life and property, the preservation of public tranquility, and the absence of crime, will alone prove whether those efforts have been successful and whether the objects for which the police were appointed have been attained.'¹¹ These two quotes encompass two of the three main functions that police forces are expected to perform: the maintenance of order and the prevention and detection of crime. These have long been considered the domain of the police but taking day-to-day policing into account, a third function has also been added. This third element, the provision of assistance to the public, has been included in the list of what is expected of the police because as it turns out this is what the police spend the majority of their time doing. We may consider the police to be crime fighters but it seems we turn to them more often for our daily needs, such as asking for directions, than to report criminal offences (Klockars, 1985; Crawshaw, Devlin, and Williamson, 1998; Sheptycki, 2000)

Bayley (1985:7) defines the police as 'people authorized by a group to regulate interpersonal relations within the group through the application of physical force'. This definition has three essential elements: the granting of authority by a collective group, the use of force, and the internal focus of the said force. The first element, authorization from a collective group, means that police forces are often created by a variety of social units from which they derive their authority. This definition essentially excludes those groups that may engage in the maintenance of public order, even internally, but who have not been given the authority to do so by the group around them. The second defining element is the use of force. As stated earlier the police are the main instrument by which the state enforces its domestic monopoly on physical force. The use of force is unique to the police as they are the only agents in society that are authorized to use physical force when deemed necessary and legitimate. Yet the police are characterized not by the actual use of force but by the fact that they are authorized to, and can threaten to use it. The military are also authorized to use force and this is what brings us to the third defining element as the police are the only body that are authorized to use force internally, something that effectively excludes the army from Bayley's definition of policing (Bayley, 1985: 8). In some situations, the police are referred to as law enforcement officers. This has evolved from the fact that although in most societies the functions of maintaining order and preventing and detecting crime are the domain of the police, in other societies other state agents are entrusted with police powers.¹² For example, in some countries the military works with the police in the war on crime,

11 <http://www.met.police.uk/index.shtml> Last accessed on 25th April 2006.

12 See the Annex to article 1a of the UN Code of Conduct, 1979, 'All officers of the law, whether appointed or elected, who exercise police power, especially the powers of arrest and detention'.

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drugs, and terrorism, yet as their missions entail traditional policing duties soldiers can be seen as law enforcement officers in this context (Moloeznik, 2003).

Most recently, Bailey and Dammert (2006: 2) have defined the police as the ‘visible, active presence of democratic governance’. The respect or lack of respect that the police demonstrate for human rights and civil liberties essentially sets the tone for government and civic society relationships. A government’s ability to prevent and repress crime is seen as crucial to the government being viewed as competent. The police in their role as the arm of the government responsible for maintaining order and detecting and preventing crime are essential players. The police’s effectiveness in maintaining order and preventing crime speaks volumes about the government’s competence and in turn the legitimacy of democracy as a political regime. Yet this is often problematic because as Hinton (2006: 3) points out, the police themselves are largely an undemocratic organization. Police institutions tend to be closed off to outsiders, non-transparent, and resistant to change; they operate on a very hierarchical basis where orders come from the top and must be obeyed by everyone without questions being asked and as they cannot possibly prevent and detect all crime they do focus on certain types of criminal offences more than others. According to Chevigny (1995) this is evident in the types of crimes that the police most commonly enforce. In general, the police tend to focus on crimes that can be identified with the lower classes. Crimes committed by the middle and upper classes, such as white-collar crime, tend to be investigated by administrative agencies and other bodies that are separate from the police. Fyfe and Skolnick (1994) found this to be true even in developed democracies. His research on the police in the United States shows that the police is a secretive, hierarchical organization, which resists external interference, and that police officers are often at odds with legal and procedural codes in the process of gathering criminal evidence and in their treatment of suspects.

Another factor that plays a key role in the functioning of the police is police culture. Police culture is considered to be a set of informal assumptions, values, and accepted practices that allow the police system to function. By definition police culture is a neutral phenomenon, it is neither positive nor negative. Police culture can be, and is, very functional in allowing police officers to form a bond with each other in order to perform their jobs to the best of their abilities (Reenen, 1997). Police culture is also known to keep police officers in line, as it essentially functions as an internal process of social control, but it also has negative consequences (Manning, 1977; Westley, 1970). Police culture can also be used in contradiction to legal and formal rules and instructions and can be adopted by police officers to give them a sense of security when they are working under dangerous, unpredictable, and alienating conditions (Chan, 1997). Characteristics of police culture, such as a code of silence¹³ and solidarity amongst

13 The code of silence, or the blue wall of silence as it is sometimes referred to, is the principle that an officer does not provide adverse information against a fellow officer, thereby hiding police misconduct and guaranteeing that police officers who commit crimes will not be held accountable (The Christopher Commission Report, 1991). Repercussions for breaking the code of silence include ostracism, threats, and the fear that officers will not ‘back up’ an officer who

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officers, have frequently covered up police misconduct and abusive practices (Skolnick and Bayley, 2002). Mani (1996:19) claims that while admitting to having a few bad apples in their ranks, police organizations rarely see themselves as dishonorable institutions. In fact, they are most likely to believe that they are fulfilling their duty to the nation and protecting citizens. From a human rights perspective it is important to change the overall mentality of the corps, through training, the presence of a leadership that sets an example, and the organization-wide commitment to operating in accordance with the law (Bratton, 1998). Due to their authoritarian legacy and the adoption of militarized security doctrines which will be discussed later in this chapter, Latin American police forces have developed a police culture that fosters military values, such as discipline, obedience, and unquestionable loyalty but that also allows the creation of informal networks and illegal practices in order to by-pass these official, strict, and highly militarized organizational regulations (Glebbeek, 2003; Neild, 2001).

Another factor that influences policing is the presence of what Reenen (2004) terms policing extensions. Policing extensions are defined not by who they are but what they do. They are not an extension to the police organization but to the police function. They are defined as 'individuals, organizations, or institutions that assist the police in their work' (Reenen, 2004). Although they assist the police in their duties they are not exclusively connected to the police and are able to function independently. The relative autonomy of these groups and the fact that they do not perform functions for the benefit of the state or for the service of the populace but for the advantage of commercial interests means that their activities are difficult to monitor and control and they may play a role in the abuse of the larger population for the benefit of their employees. Another element that complicates this even more is that some members of policing extension groups are police or military officers, their membership in an illegal group doing the bidding of commercial groups calls into question their loyalty to the state and to the rule of law, an issue that will be raised again later in this chapter in relation to death squads and private policing.

The police are an important element of modern society as they are charged with the maintenance of public order, the prevention and detection of crime, and the provision of assistance to the public. The police's success in maintaining order and preventing crime has tremendous consequences for the legitimacy of the government, and democracy in general, but what is the role of the police in a democratic society?

breaks the code (The Mollen Commission Report, 1992). According to a Human Rights Watch report (1998), the code of silence goes far beyond the street officers who witness abuses and fail to report them, or who lie when asked about reported incidents. In many cases, 'responsibility for the blue wall of silence extends to supervisors and ultimately police commissioners and chiefs. Furthermore, local district attorneys, when they prosecute criminal suspects based on officers' patently fabricated justifications of searches or suspects' injuries, and who continue to cooperate with officers who commit human rights abuses rather than attempt to prosecute them on criminal charges, join in complicity. In the end, the code of silence all but assures impunity for officers who commit human rights violations since, without information about brutal incidents from fellow officers, administrative and criminal penalties are much less likely. In such a climate, officers who commit abuses flourish'.

2.4.2 The Police Role in a Democracy

The definitions cited above lay out some of the traits of policing such as the maintenance and regulation of domestic order, the prevention of crime, the detention and punishment of criminal offenders, the protection of law and property, the preservation of peace, and the enforcement of the law. While the information cited in the previous section describes the functions of the police, it does not shed light on the role that the police are supposed to play in a democratic society. So what is the role that the police fill in society?

In democratic countries, governed by the rule of law, the police are supposed to be subordinate to the elected government.¹⁴ In this setting, the law is supposed to provide the framework for policing. Despite this the police have the potential of becoming a very powerful force within society and police officers' powers have to be monitored and counter-balanced. This is all the more important because the police, as primary legal enforcers in their capacity to deter crime, have a fundamental impact on public trust in the legal system and ultimately on the legitimacy of the state itself. Yet making sure the police adapt to what is expected of them in a democracy, and keeping their behavior in check so that it reflects positively on the democratic state is incredibly difficult due to what Hinton (2006: 3) describes as the 'inherent contradictions between the police role and the ideals of democracy'. Some contradictions have their root in the factors that led to the creation of the police in the first place. In most countries, the police evolved out of the state's efforts to extend and consolidate its power and contain the disorderly effects of the 'dangerous classes' (Marenin, 1982; Bayley, 1975). These tensions are most apparent in the ability of the police to use forceful, coercive measures. The state has a monopoly over the use of force, which it grants to the police to exercise within the jurisdiction of the state yet the democratic state is also supposed to be liberal and consensual in its character. The ability of the police to use coercion highlights this tension between the two images of a democratic state. Whereas traditionally the police were seen as servants of the state, within a democratic society they are supposed to serve the law, which includes human rights and should therefore involve the protection of the people from the powers of the state (Kleinig, 1996; Waddington, 1999; Bayley, 2001). Therefore the police constantly have to walk this line between using force in order to enforce the law and protecting the population. This is why police compliance with human rights standards is imperative if human rights are to be respected and the rights of the people are to be upheld. Yet not all police officers view human rights as a positive development.

Some police officers continue to perceive human rights as an impediment to efficient policing and some sections of society tend to agree with them. In general public tolerance for police violence tends to increase in situations of high crime or high fear of crime, and police abuse is often tolerated and even praised by sections of the public as police 'being tough on crime' (Amnesty International, 2005; Rotker, 2000). This has

14 Article 1a of the UN Code of Conduct, 1979, 'They fulfill the duty imposed upon them by law, by serving the community and by protecting all persons against illegal acts'.

led to the perceived dichotomy¹⁵ of human rights on one hand, and security on the other, a topic I will explore later in this book (Chevigny, 1995). The police, as the arm of the state responsible for maintaining public order, preventing and detecting crime, and providing assistance to the public, walk a fine line in performing their duties and can function as both the protectors and violators of human rights. Ideally, the police can play a key role in upholding human rights, thereby ensuring a situation in which people can fully enjoy all their rights.

Perceptions of police forces as organizations set up to protect the state through the restriction of the rights and liberties of the people are being challenged by the realization that the police can play a key role in complying with human rights standards, upholding human rights, maintaining public order, and ensuring a situation in which people can enjoy all their rights. This has led to a focus on implementing human rights within the police and encouraging police officers to comply with human rights standards. With this in mind, there have been some attempts by state authorities, international agencies, and non-governmental organizations to train police officers to comply with human rights standards. The next section of this chapter looks at how human rights can be implemented within the police.

2.4.3 Police Compliance with Human Rights

Human rights values, standards, and norms are wide reaching and deal with all aspects of human life and societies. Police officers, as representatives of the state, should respect, comply with, and uphold all human rights yet certain rights are more affected by police behavior than others. This book focuses predominantly on those human rights values, standards, and norms that are most related to police operations and affected by police officer compliance: civil rights. For example, increased police compliance with the right of individuals not to be subjected to arbitrary arrest or detention¹⁶ in a particular country is directly related to the citizens of that country enjoying this right to a greater extent. They are less likely to be arrested at random and they are more likely to know the reason for their arrest if they are arrested. Police officer compliance or resistance to civil rights influences to what extent these rights can be guaranteed and upheld. This is not to suggest that police compliance with, and resistance to, other human rights values, standards, and norms are not relevant. To the contrary, police behavior can affect the ability of a state to guarantee political, social, and economic rights to its citizens as well. For example, police compliance with human rights can increase the amount of trust citizens have in the police, which in turn can affect their faith in the state and in democracy in general, making them more likely to participate in elections therefore guaranteeing greater enjoyment of political rights. Diamond (1999) further elaborates on this example; he states that it is the task of the state to provide citizens

15 Even though in reality there is not such a simple split between respecting human rights and ensuring security, and it is possible to achieve both, it is often perceived that the two cannot go together.

16 Article 9 of the Universal Declaration of Human Rights and article 9 of the International Covenant on Civil and Political Rights.

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with security usually through the actions of the police. But when a state cannot do so, it is unlikely to gain the deep, widespread, and unconditional support of its population. This failure on behalf of the state to deepen democracy and the rule of law, and extend citizenship rights across all social sectors shakes public confidence in the police and the judicial system, weakens the rule of law, and increasingly undermines support for democracy (Neild, 1999).

Having acknowledged the importance of all human rights values, standards, and norms, a few rights were selected to be the focus of this book and my research. This is due to the nature of policing in Latin America and the pivotal role police compliance and resistance to the following rights plays in the guaranteeing of these rights as will be explored later in this chapter. On the basis of internationally agreed upon standards, the following basic human rights values, standards, and norms form the backbone of the author's research:

- The right to life, liberty and security of person.¹⁷ The inherent right to life is protected by law and no one shall be arbitrarily deprived of it. This means that the police have to refrain from summary executions, illegal violence, unnecessary or excessive use of force, and any other acts that may endanger the life, liberty, or security of others (Rover, 1998). The police also have the duty to protect people from other people who wish to deprive them of their life, liberty, or security, such as criminal gangs.
- The right to be free from torture and other forms of cruel, inhuman or degrading treatment.¹⁸ All detainees should be treated humanely. Police officers cannot physically, sexually, or psychologically abuse or otherwise injure or humiliate anyone in order to instill fear, extract a confession, or as a form of punishment. They also have a duty to protect people from being victims of torture or other cruel, inhuman and degrading treatment at the hands of others.
- The right to be free from arbitrary arrest, detention, or exile.¹⁹ No one shall be deprived of his liberty except on such grounds and in accordance with such procedures as are established by law. Police compliance with this human right means that the police cannot arrest and detain people randomly and that when they do arrest and detain someone they have to disclose the reason for the arrest, and present the suspect to a judge or magistrate within a given period of time.²⁰

17 Article 3 Universal Declaration of Human Rights; Articles 6 and 9 International Covenant on Civil and Political Rights.

18 Article 5 Universal Declaration of Human Rights; Article 7 International Covenant on Civil and Political Rights; Articles 1 and 16 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Articles 2 and 5 United Nations Code of Conduct for Law Enforcement Officials.

19 Article 9 Universal Declaration of Human Rights; Article 9 International Covenant on Civil and Political Rights.

20 *Idem*.

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- Equal treatment under the law²¹ without discrimination on any grounds. Police compliance with this human right means that the police have to protect everyone to the same extent and treat them the same as required by the law regardless of their age, sex, race, religion, ethnicity, and socio-economic circumstance. This means that the police cannot engage in preferential treatment of someone because of who they are and whom they know to the detriment of others.
- A proportional use of force.²² Unlike the rights presented above, the standards governing police use of force are a part of soft law and therefore non-binding. The rules for the proportional use of force by law enforcement officials as detailed in the United Nations Code of Conduct for Law Enforcement Officials and the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials are meant to provide guidelines for the use of force but police officers cannot be held accountable for not abiding by them. According to these guidelines, force should only be used when strictly necessary and to the minimum extent required under the circumstances. The guiding principle on the proportional use of force differs from the rights presented above because it is aimed particularly at the conduct of law enforcement officials. The Code of Conduct for Law Enforcement Officials, adopted by the United National General Assembly in 1979, provides that ‘the use of force by law enforcement officials should be exceptional; while it implies that law enforcement officials may be authorized to use force as is reasonably necessary under the circumstances for the prevention of crime or in effecting or assisting in the lawful arrest of offenders or suspected offenders, no force going beyond that may be used.’²³ In 1990 in the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, the United Nations congress on the prevention of crime and treatment of offenders stated this more strongly: ‘law enforcement officials shall not use firearms against persons except in self-defense or defense of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.’²⁴

21 Article 7 Universal Declaration of Human Rights; Article 26 of the International Covenant on Civil and Political Rights; Articles 2 and 3 International Covenant on Economic, Social, and Cultural Rights; UN Code of Conduct for Law Enforcement Officials.

22 Article 3 United Nations Code of Conduct for Law Enforcement Officials; United Nations Basic Principles on the Use of Force and Firearms.

23 Article 3(a), United Nations Code of Conduct for Law Enforcement Officials.

24 Special Provision 9, United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

2.4.4 Police Human Rights Strategies

So far, this chapter has dealt with human rights and the obligation that states have to comply with human rights standards and protect the rights of those under their jurisdiction. As states are the key duty bearers in upholding human rights, the ruling regime greatly influences the extent to which a state complies with human rights standards. As the arm of the state responsible for maintaining order, preventing and detecting crime, and providing assistance to the population, the police play an important role in upholding human rights and protecting the populace from abuse. In this way a state's obligation to implement human rights involves police compliance with human rights standards. This section has examined the police organization and the role of the police in a democratic society. Following this police compliance with certain rights, most influenced by police actions, was operationalized. Having acknowledged the importance of police compliance in ensuring that human rights are respected and detailing what compliance could entail in relation to some key civil rights, this section now looks at how human rights can be implemented within police forces. How can police officers be made to comply with human rights standards in their day-to-day policing activities?

For the sake of this research, attempts to implement human rights within police forces have been termed police human rights strategies. Police human rights strategies are defined as those laws, policies, projects, or programs that implicitly or explicitly aim to improve police compliance with human rights standards. As the definition above suggests, police human rights strategies can have the explicit aim to improve police officer compliance with human rights standards or implicitly attempt to do this due to the elements that they entail. In fact, as we will see below, some programs that are classified as police human rights strategies are officially considered to be efforts to reform policing and public security. The two do not necessarily have to be connected but the police human rights strategies studied in this book were officially unveiled as attempts at police and public security reform.

The strategies referred to in subsequent chapters of this book form a part of the public security, or police reform that has increasingly been implemented in Latin America since the 1990s (Frühling, 2003). Following the transition to democracy and the massive increase in crime and violence that coincided with this period of political transition, most governments in Latin America seem to agree that reform is necessary yet no broad consensus exists as to how best to accomplish that goal (Frühling et al., 2003). Public security and police reform strategies implemented thus far have concentrated mainly on 'the development of new methods to reduce crime and violence, the professionalization of the police forces, improvement of relations between the police and community and an emphasis on resource management to improve police efficiency' (Frühling, 2003: 21). From the perspective of the government and high-ranking law enforcement officials, these attempts at public security reform are created and implemented in order to counteract rising crime rates, improve the image of the police, or make them more efficient (Mesquita Neto, 2002; Chevigny, 1995; Bayley, 1994). Although these reforms are not created with the purpose of implementing human rights, some of them do have distinct human rights implications. It is these attempts at

reform that I refer to as police human rights strategies. These strategies include improved selection criteria and training curricula for law enforcement officials, enhanced internal and external oversight, improved working conditions, the creation of professional forces specially prepared to engage in police work, efforts to make the police more accessible to the population, reduce crime, enhance the ability of police officers to engage in dialogue with and attend to the needs of the population in order to improve police-public relations, decrease incidents of police abuse by focusing more on the use of mediation rather than force to resolve conflicts, and enhance the productivity of police officers.

Due to the work that the police do it is important to ensure that they comply with human rights standards and the previous section considered what compliance with certain rights could mean in terms of day-to-day policing and how human rights could be implemented within police forces. The following sections of this chapter will consider the concepts of democracy, human rights, and the rule of law in Latin America before focusing on policing in Latin America.

2.5 DEMOCRACY, THE RULE OF LAW AND HUMAN RIGHTS IN LATIN AMERICA

The previous section dealt with the police and their role in society. As police organizations are influenced by the society in which they operate it is also important to take societal realities into account along with the institutional realities of police organizations. The following sections will focus on the issues of democracy, the rule of law, and human rights and what these entail for contemporary Latin American society, following this the factors that have specifically influenced policing in Latin America are detailed.

Police human rights strategies such as those that form the focus of this book are influenced by the specific societal context in which they are implemented. Firstly, the process of creating a strategy is influenced by societal factors such as the reputation of the police, the level of crime and violence, societal perception of crime and violence, and the political will to implement change. In this way the decision of which strategy to implement is dependent on the society in which the strategy is implemented. In addition, the resources invested in a strategy and the extent to which it is implemented and followed through upon also depends on the societal context. According to Bailey and Dammert (2006: 246), attempts to reform the police are influenced by the manner in which power is distributed in a society and who benefits from this power play. Although security is supposed to be enjoyed equally by everyone, in reality this is certainly not the case. Different interest groups influence which strategies are developed and how they are implemented. For example, businesses can promote those initiatives that are beneficial for them while blocking initiatives which may have negative consequences for them. Therefore, the pressure exerted by various groups in society can constrain public security reform (Hinton, 2006). Lastly, the way a strategy is perceived by society at large and by the law enforcement officials involved in implementing a strategy and the impact these perceptions have on the continuation or discontinuation of a strategy are also influenced by the societal context in general. It is for these reasons

that a look into the Latin American societal context, in which the four police human rights strategies discussed in this book are implemented, is important at this juncture.

2.5.1 A Violent Past and the Transition to Democracy

Latin America has a long history of violence, inequality, and limited citizenship rights. In fact, many of the problems we see today in Latin America, some of which will be covered in this book, can be seen as legacies of the past. Koonings and Kruijt (1999) state that while Latin American elites adhered to European civility, progress, and liberalism on the one hand, on the other the civility was founded upon extreme social inequality. These attitudes were based on the logic of exclusion and established by force and coercion on behalf of the police and the military. Privileges or citizens' rights were based on relations of clientalism and it was routine for civility to exist for the privileged few and for the underprivileged masses to be targeted as the victims of violence. In fact, according to Roberts (1996), the meaning and practice of citizenship has changed considerably over time in Latin America. After achieving their independence Latin American states were characterized by a strong centralized leadership that valued nationalism over regionalism. Whereas these countries drafted liberal constitutions that awarded many freedoms and granted a great number of rights to their citizens, these rights were of little practical value to a great number of people. Citizenship was, in effect, used by the elites to support their projects and achieve their goals, one of which was to prevent popular participation. Therefore, human rights violations continued and voting rights were often curtailed but governments were more ready to extend social benefits such as access to education, healthcare, and social security. This is because social rights were salient for both elites and non-elites. Improving education and healthcare was thought to be the key to development so international agencies and local governments sponsored educational and healthcare programs. Despite the low quality of these programs, these were two easily visible and appreciable rights. It was not until the economic stagnation of the mid 1970s and the excess of repression at the hands of the government that social rights became less salient and the demand for civil and political rights grew.

During the authoritarian regimes of the 1960s, 1970s, and 1980s, these rights were curtailed even further. During this time, incited by the fear of communism filtering across the border from the United States, the military regimes branded entire classes, even traditionally respected ones, as subversives and therefore denied them all access to their rights (Glebbeck, 2003). Hinton (2006) and Koonings and Kruijt (1999) expand on what Chevigny (1995) also makes clear in his work on policing in Latin America, that violence, torture, and killings by the police and the military have always existed in the region. Police abuse of power and deadly use of force did not begin with the coups that ushered in the authoritarian regimes, these have long been a part and parcel of the history of Latin America, typically manifested as violent mistreatment of the poor and the politically suspect (Mesquita Neto, 2002; Huggins, 1991; Huggins, 1984; DaMatta, 1981). Throughout Latin American history and until this day, violence has been used

to control the population, to instill fear in them, to extract labor, and to demonstrate the might and authority of the state (Huggins et al., 2002).

During the years of authoritarian rule in Latin America, especially in the Southern Cone, the political foundations and undertones supporting violence work in all its forms were rooted in a national security doctrine that viewed communists and socialists as subversives who threatened the dominant way of life and the very existence of the state (Weschler, 1990). Thus the military regimes in Argentina, Brazil, Chile, and Uruguay did what most repressive governments do in order to counteract such a threat: they created enemies of the state who had to be identified, weeded out, collected, interrogated if they were thought to have information of value, tortured if they do not comply, and executed when they were of no further value to the mission of the state (Keen, 1986; Kelman, 1973). In the lives of those who would carry out the state's dirty work, the national security doctrine advanced the message that such state violence was necessary and appropriate (Huggins, 1998). A national rhetoric, such as the national security doctrine, foresees the widespread presence of enemies and justifies repressive actions by the government for the good of law-abiding citizens. It essentially establishes the sense of a state under siege.

Since the military and the police were the power holders at this time in Latin America, the societal groups that supported them not only tended to ignore the arbitrariness practiced by these forces but also relied on it. Therefore there was no incentive for the police or the military to move towards legality, accountability, and respect for human rights (Glebbeck, 2003). Yet even though the fear of communism eventually subsided and the military dictatorships began to lose power and fade away, the internal security doctrine and the abusive behavior it permitted continued but were now focused against a different enemy. According to Neild (2001: 23), this traditional concept of the rule of law and social order allowed police forces to violate citizen's rights in order to fight growing incidents of crime effectively and emphasized that there were certain groups, criminals and the lower class, which had fewer rights than others since they were considered a danger to social order.

Newly democratized nations in Latin America have faced, and continue to face, problems with the rule of law. The concern is no longer political repression of those opposed to the government but the rising tide of crime and violence, which will be discussed further in the following section. As many Latin American countries have discovered, formal democratization is not a sufficient condition for long-term change and successful public security reform (Glebbeck, 2003). Unlike the authoritarian regimes of the past, in most cases the democratic state is not directly responsible for the continuing police abuse of the poor and criminally suspect. Yet the state should be held responsible for its failure to control the arbitrary practices of its own agents and to hold them accountable for their actions (Hinton, 2006).

2.5.2 Broken Promises: Democracy's Collision with Crime, Violence and Heightened Threat Perceptions

As mentioned earlier, most Latin American countries went through successive cycles of authoritarianism, violent conflict, and democratization. The hope at the end of the

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last era of dictatorships in Latin America was for the consolidation of the rule of law (Pinheiro, 1999). The return to civilian governments increased expectations that the degree of human rights protection achieved for political opponents during the process of democratization would be extended to all citizens under democracy. Yet despite the transition to democracy, many authoritarian practices were not affected. According to Vellinga (1995:17), democratic ideals often functioned as ideological window-dressing in Latin America. In this setting, newly drafted democratic constitutions were no more than facades behind which local elites maintained their traditional practices of government. To this day there remains a significant gap between the letter of the new constitutions and law enforcement in practice. In many countries in Latin America, relations between civilian governments and society, especially the poor and marginalized members of society, have been characterized by the illegal and arbitrary use of power (Pinheiro, 1999). As mentioned earlier, people's perceptions of police conduct influence their faith in their government and by extension in democracy. In Latin America, arbitrary, violent police conduct means that the majority of Latin American citizens do not trust their state institutions; moreover, racial minorities and the lower classes, who are frequently the target of this arbitrary violence indicate even less confidence in the police and the justice system than other Latin Americans (Bailey and Dammert, 2006: 246; Ramos and Musumeci, 2004).

The expectation of the average Latin American citizen that democracy would bring a more prosperous existence has not been realized (Hinton, 2006). With few exceptions, the general pattern in the Americas was a significant increase in crime and violence in the mid 1980s and again in the mid 1990s (Bailey and Dammert, 2006). This fear of crime and violence is further exacerbated due to the public's long mistrust of police forces and the perception that the government is unwilling or unable to respond to the new threat. The belief that the government is doing something about the concerns of the people is essential in a democracy because the effectiveness of the government is reflected in the perceptions of democracy amongst the population. Whereas in the periods of authoritarian rule, citizens' views about public safety mattered less than regimes' views of national security and the problems of crime and violence could be veiled by government censorship, in democratic politics, citizens' views are paramount (Bailey and Dammert, 2006: 245). Although security is not the only concern of the population, it is certainly one of the top three issues mobilizing Latin American society today (Latinobarometro, 2002; Mesquita Neto, 2002).

According to Bailey and Dammert (2006), the political transitions and economic change ushered in during the 1980s and 1990s coincided with a sharp increase in crime and violence. The economic change brought greater underemployment in the formal sector, an ever-growing informal sector, and greater inequality. In terms of politics, Latin American governments inherited institutions weakened by years of military bulldozing, among them the police (Hinton, 2006). Crime and violence have always existed and been problems in Latin America yet have become more so after the transition to democracy. This is because democracy created more open political and social systems, simply magnifying perceptions of insecurity and generating pressure on elected officials for prompt solutions. Latin American governments' inability to ease the problems and

placate their citizens has resulted in a lack of faith in, and support of, government institutions throughout the region. The collision of political transition, with economic change and increases in crime and perceptions of insecurity mean that a few security trends can currently be found throughout Latin America. First, as raised by several researchers (Rotker 2000; Smulovitz, 2000), the fear of crime in Latin America is generally more than would be warranted by the reality in the region. Second, that victimization is in fact increasing more in medium-sized cities than in large urban centers (Bailey and Dammert, 2006: 8). Additionally that only twenty-five to thirty percent of the crimes committed are actually reported to the police while the rates of ordinary violent crime tend to be reported even less frequently (Hinton, 2006). The main reason given for the population's hesitation in seeking out the police and reporting crime is the general distrust of the police, a perception which permeates Latin American society.

As a consequence of rising crime and increasing public fear of crime in Latin America as a whole, 'less democratic alternatives for fighting crime are on the rise, such as the reengagement of the military in internal security, arbitrary arrests and detention, torture and beatings, political and extra-judicial executions, and social killings by vigilante groups' (Glebbeek, 2003: 38). In this context of rising crime and insecurity, police and other institutions of the criminal justice system tend to act as 'border guards', protecting the elites from the poor (Pinheiro, 1999: 4). Police violence remains cloaked in impunity because it is largely directed against the 'dangerous' classes and rarely affects the lives of the privileged. In Latin America, police officers tend to see the rule of law as an obstacle to, rather than an effective guarantee of, social control. This leads to a situation which Mendez, O'Donnell, and Pinheiro (1999) aptly term 'the (un)rule of law'. Many Latin American police officers believe that their role is to protect society from 'marginal elements' by any means available. Therefore they tend to indulge in a policy of 'shoot first and ask questions later' (Pinheiro, 1999: 5). A phenomenon covered extensively by Sain (2002) and Ungar (2002) in their research on violence and poverty, and reform and democracy in Argentina, respectively. The victims of police violence predominantly tend to be from the most vulnerable group so these police actions can be seen as a way for the police to eliminate the undesirable elements in a society (Glebbeek, 2003; Pinheiro, 1999). But what further complicates this picture is the acquiescence of the majority of the population who fully support such killings (Ahnen, 2003).²⁵

This precarious situation has far-reaching consequences. According to Diamond (1999:42), 'no aspect of politics and governance so seriously challenges the image of sustained democratic progress in Latin America as the persistence of grave human rights violations.' It can be argued that growing criminality not only erodes democratic expectations but also sanctions arbitrary violence, thereby weakening the legitimacy of

25 For example, although there was some outcry after the 1993 massacre of eight sleeping street children near a church in Rio de Janeiro, many Brazilians had no sympathy for the victims. One resident was quoted as saying; 'many of these thirteen year olds have killed. They deserve to die.' (Michaels, 1993).

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the political system. Most Latin American countries face a paradox which undermines their efforts to fight crime. Although fundamental human rights guarantees are well-defined in most democratic constitutions, the exercise of full citizenship is practically nonexistent for the majority of the population in Latin American countries (Koonings, and Kruijt, 1999; 2006). Pinheiro (1999) states that societies, such as these, based on exclusion could be considered 'democracies without citizenship'. While the poor continue to be the preferred victims of violence, criminality, and human rights violations, the state, despite its obligations to guarantee human rights, is unable or unwilling to eradicate impunity for crimes committed by its own agents.

Faced with this paradox, politicians increasingly accept a semi-military model of public security in which 'it is the job of the police to fight the enemy – crime – that is embodied in the person of the criminal' (Chevigny, 1999: 49). Some politicians have accepted a formula according to which it is the job of the police to reduce crime, regardless of other institutions of law and the criminal justice system (Frühling et al., 2003; Chevigny, 1999; Pinheiro, 1999). This has led to what Sharpe (1995) refers to as 'police performance crime', offenses committed by police officers for the direct benefit of the police organization rather than themselves. The situation Sharpe describes tends to occur when the demands made on police officers to be more efficient in catching criminals and diminishing crime cannot be achieved by following the rules and adhering to the law. Therefore police officers have to violate the law in order to achieve the goals they are expected to achieve, resulting in violations.

The consequences of this can be seen in acts of violence committed by the police, which are concealed by a system of impunity. Yet these acts of violence against the poor in Latin America are not only tolerated but also supported by a majority of the population (Ahnen, 2003; Rotker, 2000; Pinheiro, 1999). This is a result of the success political leaders have had in conveying the impression that police abuses are directed not at 'the people' as a whole or even the poor but only those few demonized as antisocial, occupying the margins of society (*marginais*). Officials elected for public office as well as law enforcement officers complain that defendants have too many rights, that the courts function as a sort of revolving door and that the police have to mount a 'war on crime'. The media plays a role in this by focusing on sensational crime stories and enhancing the already existing feelings of insecurity. Politicians can thereby give an impression of strength and decisiveness by being tough on crime without having to come to grips with problems of economic and social injustice (Pinheiro, 1999). This is a temptation particularly for politicians in areas that suffer from great socio-economic inequality. These politicians shift the blame of some of societies' ills onto the poor, or at least that portion of the poor who can be labeled marginal and dangerous.

The media's tendency to focus on sensational stories and the pressure on politicians to 'do something', as mentioned above, also derives from the fact that there is a short supply of accurate, reliable, and useful information regarding crime and security in Latin America. This means that governments have to operate in a cloud of inaccurate and incomplete information about criminality and the principal actors and agencies involved in crime and security (Bailey and Dammert, 2006: 248). To add to this confusion large amounts of crimes are not formally denounced mostly because citizens believe that

nothing will come out of filing a complaint, or that they will only get themselves into more trouble (Hinton, 2006). Yet when the government cannot produce credible, accessible data on the local security situation then the public has no choice but to turn to political rhetoric or mass-media coverage which is inaccurate or inflammatory. This misinformed fear can be manipulated to support the hard-line 'tough on crime' policies which benefit the anti-reform agenda of traditional elites and established interest groups (Bailey and Dammert, 2006: 249). Often governments are unable to improve the quality of the security situation in a time frame that their citizens demand. To buy time and protect themselves from political fallout they tend to offer some form of symbolic reassurance. This can take the form of tough-sounding language denouncing crime, the unveiling of tougher laws, or announcing military-type campaigns (Frühling et al., 2003). These symbols can help mobilize public support for a government's long-term plans. These symbols are successful in the short term as they convey the message that the government understands the problem and is trying to respond and they buy the government time to undertake substantive reforms but will not work if no far-reaching reforms follow (Bailey and Dammert, 2006: 248).

Thus the wave of (re)democratization in Latin America raised the hopes of its residents yet incidents of crime, human rights violations, and feelings of insecurity have not only continued but also increased since the transition to democracy. Latin American governments are under national and international pressure to control the crime wave and also respect human rights (Ahnen 2006; Glebbeek 2003). Faced with these demands, many governments have chosen to mount a war on crime. This fight against crime has taken the form of law enforcement officials protecting the rich by oppressing the poor. Although these policies result in police violence, which is protected by a wall of impunity, they do enjoy the support of the majority of the population who are led to believe, by the government and the media, that these tough on crime policies are only directed towards a small section of society that is dangerous and marginal.

2.5.3 Searching For Security: The Government's Repressive Response

Since the early 1990s people around the world, and especially in Latin America, have begun to feel increasingly insecure. These feelings of insecurity are further enhanced by the media which nurtures the belief that 'the haves are under the siege of the have-nots and that only the most repressive kind of policing will protect them and their property' (Brodeur, 1999: 73). As mentioned above, in political terms it has become imperative to respond to these feelings of insecurity. Failure to do so has immediate and clear consequences. Yet the appropriate response is not always clear for governments and policy makers. The lack of accurate, reliable data on the hemisphere opens up space for security policy to be shaped by ideology, improvisation, and the emulation of foreign experience (Bailey and Dammert, 2006: 6).

As a result of the increasing feelings of insecurity and pressure to live up to the human rights values, standards, and norms that were mentioned earlier, new and often conflicting demands are made on the police. On the one hand, they are pushed towards legality, accountability, and respect for human rights (Glebbeek, 2003). Therefore they are expected to focus exclusively on tasks related to law enforcement and the protection

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of rights. On the other hand, rising crime and increased public fear of crime often demands from police forces more authoritarian and repressive tactics to fight crime. 'High crime rates, resilient authoritarian cultures, and weak judiciaries prompt governments to reintroduce military forces into local-level policing, increase existing police powers, and enforce stricter legal penalties, thereby jeopardizing newly won rights and risking a return to authoritarian policing' (Neild, 2001: 21). Over the past decade in Latin America it has been common to see governments calling in the military to assist the police in the fight against criminality and insecurity. This means that the already scarce financial resources for the police and for any eventual police reform are used for these joint military-police patrols and human rights-respecting police methods make way for more repressive and coercive policing strategies.

It is important to note that there is a gap between subjective 'feelings of insecurity' and the objective conditions of crime and violence. Smulovitz (2000) stresses that public opinion data indicates that the public grossly exaggerates the rates of crime and the consequences of crime in their society. This highlights the importance of adjusting response to the reality on the ground and not simply focusing on people's wildest fears. Political candidates seeking votes often promise to be tough on crime. Yet the tendency in Latin America is for such promises only to further weaken the foundations of the rule of law and of due process (Frühling, 2003). Furthermore, reform does not always guarantee that the reality of crime, violence, and insecurity will change. Although many governments have realized the importance of reforming their police forces and reducing crime, they have also been faced with the difficulty of following through with reform amid support for tough on crime policies.

2.6 POLICING IN LATIN AMERICA

As police organizations are influenced by the society in which they operate, the previous section highlighted some important societal development throughout the history of Latin America in relation to democracy, the rule of law, and human rights. Whereas the previous section focused on Latin American society, this section focuses on Latin American police forces and the societal factors that influenced their development. Policing in Latin America has similarities to policing in the rest of the world, yet it is also specifically influenced by the following factors: historical inequality, the legacy of the national security doctrine and the militarization of policing, human rights violations and large-scale impunity, the growth of parallel power structures, and the evolution of private policing. These factors, and their influence on police forces in much of Latin America, will be explored in this section.

2.6.1 The Origins of Inequality

Police forces in Latin America came into existence much as they did in Europe and North America with the exception of the influence of colonialism. The Spanish, Portuguese, French, and Dutch, all left their mark on Latin American policing when they established their colonies in the region. The creation and function of police forces

in Latin America were closely linked to the process of colonization and state building because they arose out of the state's need to exercise its monopoly over the use of force, maintain order, and control the socially undesirable classes (Frühling, 2003). Most states initially used the army, provincial militia, and local forces to establish social control. Once the central authority and control of the state grew, in the 19th century, police organizations were established in order to maintain order (Chevigny, 1995; Kant da Lima, 1995). These police organizations were initially under the control of the rich and powerful, the landed classes, and other local economic elites, who inherited many of the class and status attitudes of the Europeans, and used the police to oppress minorities, the poor, and the slave populations (Chevigny, 1995; Holloway, 1993). This was reiterated by O'Donnell (1999) who states that there has been a long tradition in the region of twisting the law in favor of the powerful and for the repression and containment of the vulnerable. In a sense, this tradition of those in power protecting themselves and those around them, and enforcing the law to benefit other elites to the detriment of the lower classes has persisted long after the region gained its independence, and is immortalized in the former Brazilian president Getúlio Vargas's quote 'for my friends whatever they want, for my enemies the law', thereby highlighting the Latin American tendency to prize personal loyalties over other social responsibilities (Mendez et al., 1999).

Along with being under the control of the elites, Latin American police forces were also subordinated to the military institutions. In many countries, the highest police positions were reserved for military officials, the police were essentially reserves of the military, and often did the military's bidding. Glebbeek (2003) finds that in many former Latin American states, police forces were subordinated for decades to economic elites, despotic presidents, or the military. Furthermore Neild (2002:1) argues that the 'police were... key guarantors of impunity, failing to investigate and hold military and paramilitary forces accountable for egregious human rights violations'. Therefore not only did the police fall under the control of the military, but they also ensured that the military would not be investigated or held accountable for their actions. The historical disinterest of the police in protecting the people was established in the earlier discussion of the changing role of the police in society. In this sense, Latin American police forces were no different; historically they, too, have not been interested in protecting people but mainly concerned with the protection of the state and maintaining the status quo through repression and coercion (Holloway, 1993; Huggins, 1984). Rather than acting as guarantors of rights, state institutions used to systematically violate those rights (Blacklock and MacDonald, 1998: 145). In many ways the unequal attitudes present when Latin American police forces were created linger on, policing continues to focus on controlling the poor, black sections of the population, for the benefit of the white elite.

2.6.2 The Legacy of the National Security Doctrine

As mentioned above, another factor that has influenced policing in Latin America is the historical subordination of the police to the military, which was further heightened during the military dictatorships that were in place in much of the region in the 1960s,

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1970s, and 1980s. According to Bayley (1993), many Latin American police forces have historically been military in nature, meaning that there was not a strict separation between the police and the armed forces. On the basis of this statement he set forth five hypotheses relating to the behavior of police forces subordinated to the military. The hypotheses are as follows: first, a significant percentage of the public complaints against the police involved allegations of serious crimes and that the public resorted to the police only when it was absolutely necessary. Secondly, that the police responded much more to the needs of government than the demands of the citizens. Thirdly, that police forces subordinated to the military used force more frequently than police forces in democracies when in comparable situations. Fourthly, that there is less supervision of police forces under military control than under civilian control. And lastly, that there is likely to be a low degree of public support for the police and as a result of the hierarchical structure and militarized way of functioning, subordinates in the police hierarchy obeyed orders but lacked the autonomy to respond creatively to the problems they faced.

As a consequence, the character of the police within Latin America is generally militaristic (Dammert, 2006; Fensom, 2006; Ungar, 2002). The police forces in Latin America have largely maintained this character, as historically there has not been a strict separation between the police and the armed forces in the region (Frühling, 2003). The armed forces have often performed police functions such as maintaining social order along with the police, and have also involved the police in their objective of repressing political opposition through militaristic and violent means.

During the Cold War years, encouraged and directed by the United States, many Latin American armed forces developed an ideology of 'national security' directing their energies against what they saw as subversive and other morally destructive elements within their own countries (Huggins, 1998; Weschler, 1990). The military governments that took power during the 1960s and 1970s not only considered political subversives as the enemy within but common criminals as well and used the police to repress these groups. While the suppression of political dissent largely disappeared with the passing of the dictators, the violence in ordinary law enforcement continued (Huggins et al., 2002; Huggins, 1991). To some extent it had always prevailed in the treatment of the poor, as was described in the section above, and when the dictatorships receded law enforcement reverted to business as usual.

2.6.3 Human Rights Violations and Large-Scale Impunity

The all-encompassing nature of the national security doctrine and the militarization of the police that it ensured further heightened elements that had long existed in Latin American society. Latin America has always been a highly unequal region of the world where indigenous populations, blacks, women, and the poor were treated like second-class citizens and subject to an array of abuses (Mendez et al., 1999; Roberts, 1996). The national security doctrine further distanced the police from the population, heightened their suspicion of others, and enabled them to hone their repressive skills. Yet the essence of what occurred during the military dictatorships of the 1960s, 1970s,

and 1980s was not too different from what was taking place in Latin America prior to the period of the dictatorships and what continues to occur. One of the main reasons why these military regimes were so shocking was that they also targeted middle and upper-class, educated people who they classified as subversives (Hinton, 2006; Burbach, 2004; Weschler, 1999). It was perhaps the only time in Latin American history that some sections of the middle and upper class were subjected to the same treatment as their less fortunate country-folk. This exception notwithstanding, the human rights violations committed by the police and the impunity with which the police were (and are) able to operate occur regardless of the formal political system that may be in place.

This is backed up by research that shows that the formal police structure itself, whether authoritarian, democratizing, or solidly democratic, may not determine whether police abuse will occur (Huggins et al, 2002; Chevigny, 1999). Huggins, Haritos-Fatouros, and Zimbardo's (2002) research in the United States, Greece, and Brazil highlighted several factors common to 'atrocities environments' in which police excesses commonly occur. These factors were a climate of public and/or police fear tied to an assumption that the police were 'at war' against some segment of the population designated as enemies of the state, the presence of a small or elite police unit with military characteristics that had operational independence, the lack of close oversight even by low-level police superiors, and the tacit approval of higher police organizational and political officials. These researchers found that while a few of the direct perpetrators, usually low-ranking police officers with little power, of atrocities were occasionally punished for their brutalities, the more powerful, high-ranking facilitators of abuse were almost never held accountable. In addition the systems that had stimulated and fostered police violence almost always escaped responsibility. Chevigny (1999) also states that deadly force is neither democratic nor authoritarian. But it is more likely to be used as an instrument of terror where governmental control is weak and the poor are seen as potentially dangerous. Huggins et al. (2002) and Chevigny (1999) lay out a set of factors common to environments in which the police are more likely to engage in human rights violations. Many of these factors, a climate of fear, the assumption that the police are fighting a war against a dangerous enemy – be it against crime, drugs, or the poor –, the lack of governmental control and oversight, and the presence of small, elite units can currently be found in Latin America where the convergence of these factors has often led to the police using excessive force (Amnesty International, 2005; Economist, 2004; Ahnen, 2003), a crime for which few are ever held accountable (Frühling et al, 2003; Huggins, 1991).

Human rights violations at the hands of police officers, and the impunity surrounding police actions, were a particular problem following the political transition that most Latin American countries underwent in the 1980s. As mentioned earlier, this period of political transition and societal opening collided with an increase in crime and violence, enhanced insecurity feelings, and growing demands by the population for the government to deal with the crime problem. Attempts to reform police forces and diminish the influence of the legacy of militarization were lost in this collision of democracy with a crime wave. Police officers, either in their official position as state agents or privately as members of death squads used violent, repressive tactics against real and suspected criminals in an attempt to control crime. The violations committed by these state agents

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were essentially continuations of the way undesirables have been treated throughout Latin American history.

2.6.4 The Growth of Parallel Power Structures

Despite the return to formal democracy, successive Latin American governments have not been able to ensure order and enforce and maintain the rule of law. A government's inability or unwillingness to enforce the rule of law results in a situation where the government is not bound entirely by the law, people are not treated equally, and fair judicial hearings are not common. This has also resulted in the people not feeling safe and protected by their governments. According to Chevigny (1995), the sense of equality before the law and the expectation of being treated in a fair and predictable way by the legal system are weak in Latin America. Thus the ideological supports for urban 'law and order' have been shaky and the reasons to cede a monopoly of legitimate force to the government have been correspondingly weak. Essentially the consistent failure by the state to protect the rights and ensure the safety of its population 'opens the doors to parallel and competing forces which spring up to dispense quick justice whenever the state is remiss or unable to act' (Hinton, 2006: 6). Leeds (1996) terms these forces parallel power structures. These parallel powers can take the form of criminal drug gangs or paramilitary forces, and often have the support of some sections of the population to whom they offer protection and other services. These parallel power structures challenge the authority of state institutions, like the police, and can be regarded as informal establishments of control and coercion (Leeds, 2006). This phenomenon in addition to inequitable land ownership and the consequent poverty of the landless masses, who regularly migrate to the cities in search of jobs and prosperity, have led to swollen, violent urban centers and to fear and despair amongst the middle and upper classes in Latin American about the endless growth of the urban underclass (Koonings and Kruijt, 2006; Rotker, 2000; Gilbert, 1998). The presence of parallel power structures threatening the authority of the government and challenging the police's monopoly over the legitimate use of force is a common occurrence in many Latin American cities. The state and its organs view these parallel power structures as a threat; this fear then drives them to use deadly force against these groups on a regular basis. The clash between the police and these parallel power structures has evolved into a low-scale war in several cities, as I will explore in the following chapter on Rio de Janeiro.

2.6.5 The Evolution of Private Policing

Another response to the inability of many Latin American states to provide security and make their populations feel safe is the evolution of the private policing industry. Private policing can be described as a shift from the state as being the only provider of security within society (Kempa, Carrier, Wood, and Shearing, 1999). Private security used to be a commodity that only the upper classes could afford; it provided them with an extra level of security while the rest of the population had to contend with being protected by the police. But due to the growth of the private security industry and the increasing

fear of crime amongst the population more private security companies have been popping up. This has made private security more affordable and therefore more prevalent. The prevalence of private security in Latin America also arises from the decrease in size of the modern state. As current governments cannot fulfill all the security needs of their population, some areas where the states were the traditional providers of security are now the domain of private security companies (Avant, 2004; Bayley and Shearing, 2001). Bayley and Shearing (2001) argue that private policing may encompass neighborhood guards as well as local businessmen financing certain elements of police work. Due to these developments private security has evolved from a small industry to a booming business in Latin America. Private security guards now outnumber public security forces in the region (Kempa et al., 1990; Huggins and MacTurk, 2000). The presence of so many private security guards certainly affects the role of the police, partly because many private security companies in Latin America are owned by current or former high-ranking military or police officials, and predominantly employ police officers most of whom have to take on additional employment because their police salary does not cover their living expenses. The other way in which private policing affects the role of the police is because the police are no longer the only organization charged with the protection of people and the maintenance of order and they no longer have the monopoly over the legitimate use of force. This brings up a whole range of issues, for example is a police officer who also works as a private security guard loyal to the state or his private employer?; and if private security guards are providing security because of the state's inability to do so who should hold them accountable and how should this be done?

This section highlights the development of policing in Latin America and the crucial factors that have influenced its formation and function. One element that stands out and that will be raised again in the following chapter on Rio de Janeiro is that police forces in Latin America have used physical violence to suppress and control the lower classes throughout their history, initially for the protection of the elites and later for the maintenance of the state. The use of excessive force by the police only became more pronounced after the transition to democracy across the region, as by and large, this political transition coincided with increases in the rates of crime and the fear of crime. Some of this increase in crime was a natural consequence of societal opening and the reduction in the state's repressive apparatus that accompanied democratization, though much of it was blamed on the parallel power structures that had sprung up and had taken control of areas of larger Latin American cities. As a response to the threat posed by these parallel power structures, police officers became more involved in the violent repression of crime, either on duty as police officers, while working as private security guards, or as members of death squads. Although a majority of the population support this tough stance against crime and do not mourn the death of real or suspected criminals, they continue to distrust the police and are dissatisfied with the service the police provide. This dissatisfaction of the majority of the population with the police has led local politicians and police commanders to take steps to try to improve the police and their image. These steps have taken the form of police and public security reform, which will be dealt with in the following section.

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2.7 PUBLIC SECURITY AND POLICE REFORM

The steep increase in crime, the poor quality of the police forces, and the societal feelings of insecurity have made it necessary to implement a range of policy measures, among them some attempts at public security reform and police reform (Frühling, 2003; Glebbeek, 2003). Yet governments which attempt to promote reforms to address the multifaceted problems of crime and impunity may find themselves in a no-win situation. The failure of these democracies to require their own institutions to respect internal laws and international obligations has seriously compromised their legitimacy (Bailey and Dammert, 2006). As a result, governments are likely to have difficulty garnering popular support for their reform efforts. Additionally, the call for reform is occurring at a time when the countries involved are experiencing a severe crime wave. Glebbeek (2003) also states that attempts at public security reform often take place at moments when internal conditions are least favorable to them, at a time when countries are faced with swiftly rising crime rates. In order to respond to these crime waves, police reforms are often slowed down or sped up prioritizing quantity over quality as Glebbeek (2003) found in her own research on police reform in post-civil war Guatemala. There will, inevitably, be a frequent demand to curb reform and allow the use of whatever force is viewed as necessary to deal with crime (Frühling et al., 2003). Furthermore, there is little credit to be gained from reform, as it usually demands extensive long-term investments that are not immediately profitable for politicians. In many cases, national and international support for police reform is withdrawn long before actual reform can materialize (Glebbeek 2003). Bayley (1997: 6) reiterates this when he writes, 'reform will go only as far as the local political situation will allow'. So government commitment to reforming public security is essential but the government response, in a general climate of state withdrawal and the erosion of the public domain, is often to choose short-term solutions to current problems in internal security, which may be successful for some time but have negative effects in the long term.

The extent to which the police organization is willing to comply with the rule of law, including human rights, is also of the utmost importance as public security and police reform cannot occur without commitment from the police themselves. For any substantial reform to materialize it is crucial to have a police leadership that is committed to it. According to Hinton (2006), commitment throughout the organization and from all the ranks is of the utmost importance. But how can support from the police organization, and from individual police officers, be gained? According to Bayley (1997: 7), police personnel support for reform can be simulated by offering them something in return for their cooperation and commitment, such as remuneration, immunity from legal persecution, increased stability, and improved professional standing. As Glebbeek (2003) states a necessary prerequisite for change within a police organization is commitment to change by its personnel, the ending of the old police culture that favors illegal practices and impunity, and the creation of a new doctrine.

In addition to police commitment, another prerequisite to public security and police reform is the support of the public. Although many reform projects acknowledge the

importance of the public and encourage public participation, the interests and the demands of the public are often considered last in the drafting of the reform itself. But similar to the police, the public must also be convinced that the reform will lead to a positive change and they must be committed to the reform. As mentioned earlier, the public often supports ‘tough on crime’ policies especially in cities suffering from high rates of crime and violence (Bayley, 2001: 40). If citizens believe that police reform will not directly improve their security, they might demand that reforms are stopped and replaced by tough, more repressive forms of policing that give them a greater feeling of security (Glebbeck, 2003: 71).

The violence that accompanied democracy put internal security and order maintenance high on the political agendas of the elected governments and spurred them on to reform their police forces and public security system. Police and public security reform in Latin America is not only important as an attempt to improve the public security situation in the region but also as an attempt to consolidate democracy in the region because respect and belief in the competence of police officers as state agents translates into respect for, and belief in the state and in democracy in general (Bailey and Dammert, 2006).

2.7.1 Police Reform

Police reform can generally be seen as attempts to alter either the police institution as a whole or its manner of functioning. Police reform is usually launched in response to crime and security problems that a state may be experiencing, in response to protests by the population for improved policing, as a response to a public scandal involving the police, or in order to implement a new philosophy into the police. Bailey and Dammert (2006: 2) define police reform as the process of ‘improving police forces operational efficiency and effectiveness in preventing and repressing crime as well as strengthening their democratic ethos and accountability’. Police reform can be initiated by different societal groups, for diverse reasons, and take various forms. Police reform initiated by human rights organizations, both of a non-governmental and an intergovernmental nature tend to focus on police misconduct and how it can be diminished. This is done through the organization of training sessions, the development of codes of conduct, or a push for the creation of accountability mechanisms. However, these measures do not always reflect the societal and institutional realities within a society and thereby are unable to achieve lasting and sustainable change (Amnesty International, 2006; Call, 2002a; 2002b). Then there are the reform efforts that police officers consider important themselves. Police officers often state that access to better equipment and resources and an increased investment in them as individuals are necessary preconditions for the success of any police reform or human rights implementation effort. Yet research indicates that the process of altering police behavior is complex and the provision of extra resources or equipment does not necessarily improve a police officer’s compliance with human rights (Bayley, 2001; Reiss and Roth, 1993). Other attempts to reform the police that have implications for human rights include professionalization, decentraliza-

tion, demilitarization, and disarmament. I will discuss two of these reform efforts, demilitarization and professionalization, in detail below and refer back to the theory of these reform efforts in chapters five and six which deal with these reform efforts in practice, in the form of community-oriented policing and the *delegacia legal* program respectively.

2.7.2 To Demilitarize or Not to Demilitarize?

As discussed earlier, authoritarian and military regimes dominated most of Latin America from the 1960s to the 1980s. Stimulated by a fear of communism that was further fueled by the United States these regimes adopted a doctrine of national security (Glebbeck, 2003; Weschler, 1990). The fundamental notion of this doctrine is that the security of the state is in jeopardy and threatened by a strong, internal enemy. During these years many governments and their military forces considered themselves in a state of war against this internal enemy. In some countries, police forces used military intelligence and functioned as death squads under military command to carry out the torture, murder, and disappearance of those threatening the safety of the state. Many police forces became militarized in their command, personnel, and doctrine, often falling under the command of the Ministry of Justice (Glebbeck, 2003).

Since the transition to democracy, a few of these Latin American police forces have managed to free themselves from military influence or to change their doctrine from a military to a civilian one. But the majority of police forces in post-authoritarian Latin America have remained military in character (Bayley, 1993). The lack of specialization in policing demonstrated by Latin American police forces and their lack of differentiation from the military go far beyond the existence of hierarchies and military customs, which also characterize some of the police forces in Europe. Due to the lack of democracy in Latin America, the region's armed forces performed policing functions and demoted the police forces to the task of repressing political opposition (Frühling, 2003). As mentioned earlier, this historical militarization has had an impact on the excessive use of force employed by the police, which led to a high number of civilian deaths along with the prevalence of other human rights violations. Other consequences of militarization are that the police doctrine places little importance on the rights of individuals and creates hostile relationships between the police and certain citizens as the police use social and racial profiling in dealing with crime (Ramos and Musumeci, 2004; Chevigny, 1995). This is particularly relevant in South America, as opposed to Central America, where the military nature of the police remained unchanged. This is a consequence of the fact that police forces in South America were more than mere arms of the military, but rather had significant influence within the governmental structure themselves (Glebbeck, 2003).

Even those few police forces that managed to free themselves from the influence of the military and alter their doctrine from a military to a civil one are frequently composed of former military personnel. Only in some cases are these former military officers provided with specialized police training (Glebbeck, 2003). Despite the transition to a

civil doctrine, military hierarchy is maintained within these forces with former military commanders being incorporated into the highest positions of the police force. For example, prior to 1998 the position of the state secretary of public security in Rio de Janeiro was always occupied by a former military commander (Oliveira Muniz, 1999). Furthermore, in a number of countries, civilian governments have responded to the rise in crime and violence by re-engaging the military in internal security (Neild, 1999). For example, the military have been deployed for public security reasons in Brazil, Colombia, and Mexico. In some cases the military have taken the role of supporting the police and in other cases they have taken the place of the police. While the military have not intervened in politics and the public concern with military violence against politicians and political activists has diminished, the military have participated in the maintenance of law and order and the public concern with military violence against ordinary citizens has increased since the transition to democracy (Glebbeek, 2003; Amnesty International, 2005). In areas where guerrillas or criminal factions present a potential threat, the police function as a military force, a task that demands ‘an attitude on the part of the officers that is diametrically opposed to the sense of mutual cooperation with the citizenry that should prevail in police work’ (Frühling, 2003: 33). In this way the doctrine of internal security that was once used against political opponents has not been discredited and discontinued but rather continues to be applied though now against a different internal enemy: common criminals and the poor.

Over the years, the necessity to demilitarize internal security has become clear. Demilitarization has to take place in order to disconnect internal and external security, or national and public security, make clear distinctions between police and military tasks, allow elected civilian officials to exercise effective control over internal security policy, and reduce incidences of police use of force (Call, 1999; Bayley, 2001). Demilitarization is imperative in order to eliminate authoritarian and violent police behavior, improve police–community relations, and ensure that the police are responsive to the needs of the public. Brodeur (1999) in his comments on Chevigny (1999) makes a fundamental distinction between what he refers to as the constabulary or police ethos²⁶ and the military ethos. ‘The constabulary ethos is defined by the minimal use of force to solve problems that require the imposition of a solution’ (Brodeur, 1999: 80). The military ethos, on the other hand, is comprised of ‘the use of overwhelming force to gain total supremacy over an enemy in an attack and to ensure that the foe inflicts the least possible damage on its attackers’ (Brodeur, 1999: 80). Bayley (2001) further cements this distinction when he writes about how the civilian approach to policing can be undermined by military involvement. This occurs because soldiers take orders from above rather than responding to the appeals of individual citizens or the community

26 The constabulary or police ethos is further differentiated into the crime fighting and the public service ethos as even within the sphere of daily police work there can be two different foci (McLaughlin, 2005; Collier, 2000). As the names suggest, the crime fighting ethos focuses on the prevention and detection of crime whereas the public service ethos tends to focus on building a connection with the population and the provision of services.

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which they are meant to be serving and they tend to indulge in a much less restrained outlook to the use of force. The task of policing, on the other hand, requires engaging in a dialogue with the community, using mediation skills, and exercising discretion in the use of force. The drive, by certain groups, to demilitarize policing in Latin America has the goal to flatten the hierarchy within police organizations which allows police officers to interact more freely with the community they are meant to be serving and adjust to their specific concerns instead of simply obeying orders sent down from above. The goal of demilitarization is to teach the police to interact with members of the community as people, and not as the enemy, in order to decrease incidents of police excessive use of force against the population, to increase police-citizen interaction and improve police-community relationships.

2.7.3 The Drive towards Professionalization

The history of Latin American police forces reflects the dominance of particularistic criteria in the process of selecting, promoting, and removing officers who are often dependent on their loyalty to, and the support of, parties, groups, and officials (Frühling, 2003). This particularistic interference in the selection of law enforcement officials and the recent increase in crime, which has pressurized government officials to increase the number of police officers on street patrol, have led to a relaxing of the criteria used to select new recruits. Recruits are likely to be selected because of who they know, how they might be of use to police higher ranks, or simply because they are another warm body able to fill up a uniform and not because they are the most qualified person for the job. This tendency and the prevalence of low quality, ill-trained recruits who indulge in violence, corruption, and other human rights violations highlights the need to ensure greater professionalism within the police.

Professionalism can mean many things. According to Frühling (2003), a professional body attempts to remain legitimate and maintain an assessable level of efficiency. This shift towards professionalization is reflected in the criteria used for 'recruiting and training personnel, the rules governing promotion and retirement, and in an interest in, and emphasis on the familiarity with, the use of technology' (Bayley, 1985: 47-50). A professional police organization is not necessarily one that behaves perfectly and does not indulge in human rights violations. In fact, traditionally the police groups that commit the most atrocities have also been seen as the most professional. This is because they are created in accordance with the criteria used by Bayley, listed above. Some of the most elite police units have strict, set guidelines for selecting new recruits, after the selection process they are heavily trained, they often have access to the latest technology, and rules that govern their conduct and progression through the unit and yet they also tend to be the most efficiently violent police units. When I discuss the drive towards professionalization I certainly do not promote the actions of these elite groups and do not consider violent police units to be the most professional. Yet this is the problem with using the term professionalization.

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In my perspective, professionalizing a police organization should entail improved selection criteria so that those entering the police are not abusive, better training for the police, improved working conditions and increased access to resources, access to technology and a better use of that technology to cut down on the excessive use of force, and improved supervision and accountability mechanisms to hold police officers accountable for their behavior. Research has shown that reform efforts focused in the direction of professionalization are implemented for three important reasons. These are the need to reduce crime and violence, strengthen relations between police and society, and emphasize resource management strategies to ensure greater police efficiency (Bayley, 1994; Bayley and Shearing, 1996). According to Frühling (2000), this process of change and professionalization is defined by three elements. Firstly, changes in police doctrine are aimed at incorporating democratic values into police activity, with the police relating to citizens as equals. Secondly, sophisticated methodologies are used to evaluate the impact of policing strategies on crime with an emphasis on recruiting and training police officers in order to develop a more highly trained force and, thirdly, an effort is made to implement police research and planning in order to respond more precisely to public demand.

In the context of democracy, the police are supposed to behave in accordance with the rule of law which includes the protection of human rights. The police now carry out their duties in the interest of the law and with an orientation towards public service, they are responsible for violations of the law and mechanisms are in place to ensure that they are also responsible to the public for strategies which they use to protect the public, for the efficiency and seriousness with which they carry out their duties and for respecting the rights of all the people (Frühling, 2003). The police as an organization, and its members as individuals, are responsible for reducing insecurity and fear and for any corrupt or improper conduct in the organization. Professionalism entails that police officers are not only subject to control in regard to their illegal activities but also with respect to the efficiency and timeliness of their performance.

2.8 CONCLUDING REMARKS

As discussed above, the increase in crime and the fear of crime in Latin America led to a focus on police and public security reform as a way to make the police more effective and provide the population with a greater feeling of security. The programs that form part of police and public security reform can take many forms and do not always have to result in police compliance with human rights. The long-term success of these reforms is greatly influenced by the commitment of the state, police, and public to reform. State, police, and public commitment to reform is all the more important at this juncture when feelings of insecurity throughout Latin America have diverted public concern away from elements of due process, the vulnerability of marginal groups, and the violence that results as a consequence of giving the security apparatuses too much power towards strengthening the police and justice system (Bailey and Dammert, 2006:

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247). Therefore the rights that human rights organizations fought to achieve under authoritarian rule and that most Latin American citizens thought would be solidified after the transition to democracy are being called into question as the tension between security and the provision of human rights grows (Rotker, 2000). The issue of security and human rights is often presented as a dichotomy, that if the police adhere to human rights standards then they will not be able to work effectively and the only way to achieve security is to throw human rights out of the window.

According to Bailey and Dammert (2006: 260), Latin American countries have been trying to consolidate their democracies for some time and it could be people's dissatisfaction with economic growth and their concerns about crime and violence that could tip the scales towards hard-line policies that are less attentive to human and civil rights and further delegitimize the entire political system. In fact, citizens of many countries, not just in Latin America, but all over the world, are willing to sacrifice some degree of civil rights protection for an increase in security. In some cases, the public are willing to allow the police to bend the law if doing so helps combat violent crime (Bailey and Dammert, 2006: 253; Hinton, 2006). At the same time that some citizens are searching for security and are willing to give up some of their rights in order to feel secure, others are demanding that the police stop using the rise in crime and insecurity as a reason to violate people's rights. The push for more democratic, human rights-oriented forms of policing is also supported by the international community that continues to pressure Latin American governments to control the behavior of their police officers and diminish the abuse of human rights carried out by state agents. This essentially puts governments at the crossroads between implementing human rights and sacrificing security or sacrificing human rights and investing in repressive policing. In order to be truly successful in achieving both, it is likely that governments will have to shift through the misinformation and rhetoric in order to create a public security policy that attends to their countries' particular security and human rights needs.

The remainder of this book focuses on how this is being done in Rio de Janeiro, Brazil. The following chapter focuses on some of the same issues raised in this chapter but with a particular focus on Rio de Janeiro. Following a discussion of the history of crime and its violent repression in Rio, the federal and state level responses to the increase in crime following the transition to democracy in the 1980s and the contemporary reality of public security in Rio de Janeiro is examined and the two state police forces relevant to this research are described. Once an understanding of the dynamics of policing and public security in Rio de Janeiro is reached, the four police human rights strategies listed earlier are described and analyzed. These police human rights strategies form part of the larger attempt at public security reform in Rio de Janeiro and they were chosen as the focus of this research because of what their goals imply for human rights. Program goals such as improved selection criteria, the provision of better training within the police academy and also through external sources, improved police-public relations, enhanced police service, and decreased rates of violent crime imply greater police

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respect for the human rights standards mentioned earlier. Therefore the outcomes of these strategies could imply greater police compliance with human rights strategies.

Yet how should the outcomes of these strategies be accessed? While discussing causality is out of the question considering the focus of the research, a detailed look at these strategies and how they have been implemented can give an insight into how far the reform efforts have come to accomplishing their goals and what this means for human rights. Throughout this book, this is done by describing the intention behind these programs and the reasons why they were implemented, detailing how implementation has taken place and how the program works in reality. For programs that are implemented in certain select neighborhoods a few neighborhoods were chosen and the reality in these neighborhoods was examined and compared, discussing the way police officers and other stakeholders perceive the programs and what the programs imply for their daily work, and highlighting the societal and institutional factors that facilitate and impede the implementation of the program. By detailing the process of implementation and examining the implemented program from various perspectives, the outcome of the strategies and their implication for human rights can be accessed.

3 Policing, Violence, and Public Security in Rio de Janeiro

*'Be careful in Brazil, because that country increases in everyone the spirit of ambition
and the relaxation of virtues.'*

Marquis de Pompal, Portuguese War and Foreign Affairs Minister from 1750-1777
in a letter to his newly arrived brother in Brazil.

*'So we have our freedom back. And we shall have development. What is missing is social
justice.'*

President Fernando Henrique Cardoso, inaugural address, 1 January 1995.

3.1 INTRODUCTION

The previous chapter set up a conceptual framework for my research by examining the issues of human rights, policing, and public security reform. These issues will be the focus of this chapter as well although where the previous chapter concentrated on Latin America, this chapter will discuss the issues of human rights, policing, violence, and public security reform as they relate to Rio de Janeiro. The purpose of this chapter is to lay out the historical development of crime, violence, and policing in Rio de Janeiro and to describe the current day-to-day reality of policing, violence, and public security in Rio de Janeiro, the reality in which the police human rights strategies examined in this book are implemented. This chapter begins with a look at how crime and violence have been dealt with throughout Brazil's history and the role which the police have played. Following a description of Brazil's transition to democracy and the rise in crime and insecurity that coincided with this political change, the federal and state level responses to crime, violence, and human rights violations are discussed. A look at the contemporary reality of public security in Rio de Janeiro is followed by an analysis of the history and development of policing in Brazil and specifically Rio de Janeiro. The military and civil police organizations in Rio de Janeiro are described; lastly the reality of policing in Rio de Janeiro is evaluated from a human rights perspective. A clear understanding of Brazilian society and the military and civil police institutions in Rio de Janeiro will assist the reader in understanding the analytical argument behind the empirical data on police human rights strategies presented in the subsequent chapters.

3.2 CRIME AND VIOLENCE IN A HISTORICAL PERSPECTIVE

While crime and its violent repression have always been constant in Brazil's poor areas, they did not begin to affect the upper classes until the 1980s (Zaluar, 1996). Prior to this the streets of the more prosperous neighborhoods, such as the *zona sul* (south zone) of

Rio de Janeiro,¹ belonged to the middle and upper classes (Ventura, 1994). As Hinton (2006: 93) points out, the escalation of crime and violence in Brazil's urban areas coincided with the transition period from military to democratic rule yet its origins are much longer in the making. This section focuses on some of these historical developments.

3.2.1 The Police as Protectors of the Upper classes and Repressors of the Poor

As I will detail later in this chapter, the two police forces that are responsible for maintaining public order, and preventing and detecting crime in the state of Rio de Janeiro, were created as a result of the transfer of the Portuguese Royal Court to Brazil in 1808 during the Napoleonic War in Europe. In order to protect the Portuguese crown, the Court fled to Rio de Janeiro with 23,000 people, converting it from a backward colonial outpost to the capital of the Portuguese Empire overnight (Fausto and Brakel, 1999). Policing in Rio de Janeiro is therefore influenced by this imperial tradition. From 1808 to 1822, Rio de Janeiro was the seat of the Portuguese monarchy, in essence making Brazil and Portugal 'equal' states in the Colonial Empire. After gaining independence in 1822, Brazil was a constitutional monarchy with Dom Pedro I and later Dom Pedro II as its emperors until 1889 when the monarchy was abolished and the Brazilian Republic was born (Levine and Crocitti, 1999).

Policing in Brazil is also influenced by the slave tradition. Slaves were used in Brazil from the early sixteenth century until 1888 when slavery was finally abolished in Brazil (Holloway, 1993). By 1549, all economic activity in Brazil, and Rio de Janeiro in particular, was dependent on slavery. When the Portuguese Court moved to Rio de Janeiro in the early 1800s nearly half of the population of the city was enslaved and the fear of revolt was high (Hinton, 2006: 105). The police's primary responsibility was to contain this threat and maintain order and they did so with force (Chevigny, 1995; Holloway, 1993). According to Holloway (1993: 37), the police in Rio de Janeiro were conceived from the earliest days as a 'standing army fighting a social war'. Yet as Holloway goes on to say, 'unlike warfare against an external enemy on the battlefield, however, the objective was not to exterminate or eliminate the adversary. The goal was repression and subjugation and the maintenance of an acceptable level of order and calm, enabling the city to function in the interests of the class that had made the rules and created the police to enforce them'.

1 The city of Rio de Janeiro can essentially be divided into the *zona sul* (south zone) which is a largely middle and upper-class area consisting of the Copacabana and Ipanema beaches, the center, an historical part of town where a large number of businesses are still located, and the *zona norte* (north zone), a largely industrialized area consisting of low-income neighborhoods and large *favela* complexes such as the *Complexo do Mare*. While there are *favelas* in the *zona sul*, including Rochina which is thought to be the largest *favela* in Latin America, south zone *favelas* are considered to be different from north zone *favelas*, which are considered to be more violent, have even less access to social services, and to be entirely at the mercy of young men employed by the drug trade.

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The violent repression of the poor, black slaves continued well after the abolition of slavery but under a different name. Whereas slaves were punished and imprisoned for disobeying their masters and running away, the free poor, black population was targeted after abolition under the new vagrancy laws (Huggins, 1984). Poor, black men were frequently arrested for not carrying identification, for loitering, and because they were considered a threat to public order yet the goal of the police was the same as it had been during the period of slavery: to control the socially undesirable classes. The use of the police to protect the upper classes from the socially undesirable classes repeats itself frequently throughout Brazilian history.

Since their creation, the police in Rio de Janeiro have been used as agents for the protection of the elite and as a solution for all of society's problems, but it was not until the 1930s that this began to change. Brazil gradually went from being an oligarchic republic to a populist state and the police began to be used for the protection of the state (Levine and Crocitti, 1999). The use of the police for political repression made its appearance under Vargas' *Estado Novo* (New State): the first police state. During the rule of Getúlio Vargas which lasted from 1930 to 1945 and later from 1951 until his suicide in 1954, the police routinely tortured and used other heavy-handed methods against political prisoners and common criminals (Hinton, 2006: 93; Cancelli, 1993). If not encouraged, this behavior was certainly tolerated, and inquiring whether this was the role that the police and the army were supposed to be playing was out of the question. The use of violent tactics to control and repress suspected criminals or other undesirables did not stop with the end of the Vargas era. Huggins (1997) writes of an army general and chief of the police force in Rio de Janeiro (which was still the capital of Brazil) who ordered special squads to capture and kill dangerous criminals to contain the wave of theft, assault, and robbery that was threatening businesses in the late 1950s. These special squads were preludes to the death squads that would draw much international criticism against Brazil in the 1980s and 1990s.

3.2.2 The Military Coup of 1964

The coup that the Brazilian armed forces executed in March 1964 was different from the ones they had carried out in 1930, 1945, 1954, and 1955 because this time around the armed forces were not simply planning to depose the old president, install a new political force, and return to their barracks (Huggins, 1998). Instead the armed forces overthrew President João Goulart, who they accused of having communist sympathies and wanting to destroy the Brazilian way of life, with a view towards long-term governance (Weschler, 1990). At a time when revolutionary groups were defeating conventional armies throughout Africa and Asia, it was the Cuban Revolution of 1959 that hit closest to home and inspired the formulation of counter-insurgency and anti-communist strategies in the Latin American region (Hinton, 2006: 94).

Due to its size and the ties that had developed between Brazilian and United States army personnel when Brazil sent troops to fight with the allies during World War II, Brazil was singled out for additional attention and assistance. This was a circumstance that could explain why the Brazilian military was one of the first to establish a dictatorship during this period, when militaries in much of Latin America would not intervene

in the democratic process until a few years later (Huggins, 1998; Weschler, 1990). According to Stepan (1971), the collaboration between key Brazilian and United States military officers, especially between 1948 and 1960, created a special bond between the two countries. While some Brazilians were given special training in North America, most were trained at the Superior War College in Rio de Janeiro which was founded in 1949 with United States funding and assistance. The Superior War College later became the center of Brazilian counter-insurgency theories and it was here that the National Security Doctrine was formulated and adapted to the Brazilian situation (Weschler, 1990). As early as 1959, following the Cuban Revolution, General Golbery, the chief ideologue of the Superior War College was quoted as saying, 'Latin America now faces threats more real than at any other time, threats that could result in insurrection, uprisings that could attempt (though not openly) to implant ...a government favorable to the communist ideology and constitute a grave and urgent danger to the unity and security of the Americas and the Western world' (quoted in Stepan, 1973: 56).

In the late 1960s, following the coup, police forces of the different Brazilian states were all brought under the direct control of the Brazilian military, a condition that lasted until the transition to democracy some twenty years later in 1985 (Huggins, 1998). During this time they were specially trained in torture, counter-insurgency, and other coercive methods and they used these methods along with intelligence in order to control political opposition (Huggins et al, 2002; Weschler, 1990; Archdiocese of São Paulo, 1986). In addition, heavily armed, specialized units were created to function as the front line in the repression of political oppression and others classified as 'subversives' and to keep a vigilant eye on the population at large (Barcellos, 1992). This military training and control of the police led to the Brazilian state police forces being further militarized and functioning to protect the state and its interest from attack by those labeled as dissidents, thereby further alienating the population and leading to their distrust of the police (Hinton, 2006).

State repression in Brazil at this time was not only ideologically justified but also legally sanctioned and supported operationally by specialized internal security intelligence organizations and repressive squads (Huggins, 1998). Once in place, the national security doctrine, and the organizations that sprung up to sustain it, could be used by everyone to motivate, justify, defend, and hide their own acts of ordering, guarding, recording, medically authorizing, or disguising atrocities. Huggins et al.'s (2002: 245) research concluded that 'political ideology, bureaucracy, and the resources for administering rewards and punishments, especially when dominated by charismatic or feared leaders open a broad umbrella under which once good citizens would be able to do evil deeds without concern for their own or others' contrary moral evaluation'.

It was during this period of military rule that Brazil underwent a phase of industrial growth and economic progress. Termed the Brazilian economic miracle, this period of economic growth from 1968 to 1974 saw Brazilian industry expanding by an average annual rate of twelve percent (Turner, 2000; Gilbert, 1998). This phase of unprecedented growth increased the need for cheap labor in Brazilian cities. In order to fulfill this need, the government encouraged rural to urban migration. This period also saw continued involvement from the United States, this time in the form of the United

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States Alliance for Progress (created under the Kennedy administration) which helped to fund and create the National Housing Bank, in order to administrate and build affordable housing in Brazilian cities. But this rural to urban migration did not occur as the authorities had planned. Poverty and drought in the interior of Brazil's northeastern states and the draw of plentiful employment and the prospect of a better life created a rural exodus of sorts and led to the doubling of the urban population between 1967 and 1985 (Hinton, 2006: 103). The rush to the cities during Brazil's period of economic progress quickly overwhelmed the already existing public services and the newly constructed housing projects quickly became overcrowded (Gilbert, 1998). The new population of Rio's *favelas*² soon found themselves socially and economically isolated because the state was not able to keep up with providing them with services and as Brazil's economic progress subsided, available jobs in the city dried up, leaving new migrants to the south to fend for themselves (Leeds, 2006). Between 1977 and 1984, the number of poor in Brazil rose from 40.7 to 56.9 million, or between 39.6 to 50.5% of the population while indigents reached 25.1 million or 23.6% of the population (Hinton, 2006; Leeds, 1996). By 1983, Brazil had become one of the most unequal countries in the world. As the luster of the Brazilian economic miracle subsided so did the population's patience with the military dictatorship.

Although structural inequality exists in many parts of the world, O'Donnell (1999) finds the problem all the more acute in Latin America, a region where widespread poverty exists alongside one of the most unequal levels of income distribution. The poor make up one-third of the total urban population in Latin America, and as I will discuss later in this chapter, the outbreak of crime, violence, and insecurity in Rio de Janeiro is an expression of the problem of poverty and inequality, which hurts poor Brazilians more than the rich and is rooted in the disparities between them. As pointed out in chapter two, in larger Latin American cities, urban poverty is also largely linked to informality and social exclusion. The poor are increasingly separated from the upper and middle classes not just in terms of space but also in terms of cultural life and access to resources such as employment and law enforcement. The social exclusion of the lower classes has deepened considerably over the past two decades (Koonings and Kruijt, 2006). This social exclusion along with the virtual absence of the state in the lives of the poor makes room for a variety of – what Koonings and Kruijt (2006; 2004)

2 *Favelas* have existed in Rio since the end of the nineteenth century; populated first by refugees of the Canudos War in Bahia in the late 1800s along with freed slaves after slavery was formally abolished in 1888 (Zaluar and Alvito, 1998). The first growth spurt in *favelas* occurred during the push to industrialize during the era led by Getulio Vargas in the 1930s and 1940s and then another during the massive migration from the Brazilian Northeast to Rio and Sao Paulo in the 1960s and 1970s. Current estimates of the *favela* population in Rio range from a million to two and a half million persons spread over six hundred *favelas* depending on who is counting (Hinton, 2006). *Favelas* have sprung up in all sections of the city; elite as well as working-class industrial areas. They vary in size from a few hundred residents to more than two hundred thousand and are found on terrain ranging from steep hills to swampy flatlands. The people from the *favelas* are known as *favelados*. *Favelados* and Brazilians in general distinguish between the *asfalto* (asphalt) and the *morro* (hill). The first refers to the officially recognized neighborhoods with access to public services and the latter to the *favelas* (Veenstra, 2006).

term – armed actors and violence brokers. These are groups that, on the basis of coercion, function as parallel powers to the state as I will discuss below (Leeds, 1996).

3.2.3 The Creation of Organized Crime Groups

The roots of organized crime in Brazil, and certainly in Rio de Janeiro, can be traced to the practice of imprisoning political prisoners together with common criminals during the period of military dictatorship (Hinton, 2006). As discussed earlier, left-wing opposition groups were prosecuted, tortured and murdered by the police and the armed forces during this period. In 1969, when military hardliners came to power they initiated a radical anti-opposition campaign which led to the increased repression of the guerrilla groups in the form of arrest, torture, murder, and forced exile (Veenstra, 2006). In an attempt to continue financing the insurgency, the different guerrilla groups began robbing banks and jewelry stores. As a way to increase repression and break the insurgency, the military hardliners decided to try all robbers in the same military tribunal (Zaluar, 2003; Amorim, 1993). This led to members of guerrilla groups being tried and detained together with common criminals. The military leaders hoped that mixing a few political prisoners with a larger population of common criminals would break the resistance. This attempt of the government to break the resistance meant that every opposition group of some significance was represented in the maximum security prison, the Instituto Penal Cândido Mendes on Ilha Grande, a small island off the coast of Rio de Janeiro (Amorim, 1993). As is common in most Brazilian prisons, prisoners were subjected to atrocities committed by their fellow prisoners and the guards on a daily basis.

Ironically, by incarcerating these two groups together the authorities facilitated the formation of what is now known as the *Comando Vermelho* (the Red Command). Instead of being overwhelmed and silenced by their situation, the prisoners organized together, initially for protection and to obtain food, access to the outside world, and other considerations and later in order to gain their freedom (Hinton, 2006). The political prisoners organized themselves into a group known as *o coletivo* (the collective); they protected each other, protested for each other, and secured an existence free from rape and murder. Inspired by the solidarity between the political prisoners and the law and order that they were able to enforce in the prisons, the common criminals founded a similar movement in order to defend themselves from the brutality of the prison guards and other violent prison gangs (Veenstra, 2006). The state believed that by dispersing a few political criminals in with many common criminals, they would be successful in dissolving the ideological perspective of the political criminals (Lima, 1991). In fact the opposite happened. The political criminals began spreading their ideologies throughout the inmates. These inmates began to learn how to organize, derive strength from their numbers instead of engaging in internal disputes, and how to use crime as a political tool. The group that emerged was known as the *Comando Vermelho* (CV) or the Red Command, a name that refers to the communist ideologies of its founders. The slogan of the Command, 'Peace, Justice, and Freedom' also reflects this ideological leaning (Huguet, 2005).

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The organization banded together in a sort of 'all for one, one for all' mentality and vowed to struggle for the collective rights of the invisible and underprivileged in Brazil. Within the prison walls this involved hunger strikes, corresponding with the press and engaging in other ways to denounce human rights violations. The activities of the Command did lead to better conditions for the prisoners. Prisoners could receive weekly visits from their relatives, pay phones were installed within the prison, and contact with the outside world was improved in general. Additionally, due to the law and order imposed by the Command, violent incidents within the prison decreased significantly. The Command's list of accomplishments impressed many of the new prisoners and the organization grew in its size and prominence (Amorim, 1993).

Over the years the power of the Command grew until it essentially ruled the prison and on one night in 1979, members of the Command murdered a number of their enemies (Amorim, 1993). Several years later, the survivors of the massacre, predominantly members of a prison gang, joined forces with other prison gangs and together they founded the *Terceiro Comando* (Third Command), which remains the biggest enemy of the Red Command to this day (Veenstra, 2006; Huguet, 2005). In an attempt to dilute the strength and organization of the Red Command the authorities transferred members of the Command to various prisons around the state. Yet like what had occurred when the authorities made the decision to detain political prisoners and common criminals together, the opposite of what the authorities had intended actually happened. The transfer of Command members to other prisons only facilitated the expansion of the Command to other prisons (Hinton, 2006; Veenstra, 2006). The escape of a number of important Command leaders from prison led to the dissemination of the Command doctrine outside the walls of the prisons. On the outside, these Command leaders created a social fund to support the activities of their members in prison, to assist the families of Command members who had died in action, and to provide legal aid to those who needed it.

With the transition to democracy in the 1980s, the Command expanded its power base and gained more eminence. The initial Command leaders were aware of the fact that they needed the support of the *favela* communities and other low-income populations in order to continue to engage in their criminal and subversive activities and they secured support by contributing to the needs of the community. Yet maintaining the social fund was an expensive prospect and bank robberies, long the focus of the Command members, did not generate enough income, which motivated the Command leaders to search for more gainful alternatives (Hinton, 2006). Marijuana had long been sold in the *favelas*, but due to the relatively low amount of users and the small profits that it generated it was never the focus of a criminal group (Lins, 1997). With the introduction of cocaine into Brazilian society at the end of the 1970s, and the massive profits that it created, the Command leaders decided to focus on selling cocaine as a way to finance their social efforts (Veenstra, 2006; Zaluar, 1998). Controlling all the drug selling points, known as *bocas de fumo* (mouth of smoke) became the central aim of the organization, which created the need for a band of armed members. At the same time that rural to urban migration was leading to an increase in the *favela* population, which the state was unable to deal with, the Command grew in power and filled the

roles that are traditionally the domain of the state (Lima, 1991). The Command protected *favela* residents against police abuse, and supported the poor by financing schools and samba clubs, helping people secure medical aid and other services, and paying for clothing, funerals, parties, and child-care centers. As the Command grew and conquered new communities, which had frequently been dominated by violent gangs, many inhabitants were pleased with the imposition of the new law and order. As the Command introduced its brand of law and order, *favela* communities became relatively safe places and in return the Command received the loyalty of the community in the case of police invasions or attacks by rival gangs.

By the 1990s, the older Command leaders who were more connected to their communities started to lose out to younger criminals. While the initial leaders had sought to involve a moral nature in their business, the new leaders demonstrate a more ‘calculating’ nature (Coelho, 1988). The younger gang leaders tend to be more ruthless and often come from other communities than the ones they work in, therefore they tend to care less about giving back to the community. They use fear as opposed to social assistance to control the community (Huguet, 2005). Contemporary gang leaders maintain order through coercion and by manipulating the disorder that the state allows to exist. As the urban war between the drug gangs and between the gangs and the police intensifies, it is rare for young, black men from certain neighborhoods to live past their twenty-fifth birthdays and therefore these gang leaders become younger and younger (Dowdney, 2003; Peralva, 2000). These young leaders have a perverse sense of morality; due to the circumstances of their upbringing they have seen their parents and other loved ones killed and often indulge in excessive drug and alcohol use (Zaluar, 2004).

Rio de Janeiro’s location on the transatlantic drug route, the ease of obtaining weapons, and the presence of *favela* communities from which the state was entirely absent meant that the drug trade grew tremendously and became very violent, very quickly (Leeds, 1996). The Red Command that had already lost much of its ideology and organization following the deaths of its founding members became increasingly fragmented as some groups separated from it to form their own gangs (Hinton, 2006). Instead of coming together against state injustice these groups fight against each other for physical control of *favela* communities and, by extension, the drug trade. Although the behavior of these gangs is far removed from that of their predecessors and although the people involved in the drug trade are more concerned with making money themselves than struggling to guarantee greater rights for the community at large, the social discourse still refers to these gangs as having political or ideological connections. The residents of *favela* communities often complain about the violence these gangs indulge in yet they still refer to them as *o movimento* (the movement) and not as drug gangs (Veenstra, 2006; Notícias de Uma Guerra Particular, 1999).

During the years of dictatorship, the government’s repressive policies were able to contain political opposition and keep the poor isolated and in their place, in the *favelas*, away from the upper classes. By 1985, when Brazil underwent a transition from military rule to democracy, the large socio-economic disparities that had long characterized Brazilian society had become a breeding ground for the explosion of crime and vio-

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lence. Facilitated by the lucrative drug trade, the crime and violence traditionally suffered by the poor spilled out from the *favelas* into all the classes, eventually turning many Brazilian cities into virtual battlegrounds (Hinton, 2006). By the 1990s, the city of Rio de Janeiro had become emblematic of the urban chaos that threatened newly-won democratic freedoms (Rotker, 2000; Pinheiro, 1999).

3.3 THE TRANSITION TO DEMOCRACY AND THE RISE OF CRIME

As stated above, historically the police and military were able to use repression to control and contain violent crime to the poor areas as long as the Brazilian economic miracle lasted. But by the 1980s with the economy in decline, the combination of millions of people unemployed, the acceleration of poverty, and the state neglect of the *favelas* proved combustible (Hinton, 2006: 96). The growth of coca cultivation in Bolivia and Peru and the organization of Colombian drug cartels brought a flood of cocaine and other narcotics to Brazil, which had traditionally only been used to marijuana and that also in small proportions. Due to its location, Rio de Janeiro suddenly became a major port for cocaine export to the United States, Europe, and South Africa. Domestic consumption of cocaine also increased. In the 1990s, Brazil was considered the second largest consumer market for cocaine.

Despite its return to formal democracy, Brazil is facing a severe problem of the rule of law. Over the years it has been increasingly plagued by problems of violence, criminality, and insecurity (Ahnen, 2003). For example, in 2000, there were 46,000 homicides in Brazil, and 70% of those, or 34,755 deaths, were firearms related (ISER, 2002). Between 1985 and 1994, homicide rates in the state of Rio de Janeiro increased by about 63% whereas the homicide rates for the city of Rio de Janeiro doubled. In Rio de Janeiro, the majority of these homicides are the result of fights between or within drug gangs or in police raids on *favelas* and are not politically motivated (Zaluar, 2004; Leeds, 1996). According to Gláucio Soares, a professor at a Rio research institute, 70% of the city's murders are related to drugs, a much higher proportion than in other Brazilian cities.³ Yet throughout the country, the vast majority of victims of violence are poor. The main threats to the Brazilian upper and middle classes are mugging, burglary and car theft, all of which rarely end in murder although this does not allay the fears of the upper and middle classes who often call for more tough action in crime policies. So at the same time as this wave of crime and violence and the pressure from the population to take repressive action to put an end to crime, a phenomenon Ahnen (2003) terms 'the tyranny of the majority', the Brazilian government is under international pressure to embrace the precepts of democracy and enhance the capacity of the state and its agents to uphold human rights.

The massive increase in the urban population, high rates of unemployment, poverty, and inequality, the social exclusion of the new *favela* residents, and the influx of drugs into the country, coincided with the period of democratization. The opening, or

3 Author interview, 30 November 2003.

abertura as the process of gradual opening and handing over of power to civilian authorities was called in Brazil, had its first major victory when elections for state governor were scheduled for 1982 (Turner, 2000). Although elections were held on a state level in 1982, the president was elected by Electoral College in 1985, and it was not until the elections of 1989 that Fernando Collor de Mello was elected by popular vote and became Brazil's first democratically elected president since 1960. In the state of Rio de Janeiro, it was Lionel Brizola, a left-wing candidate who had been forced into exile during military rule, who was elected as governor on a Democratic Labor Party (PDT) ticket. Having been a victim of repression, Brizola attempted to dismantle the military's repressive apparatus and curb human rights violations. To this end he ordered the police to stop entering *favelas* without judicial authorization (Hinton, 2006). Although this move was very popular with the *favela* populations as it meant no more abuse at the hands of the police and security forces, it petrified the remainder of society. This policy of Brizola's tied the hands of the police and allowed the Commands to consolidate their powers and expand their business. The various Commands and criminal groups fought it out for control of the *bocas de fumo* across the city and residents were subjected to the consequences of the bloody turf wars. As it disapproved of Brizola's policy, the federal government withdrew funds for public health, transportation, and sanitation in these *favela* communities, further aggravating the situation.

With crime increasing dramatically and the police restricted from doing anything about it, the affluent of Rio de Janeiro turned to private security companies. As mentioned in the previous chapter, private security has evolved tremendously since the transition to democracy in the region, to the point where private security guards outnumber police officers. Between 1983 and 2000, the number of registered private security guards increased by 600 percent from 50,000 to 350,000 and this estimate does not even include unregistered private security guards (Hinton, 2006). Those who could not afford to hire private security guards and move to gated communities were very concerned about the security situation and the police's perceived unwillingness or inability to do anything to protect them. In Rio de Janeiro, most police officers have to have second jobs in order to support themselves and their families. Most officers are hired directly by private security companies, many of whom are owned by active or retired police officers, military officials, and politicians. This leads to a situation in which the state is essentially competing with itself as it is the low quality of policing that leads people to turn to private security companies (Huggins and MacTurk, 2000).

During the period of military rule, the indiscriminate use of force employed by the police and military was supplemented by harsh penalties handed down by the courts for even the pettiest of crimes. The hope was that under democracy the police would be more respectful of the rule of law and human rights in their day to day police work, and that the entire criminal justice system would work within the framework of procedural guarantees and respect for human rights (Hinton, 2006). Yet years of military rule had weakened the police institutions and also the judiciary and left the criminal justice system in disarray. This seriously weakened the capacity of the state of Rio de Janeiro to deal with the increase in crime and the growth of drug trafficking in the 1980s and 1990s.

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Not having an incentive to take on a new role, or having the resources to do so, the police continued doing what they had always done: repressing the poor and protecting the interests of the state and of the upper classes. Throughout Brazil's history and up until this day, violence has been used to control the population, instill fear in them, extract labor, and demonstrate the might and authority of the state (Huggins et al., 2002). After the transition to democracy this continued in the form of murders by the police of hundreds of rural, landless poor and urban street children, summary executions of the poor and those considered to be criminals in the war against crime and drugs, and the widespread use of torture in police stations, prisons, and orphanages. These violations by state agents continue despite Brazil's status as a formal democratic state. In fact, as some researchers point out, human rights abuses continue to occur every day in Brazil, often in greater numbers than during the period of authoritarian rule, and the majority of perpetrators are not punished (Amnesty International, 2005; Justiça Global, 2004; Ahnen, 2003). Therefore, in addition to the widespread increase in criminal violence, the consolidation of democracy has also involved the continued participation of state actors in human rights abuses (Frühling, 2003; Koonings, 1999).

3.4 DEALING WITH VIOLENCE, INSECURITY, AND HUMAN RIGHTS

The rapid rise of criminal violence throughout Brazil's urban centers, the complicity of the police in crime, such as kidnapping, car theft, and drug trafficking, and the continued involvement of state agents in human rights violations despite the transition to formal democracy, brought a lot of international attention and criticism Brazil's way (Ahnen, 2003; Human Rights Watch, 1993). Having ratified the Universal Declaration of Human Rights as well as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights, the Brazilian state has an obligation to guarantee the full enjoyment of all human rights to those people within its jurisdiction. Brazil has this obligation under international and national law as it has translated its international obligations into its national legal system. While the Brazilian state has an obligation under international and national law, the federal system of government in Brazil means that there is considerable power-sharing between the federal and state governments. The federal government can come up with a plan or piece of legislation, but then it is up to the various state governments to implement that plan. This power-sharing arrangement between states and the federal government leads to a lot of blame-trading especially when there is a serious security crisis, which was exactly what happened in Brazil in the 1990s when the *cidade maravilhosa* (marvelous city) lost its luster (Hinton, 2006).

By the 1990s, the public security situation in Rio de Janeiro was so bad that it consistently topped the list of public concerns. On a state level, campaigns for the position of Governor of Rio hinged on promises to improve the security situation and increase feelings of safety, a state of affairs that exists to this day (Soares, 2000). It was also in the 1990s, after a series of high-profile human rights scandals involving on and off-duty police officers had brought criticism from the international community, that the federal

government adopted a more proactive role.⁴ While the federal government enacted legislation as a political response to crises, this legislation was not part of an extensive, well-thought-out public security policy. Due to the lack of a considered, long-term strategy, the sustainability of many of these programs is low and in some cases state compliance is conditional or elective, as I will describe in the following subsection (Hinton, 2006: 126). While some programs lacked the adequate institutional framework to allow monitoring by federal authorities or other third parties, others showed disconnections with the reality of the Brazilian situation.

3.4.1 The Federal Response

In the mid-1990s and in 2000, the Brazilian national government created some plans and passed some legislation in order to implement human rights and ensure public security. In 1995, the Cardoso administration unveiled the National Human Rights Plan, touted as the first of its kind in Latin America. This plan was devised by the Ministry of Justice in conjunction with civil society and was to be implemented by the National Secretariat for Human Rights which had been set up explicitly for this purpose within the Ministry of Justice (Ribeiro de Oliveira, 2002). Cardoso explained the purpose of the plan in the following way: to ‘end impunity and fight to ensure that human rights are respected’ (Hinton, 2006: 127). The National Human Rights Plan which consists of two hundred measures also includes dozens of clauses and was not legally mandatory, thus state governors had plenty of leeway to select which measures they would comply with and which they would ignore.

Additionally the national government created a ministerial working group in order to review the status of public security in the country and to consult with experts and draft a comprehensive plan to reform the police and created a National Secretariat for Public Security (Hinton, 2006). Although some recommendations were drafted, which included salary increases for police officers, enhanced human rights training, modernization of police equipment, improved coordination between the military police and the civil police, creation of an ombudsperson’s office, and of community safety councils, these recommendations were not officially unveiled or publicized until 2000, following the televised hijacking of Bus 174 near the Botanical Gardens in Rio de Janeiro (Dellasoppa and Branco, 2006).⁵

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- 4 The main scandals that occurred in the 1990s were the Candelária Church massacre, the Vigário Geral massacre, and the Carandirú prison massacre. On 23 July 1993, a group of persons suspected of being police officers killed eight street children when they fired into a crowd of children sleeping on the footsteps of the Candelária Church in downtown Rio de Janeiro. In August 1993, heavily armed police officers raided the Vigário Geral *favela* intent on avenging the death of four of their colleagues, killing twenty-one people. On 2 October 1992, the São Paulo military police stormed the Carandirú Prison to quell a riot, killing 111 prisoners in the process, many of whom had already been subdued and disarmed but were still executed.
 - 5 On 12 June, 2000 Sandro di Oliveira Nascimento hijacked a bus in an upper-middle-class section of Rio de Janeiro. The proximity of the hijacking location to the O Globo headquarters meant that the entire incident was televised on national television and followed by millions. Though visibly aggravated, Sandro seemed to enjoy the attention and the safety the cameras provided

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The incompetence of the police in the face of this incident and the fact that it was televised live by the Brazilian media conglomerate, O Globo, put pressure on the Brazilian government and also on the authorities in Rio de Janeiro to do something about the dramatic public security situation (Ahnen, 2006). Unveiled on 20 June 2000, the National Public Security plan was based on the following principles: interdisciplinary, organizational and managerial pluralism, legality, decentralization, impartiality, accountability for actions taken, community involvement, professionalism, attention to particular regions, and strict respect for human rights (Dellasoppa and Branco, 2006). The National Security Plan was created in order to integrate security policy with social policy and community action as a way of preventing and repressing crime and reducing impunity while increasing security, guaranteeing peace for the Brazilian public, and recuperating confidence in Brazil's institutions. The National Security Plan was backed up by the National Public Security Fund to assist states and the federal government in financing these programs. Yet research finds that the majority of the funds that were made available as part of the National Public Security Fund remain unused. For example, by mid-December 2003 only 14.5% of that year's budget had actually been spent (Dellasoppa and Branco, 2006).

Although Cardoso emphasized public security during his campaign for president in 1994, the National Public Security plan was not created until 2000, two years before the end of Cardoso's second term. This suggests that there was no strong, consistent push behind public security reform in his administration. In fact, in the 2000–2003 Multiyear plan of his government, it is only the 28th objective that refers to public security. The 28th objective states 'mobilize the government and society to reduce violence' (Dellasoppa and Branco, 2006). There is no detail about public security in this plan, and no mention of the fifteen commitments incorporated within the National Security Plan. Whereas the National Security Plan entails fifteen commitments laid out in 124 steps and details who has the obligation to meet which commitment and what actions have to be performed to meet which objectives, the lack of attention to public security in the government's main plan for the years 2000–2003 suggests that the National Security Plan was in fact a reaction to a public scandal and not a well thought-out strategy (Ahnen, 2006; Hinton, 2006). Luiz Eduardo Soares, the national secretary for public security, had this to say in August 2003 about the national government's plans for public security:

him. He used the university students held hostage in the bus to highlight the plight of poor blacks like him, taunted the police, and called everyone's attention to the police's involvement in human rights abuses in the past, such as the Candelária Church massacre in 1993, of which Sandro was a survivor. The police, unsure of how to act with the media cameras rolling and the governor's refusal to allow them to use a sniper, stood by and watched the situation unfold. The whole scenario finally ended when a police officer shot and injured a hostage while Sandro was exiting the bus with her, prompting Sandro to kill her. After this the police arrested Sandro and while escorting him to the police station they suffocated him in the back of the police van. Although charged, the police officers involved were acquitted for acting in self-defense (Bus 174, 2002).

‘The national secretariat for public security was created in 1995 but it remained irrelevant until June 2000, when the National Public Security Fund was created. After that, it became a treasury, and therefore important. But it continued to be powerless despite the professional quality of the managers because there was very little that the context could allow. The secretariat functioned as a checkout counter: It received isolated projects from the states, which it examined to see if they formally aligned with the Justice Ministry’s requirements, and – bureaucratically – it transferred the money. Vehicles and weapons were bought like never before in Brazil without knowing their real effectiveness. There was no policy that is an assessment of problems, identification of their origins, ordering of priorities, rigorous planning, implementation of evaluation mechanism, and routine dynamics for monitoring. Without those elements, it was not possible to learn from mistakes and construct an institutionalized system of rational practices, with some probability of progressively improving it’ (quoted in Dellasoppa and Branco, 2006).

In addition to the National Human Rights and the National Public Security Plans, the federal government also enacted some legislation that was meant to improve the public security situation in the country. The 1996 Bicudo Law was meant to shift jurisdiction for crimes of intentional homicide by the military police from military tribunals, where they are heard by three military and one civilian judge, to civilian courts where the accused are more likely to stand a fair trial (Ahnen, 2006). Yet as the police still conduct the preliminary investigations and gather the evidence, they continue to have the power to decide what a particular crime is labeled and whether it should go to trial. In order to save fellow officers from facing a civilian court, investigating police officers alter the evidence and ensure that a crime is classified as excessive use of force, self-defense, or accidental homicide. In this way, despite the existence of the Bicudo Law, police officers rarely stand trial in front of a civilian court that is if they are charged at all. In 1997, the federal government enacted another law to control police behavior and to criminalize police use of force. The Torture Law was created in order to typify the crime of torture, essentially codifying the United Nations Convention against Torture (Hinton, 2006: 128). Yet this law, too, has been virtually ignored. Similar to the Bicudo Law, the main flaw of the Torture Law lies in the fact that the police are in charge of the initial investigation and are likely to tamper with evidence and classify the incident as abuse of power or use of force instead of as torture. Therefore although torture is officially classified as a crime in Brazil and occurs on a widespread scale, police officers are not held accountable for engaging in it (Amnesty International, 2001; Rodley, 2000).

As this section shows, these national programs are nominal rather than effective in protecting human rights and ensuring greater public security. This is because the federal government tends to get involved in human rights and public security only after security crises or human rights scandals, and the national and international pressure that they create, force them to do so. Programs created and launched hastily in the aftermath of scandals are not thought out and are not part of a larger policy therefore they tend to contain intrinsic faults that guarantee failure in the implementation stage. One of these intrinsic faults is the tendency of the Brazilian government to launch programs

with objectives that are far beyond the available competencies (Dellasoppa and Branco, 2006). Therefore those in charge of implementing the programs, both at a national and at a state level, end up defining and seeking their own goals. The following section will detail how the state of Rio de Janeiro has responded to the demand for greater security and greater respect for human rights.

3.4.2 The State Response

As discussed in the previous section, the federal government created and launched several programs to ensure more security and greater protection of human rights in the mid 1990s and in 2000. Yet despite their intention, these programs were created in response to a scandal, were not well thought out, and often did not oblige state authorities to implement them, thereby diminishing their effectiveness in providing security and human rights protection (Bailey and Dammert, 2006; Dellasoppa and Branco, 2006). Yet as the lack of security topped the public's list of concerns and political aspirations, on a presidential but also on a gubernatorial level, revolved around a politician's ability to improve the security situation, especially in a state like Rio de Janeiro, there has been no shortage of ideas or proposals from state authorities. In Rio de Janeiro, there have been policies to decrease police involvement in crime and corruption, diminish human rights violations, modernize police institutions, and strengthen controls of police organizations on a federal and a state level. The reform policies tend to fluctuate between respect and repression and as each new governor wants to implement his/her policies and leave his/her mark, the policies tend to be inconsistent and disjointed. Hinton (2006: 125) finds that in Rio de Janeiro in the 1990s four different governors adopted policies that reversed or suspended the efforts of their predecessors. The ideological changes that come about when new governors assume power are reflected in the different personal style and policies of each new state secretary of public security which means that public security in Rio de Janeiro changes every four years when a new governor comes to power, if not more frequently.⁶

As mentioned earlier, Lionel Brizola was the first governor of Rio de Janeiro after the return to democratic rule. Brizola was governor of the state of Rio de Janeiro from 1983 to 1987 and then again from 1991 to 1994 (Hinton, 2006; Ahnen, 2003). Having suffered under the repression of authoritarian rule and spent part of the dictatorship in exile, the left-wing Brizola tried to increase consciousness among the population, to end the arbitrary nature and the impunity with which the state authorities operated, and to change the police into an organization designed to protect rather than repress. In order to do this, the Brizola administration launched their Action Plan for the Economic and Social Development of the State of Rio de Janeiro (Ahnen, 2003). In terms of day-to-day policing, Brizola's more humane approach to crime fighting entailed ordering a halt

6 Several Rio de Janeiro governors have left their posts early in order to partake in the presidential elections. A governor may also appoint a new state secretary of public security in the middle of his/her term.

to all ‘blitzes’⁷ as they were considered discriminatory, trying to dismantle the death squads, instructing the police to stop entering *favelas*, kicking down doors, searching, and arresting without judicial authorization (Hinton, 2006). But as described above, Brizola’s humane post-dictatorship policies coincided with a severe crime wave and instead of controlling crime and ensuring greater respect for human rights standards they simply increased the power of the Commands and led to the growth of the drug trade.

Brizola’s failure to decrease crime and increase feelings of security led to the election of Wellington Moreira Franco, who was governor of Rio de Janeiro from 1987 to 1991 (Ahnen, 2003). Franco abandoned Brizola’s programs and ordered the resumption of the repressive policies from the military era. Although they were a world apart from Brizola’s policies, Franco’s focus on repressing crime also failed, because the drug trade’s enormous profits enabled the Commands to possess an arsenal of fire power and therefore divert attempts to subdue them. When Franco failed to make a dent in crime and make people feel secure, Brizola was re-elected. Brizola had learned from his first experience as governor and came to power in 1991 with a clearly public security plan (Hinton, 2006).

In March 1991, Brizola appointed Colonel Carlos Magno Nazareth Cerqueira as chief of the military police and his state secretary of public security. Cerqueira had also served as chief of the military police during Brizola’s first term. This time around Cerqueira teamed up with vice-governor Nilo Batista, a well-known jurist and human rights scholar. Brizola, Batista, and Cerqueira tried to reinstate the humane policies from the first term along with some more. They formed citizen advisory committees, centers for denunciations, established a variant of the United States D.A.R.E program, launched a pilot community-oriented policing program in Leme and Copacabana, and set up Centers of the Defense of Citizenship (CCDCs) in the *favelas* to offer simple legal services to *favela* residents (Hinton, 2006; Ahnen, 2003). Yet these policies were increasingly sidelined as Rio de Janeiro succumbed to rising unemployment and rising crime rates. The situation got so out of control that Brizola asked the federal government to send in the army in preparation for the United Nations International Earth Summit in 1992. The Candelária and Vigário Geral massacres in 1993 spread panic all over Rio as people began wondering what kind of city they lived in, the media declared Rio to be in a state of anarchy, and there was widespread opposition to Brizola’s policies (Amnesty International, 2003). Whereas Brizola resigned to run for president, a race he would lose due to his inability to control the security situation in Rio de Janeiro, his vice-governor Nilo Batista signed an accord with interim President Itamar Franco to launch an all-out military operation to rid Rio’s *favelas* of gangs, drugs, and arms once and for all. The operation termed Operation Rio lasted from 1 November to 30 December 1994 (Dellasoppa and Branco, 2006). The operation involved military soldiers, federal police officers, civil and military police officers operating under military command, using helicopters, tanks, and specially trained dogs to raid several dozen *favelas*. In order to diffuse criticism by human rights organizations that resulted

7 The practice of police road blocks, predominantly at points of entry to and exit from the city, where cars are randomly stopped and searched although in reality young, black men are stopped more frequently (Ramos and Musumeci, 2004).

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from making this operation public, the government announced that it would also implement a public works project in the *favelas*. As a result of the operation, 500 suspects were arrested, 300 arms were captured, 7 kilos of cocaine, and 74 kilos of marijuana were confiscated (Hinton, 2006). Yet the public security situation in Brazil was not significantly altered, and as soon as the military withdrew, the drug gangs resumed their trade. Even though the operation did not achieve any long-term effects, the presence of the military on the streets of Rio de Janeiro did make the upper and middle classes feel safe. The operation had negative consequences for human rights and for Nilo Batista, who left office with very low approval ratings (Human Rights Watch, 1996). Colonel Cerqueira, clearly disappointed about the way things had worked out, said about this period, 'we failed to implement and consolidate the democratic model we defended' (Hinton, 2006: 132).

The mid-1990s ushered in the era of Marcello Alencar who was governor of Rio de Janeiro from 1995 to 1998. Like Franco before him, Alencar pledged to break with Brizola's policies. Not wanting to make any mistakes he moved in quickly to establish control and show the criminal factions who was in control. Alencar asked the federal government to send the army to patrol Rio's *favelas* and appointed a retired army General Nilton Cerqueira as state secretary of public security. General Nilton Cerqueira perceived the public security issue differently from his namesake, Colonel Cerqueira, who had been state secretary of public security under Brizola. General Cerqueira had served as chief of the Rio de Janeiro state military police force during the final years of the dictatorship so was considered to have intimate knowledge of police institutions and be an incorruptible hard-liner (Hinton, 2006). He halted Brizola's community-oriented policing program saying that community policing was not made for the stark reality of policing in Rio de Janeiro. He encouraged the police to shoot, not talk, first and then to ask questions later. During this period the practice of 'blitzes' was reinstated, and a quota system was set up to regulate police apprehension of criminals, drugs, and arms (Jornal do Brasil, 1996). General Cerqueira's most controversial decision was the re-establishment of the concept of bravery promotions for the police. The bravery bonuses and promotions were first codified in 1975 in order to motivate officers to go above and beyond the call of duty (Human Rights Watch, 1997). They were supposed to work as follows: two impartial witnesses would have to give testimony to the limitless courage shown by an officer against criminals but in reality 80.4% of the promotions were granted without this testimony (Hinton, 2006: 133). This policy also entitled officers to salary increases from 50 to 150%. Between November 1995 and March 1996, 257 officers received bravery promotions. During Cerqueira's tenure as state secretary of public security, the number of civilians killed by the military police increased six fold, from 3.2 per month to 20.55 per month (Cano, 1997; Human Rights Watch, 1997).

Many of Alencar and General Cerqueira's policies were supported by the police as they allowed them to actually do something. The police perceived these policies as ways to increase police productivity. Cerqueira offered salary increases, compensation for an officer's widow in case of his death, along with a good deal of symbolic prestige. In May 1995, Cerqueira appointed leftist Hélio Luz as the head of the anti-kidnapping

division of the civil police. Luz was a strange choice as his ideology differed so strongly from that of Cerqueira and Alencar but within a month he was promoted to the chief of the civil police. Luz was openly critical of the entire criminal justice system and took steps to control the civil police and improve public security. One of Luz's attempts to improve the criminal justice system was to link the intelligence of the state secretariat for public security with *Disque Denúncia*, an anonymous denunciation helpline set up by the Federation of Industry Owners in the State of Rio de Janeiro. Luz also expanded the civil police internal affairs department, took personal control of police transfers, and continually warned police officers that serious crime would not be tolerated (Benjamin, 1998). Though appointed by Cerqueira, Luz was not supported by Alencar and was eventually fired for his outspokenness.

Anthony Garotinho (PMDB) followed Alencar as the governor of Rio de Janeiro. Garotinho was governor from 1999 until 2001, when he left office to run for president. Apart from a brief period in which Benedita da Silva was interim governor, Garotinho's administration was followed by that of his wife, Rosina Matheus Garotinho who, following her husband's defeat in the presidential race, appointed her husband as the state secretary of public security so there has been some continuity in the public security policies in Rio de Janeiro since 1999. Trying to set himself apart from Brizola and his humane policies and Franco and Alencar's repressive policies, Garotinho proposed a third way to deal with the public security situation of Rio de Janeiro (Hinton, 2006). Garotinho set about trying to modernize the police forces of Rio de Janeiro and increase their crime fighting abilities while simultaneously respecting human rights. Many of the police officers who had received bravery promotions or bonuses during Alencar's era were demoted or had their benefits revoked. Additionally, Garotinho appointed Luiz Eduardo Soares, a left-wing anthropologist, as the undersecretary of research and citizenship of the state secretary of public security (Soares, 2000).

With Luiz Eduardo Soares as the undersecretary of research and citizenship, the state of Rio de Janeiro designed a systematic and comprehensive public security reform policy for the first time and an unprecedented amount of money was invested in order to implement this policy. In the remainder of this section, I will describe some of the programs implemented by the Garotinho administration; some of the programs that form part of his policy are covered in detail in this book. The programs that formed part of the public security policy of this government focused on the upgrading of material, raising the standing of the police profession through improved training and increased salaries, involving the community in security decisions affecting them, increasing the use of technology to improve management and enabling a more targeted and streamlined approach to policing. In January 1999, the ombudsperson's office was created in order to allow people to complain about police abuse and for the police to complain about their treatment within their own organizations (Lemgruber et al., 2003). Yet due to its mandate the ombudsperson's office cannot carry out its own investigations. They are able to ascertain the veracity of complaints and accompany the investigation being

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carried out by the civil police or the public prosecutor.⁸ In addition, the *Programa Delegacia Legal* (Model Police Station Program) was created in 1999 to change civil police stations from centers of intimidation to centers of professionalism. This program will be analyzed in detail in chapter six. The area of Rio de Janeiro was divided into Integrated Public Security Zones. The thirty-four zones consisted of two military police battalions and one civil police station each so that the two forces could work in unison. Community Security Councils were set up within each Integrated Public Security Zone so that citizen concerns could be heard. Community-oriented policing was reinstated and in 2000 this philosophy was extended to the *favelas* in the form of the GPAE program which will be discussed in chapter five. Specialized training was set up in two separate locations. Lower-rank police officers could receive specialized training as part of an evening program at the State University of Rio de Janeiro (UERJ) where they interacted in a civilian setting. This course was loosely modeled on the course for higher-ranking officers being offered by the Federal Fluminense University (UFF). This initiative was begun in 1998 by Professor Roberto Kant da Lima who believed that a better educated and more open-minded police leadership would eventually bring about change from within. Under the Garotinho administration this one-year course became a prerequisite for promotion to the highest tier of the military and civil police forces. This course will be examined in chapter four.

In December 1999, the Institute of Public Security was created as a branch of the state secretary of public security to oversee the implementation of these policies and conduct research on public security in Rio de Janeiro.⁹ The Institute of Public Security was also supposed to oversee the hiring of 8,000 new military police officers and 2,000 civil police officers to form the new police force. The creation of a new, combined police force was seen as a way to allow the military and civil police forces to work together under one organizational banner while continuing to uphold the constitutional requirement of having a separate military and civil police force. The new police force was supposed to consist of a unified command structure, a shorter career ladder, higher salaries, new uniforms, logos, cars, and other equipment. Yet this policy was disapproved of by the civil and military police forces, who called it unconstitutional, so the reform eventually lost its momentum and all that is left of the new police force are cars painted with the new logo.

Even as he tried to strike a balance between respecting human rights and improving the public security situation in Rio de Janeiro, Garotinho hired two officials associated with military repression as his state secretaries of public security. While promising to improve the status of the police, he lowered the entry requirement for the civil police

8 The public prosecutor decides whether there is enough evidence for an indictment but the initial reconstruction of the truth is carried out by the civil police, on its own. Yet the public prosecutor does not offer feedback to the police or tell them what information to include in their reports so that cases are not thrown out of court and this state of affairs thereby continues. In serious cases, the public prosecutor can open its own investigation but it is difficult to gather evidence as witnesses are usually scared of the police, the office of the public prosecutor consists of underpaid and overworked staff, forensic pathologists are often intimidated, and investigators come up against the police code of silence (Hinton, 2006; Lemgruber et al., 2003).

9 Author interview, 8 November 2003.

from a university diploma to a high school degree (Hinton, 2006). These divergent currents within the same administration sent an ambiguous message to both the public and the police. Soares and his colleague, the ombudsperson's critical remarks about the lack of investigation of and punishment for police abuses led to Soares being fired (Soares, 2000). Soares was replaced by Colonel Jorge da Silva,¹⁰ a military police colonel who had written frequently about racism in police actions. Following the addition of Colonel da Silva to the administration, the state secretariat for public security released a new two-hundred page plan. Entitled the State Plan on Public Policies for Security, Justice, and Citizenship (Garotinho, Magalhães, and da Silva, 2000), this program included a combination of approaches. This combination of approaches continued to characterize public security in Rio de Janeiro while research for this book was being conducted. Despite the political continuation inherent in Garotinho being replaced by his wife, and serving as the state secretary of public security during the first years of his wife's tenure as governor, the policies laid out in the Garotinho administration's plans were not implemented on a state-wide scale and tended to depend on the individual commitment of chiefs (Hinton, 2006). What started off as a well thought-out and comprehensive public security plan for Rio de Janeiro ended up as a rather schizophrenic strategy, where respect was practiced in some areas and repression in others. This has a lot to do with the reality of public security in Rio de Janeiro, which will be discussed below, and the fact that those who live in this reality demand a strong-handed approach.

3.5 POLICING IN BRAZIL

The Brazilian police system is divided into federal and state police forces. The federal police (*polícia federal*), a relatively small force, are accountable for federal crimes such as terrorism, organized crime, federal fiscal crimes, border and immigration control, and responsibility over indigenous peoples (Huguet, 2005). The state police forces, on the other hand, are responsible for policing all of Brazil's twenty-six states and the federal district. As provided by the Brazilian constitution in Article 144, policing in the Brazilian states is divided up amongst the military and the civil police forces.¹¹ Both police forces fall under the state secretariat for public security, a position appointed by the governor of the state (Hinton, 2006). While every state is obliged to have both a military and civil police force, the states have a relatively high degree of autonomy in terms of the organization and administration of the two forces, therefore the two state police forces can differ considerably from state to state (Kant da Lima, 1995; Costa, 1975).

Generally, the military police force (*polícia militar*) serves a function of preventing crime and is organized into battalions. It is a uniformed force responsible for patrolling the streets, and maintaining public order (Oliveira Muniz, 1999), while the civil police (*polícia civil*) have an investigative and judicial function. The civil police are a non-

¹⁰ Colonel da Silva was later appointed the state secretary for human rights.

¹¹ <http://www.senado.gov.br/web/codigos/const88/const88i.htm>. Last accessed 21 October 2005.

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uniformed organization divided into stations. It is responsible for registering and investigating crimes (Mingardi, 1992). Suspects arrested by the military police have to be escorted to the nearest civil police station where the alleged crime is registered and further investigated by the civil police. Although the civil police also exercise powers of arrest, they do not patrol the streets as often as the military police do and are more likely to conduct an arrest as a result of an investigation.

Due to their distinct history and responsibilities, the two state police forces are independent of and autonomous from each other. In fact, to a certain extent the military and civil police are bitter rivals, competing for larger chunks of the same public security budget. As a result of this they rarely share information, and operate under a veil of mutual suspicion and secrecy (Huggins, 2002; Kant da Lima, 1995). The military police of Rio de Janeiro is a force of approximately 61,000 members of whom 39,000 are currently actively serving while the civil police force has 12,000 officers currently serving in the state of Rio de Janeiro. While ninety percent of the budget of both police forces is invested in its personnel, police salaries still remain very low. This is partly because the public security budget has to be divided between the two police organizations, because the higher-ranking officers earn a disproportionately larger percentage of the budget, but also because both police organizations have additional resource costs. For example, both the military and civil police have their own police doctors, drivers, forensic pathologists, etc., all of whom are hired as police personnel instead of being contracted as civilians (Hinton, 2006). This means that they receive benefits and a pension further draining the state's public security resources.

In addition to the federal and state police forces described above, some Brazilian cities also employ municipal guards (*guarda municipal*). As their name suggests, municipal guards function within a given municipality and are therefore under the jurisdiction of the mayor as opposed to the state police forces that are controlled by the state governor. Cities and their mayors have a large degree of autonomy in the administration and function of these municipal forces. In the city of Rio de Janeiro, they receive three months of training, are deployed in the center of the city, cannot use firearms, and are primarily responsible for crowd control and repressing the sale of pirated merchandise.

3.5.1 History and Development of Policing in Rio de Janeiro

Policing as it came to be carried out in Brazil was modeled on the institutions that were initially created in Rio de Janeiro following the transfer of the Portuguese Royal Court to the city in 1808. At this time, all economic activity in the colony depended on slavery and by the early 1800s when the Portuguese Royal Court moved to Brazil about half of the population of Rio de Janeiro was enslaved. In order to contain the threat of a slave revolt and maintain public order, the Portuguese established the General Police Intendancy of the Court and State of Brazil and the Royal Guard Police Force of Rio de Janeiro was created a year later in May 1809 by the Portuguese Royal family (Holloway, 1993). These two early institutions are what gave rise to the dual system of policing in Brazil.

The General Police Intendancy, which would later become the civil police, was charged with the overall administration of public works but also with determining

which actions and behaviors constituted criminal offenses. The Intendant mandated the laws governing the arrest, prosecution, and sentencing of criminals (Bretas, 1997). The Intendant was a powerful man as he held the rank of *desembargador*, or high court judge, and therefore had responsibility for criminal judges and as well as for the Royal Guard Police Force (Hinton, 2006). The Royal Guard Police Force was feared for its ruthlessness and the punishments that its officers meted out to slaves. According to Holloway (1993), the police treatment of slaves would establish patterns of policing that would prevail well after the abolition of slavery in 1888 and the dissolution of the empire in 1889.

Guards were recruited from the free lower classes and were organized into a military model and held to the standards of strict military discipline so that their use of force could be controlled through hierarchy and discipline. In 1831, the Royal Guard was replaced by the Permanent Municipal Guard Corps which then became the Military Police in 1866. Despite the name changes each of these organizations inflicted physical injury in the course of their duty to preserve the court and keep the slaves under control (Hinton, 2006: 107). It was common for military officials to lead both police institutions. In fact it was not until 1983 that a career policeman was chosen to head the military police in Rio de Janeiro (Oliveria Muniz, 1999). The participation of these police forces in wars and civil conflicts made them further militarized. The 1934 constitution made the military police a reserve of the army and in 1936 it was decided that the military police would use the same ranks and formal structure as the army (Cancelli, 1993). As mentioned earlier, police forces throughout Brazil were brought under the control of the armed forces during the military dictatorship between 1964 and 1985. The post-dictatorship constitution, drafted in 1988, revoked the formal subordination of the military police to the armed forces but it did state that the military police could be called into active military service in case of any emergency (Hinton, 2006).

Throughout Brazilian history and into the present, the police are given the role of a buttress in society, yet as this chapter has explored earlier this role is becoming more and more difficult. Police officers are hired to protect the middle and upper classes from the lower classes, the class that the majority of patrol police officers are from in fact, yet these officers are scorned by the same communities they try to protect. As a matter of fact, research suggests that due to their brutal past and the involvement of some officers in criminal activities and human rights abuses, *cariocas* have little trust in the police. A 1995 United Nations survey found that 79.6% of respondents were dissatisfied with the police, whereas 15.4% were satisfied (Hinton, 2006). A couple of years later, research conducted by the Getúlio Vargas Foundation (FGV) and the Institute for the Study of Religion and Society (ISER) found that only twenty percent of robberies were reported to the police. The main reason that respondents gave for not reporting the crime committed against them to the police was the lack of trust in and the fear of the police (CPDOC-FGV/ISER, 1997).

This lack of trust in and the fear of the police is based on the police's excessive use of force, and police involvement in crime and human rights violations. As this chapter clarifies, police brutality in Brazil dates as far back as the quelling of slave uprisings for

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which the police forces were created (Holloway, 1993). The police do not use excessive force because they are inefficient or backward. Instead they use force because it is what is expected of them and they always get away with it (Huggins, 1984; Bretas, 1997). The police use of force was further reinforced by the free reign given to the police to quell subversives during military rule. The 1979 Amnesty Law bolstered police impunity even more. Many police officers, who were schooled in repression, remained in the forces (Huggins et al., 2002). There was no post-dictatorship purging so much of the repressive ideology remains within the forces. Many police officers believe that killing suspected criminals, not detaining them, is the most efficient means to fight crime. The military police view the civil police as corrupt and inefficient, whereas the civil police view the military police as uneducated foot soldiers and both police forces mistrust the judiciary and the prison system. Therefore the police see themselves as judges and executioners (Hinton, 2006).

Following the democratic transition the police came under increasing criticism for their actions. This motivated some of them to join death squads to clandestinely continue doing the work that they considered to be important. Death squads worked to liquidate members of the criminal underworld as well as to eliminate homeless children because many middle and upper-class business owners thought they were bad for business. One study found that one-third of those arrested for involvement in death squads in the 1990s were military police officers (Hinton, 2006). Yet the police organization or other state authorities did not interfere because some of them were involved or they believed the squads were a necessary evil to rid the slums of the criminal elements (Huggins, 1998). Where the state could not intervene, these clandestine organizations, albeit ruthless, could dispense justice expeditiously. As this section clarifies, despite the political transitions and the changes in the names of the police organizations in Rio de Janeiro, they have been continuously involved in the use of violence to repress those classified by the elite and the state as dangerous and undesirable. The sections below will concentrate on the contemporary structure and functioning of the military and civil police organizations in Rio de Janeiro.

3.5.2 The Military Police Organization

As stated earlier the military police is a uniformed force, charged with the prevention of crime, the maintenance of public order, and the provision of assistance to the public. The military police fulfill their function primarily by patrolling the streets though they are able to conduct arrests of suspected criminals. The military police is organized into battalions spread across the state of Rio de Janeiro. Military police battalions differ in size and manpower depending on the size of the neighborhood that is under the jurisdiction of the battalion. Each battalion has a commander (*commandante*), typically a military police colonel, who decides the daily duties of the other officers in the battalion. The military police has a steep hierarchical structure (see the table below for military police ranks) that consists of the rank-and-file patrol officers, known as *praças*, and the high-ranking officials, known as *oficiais*. The patrol officers and high-ranking officials are usually from widely different socio-economic backgrounds, attend separate

IN WAR, THOSE WHO DIE ARE NOT INNOCENT

police academies and training courses, and generally do not have much contact with each other outside of their work. The low-rank officers usually patrol the streets on the command of the higher-ranking officers who generally hold desk jobs as battalion or unit commanders. Whereas the majority of high-ranking military police officers work regular business hours, the rest of the military police officers work twenty-four hour shifts. Military police patrol officers begin their shift at 8am on one day and work through until 8am the next day and then they have three days off during which many officers work as private security guards to supplement their income.

Table 1: Military Police Ranks

Group	Rank
Superior Officials	Colonel Lieutenant Colonel Major
Intermediate Officials	Captain
Subaltern Officials	1 st Lieutenant 2 nd Lieutenant
Special Patrol Officers	Aspiring Official Cadet
Patrol Officers	Sub-lieutenant 1 st Sergeant 2 nd Sergeant 3 rd Sergeant Corporal Soldier Student/Recruit

Source: *Polícia Militar do Estado do Rio de Janeiro*¹²

Military police officers usually patrol in groups of four or five officers. One of the officers in every patrol group is a sergeant and the remainder of the officers usually hold the rank of soldier or corporal. Typically there is one patrol car per patrol group, sometimes the officers patrol in the car together, other times two officers patrol in the car while the others conduct foot patrol, at other times the car is parked in one location and all the officers congregate around it, or two officers remain with the parked car while the others patrol on foot. During their working shift, military police officers can take lunch at the battalion mess hall, store their belongings in lockers within the

12 www.policiamilitar.rj.gov.br

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battalion, and they are also responsible for the upkeep of the battalion grounds. Therefore during every shift, some officers are assigned to cleaning duty.¹³

The military police organization is presided over by the general commander of the military police, who is always a colonel, the highest rank in the military police hierarchy. The state secretary of public security, who in turn is appointed by the state governor, appoints the general commander of the military police. In order to enter the military police one has to pass a public exam (*concurso*), for the military police there are two separate public exams, one to enter the lower ranks and one to enter the higher ranks. Public exams are held frequently for the rank of soldier. Upon passing the exam and the subsequent physical and psychological tests, the chosen individuals are given six months training at the military police academy before being assigned to different stations and administrative positions around the state. Promotions, up until the rank of 1st sergeant, are granted on the basis of years of experience and quality of performance. In order to become an official, with the rank of 2nd lieutenant, interested individuals have to pass an entry exam and partake in an intensive, three-year, university-level course after which they can advance in their careers through the accumulation of experience, higher education, and positive performance reviews.¹⁴

Since the return to democracy in 1985, the military police force has undergone some reforms but retains its numerous military traditions and crimes committed by military police personnel are still judged by the special military tribunals despite the attempts of the Bicudo Law to change that (Frühling, 2003; Oliveira Muniz, 1999). Generally the military police structure prefers obedience and loyalty and does not encourage self-improvement, officers questioning authority, or taking decision-making onto themselves (Pubben, 2000). As of 1992, police recruits were only required to possess a high school diploma in order to enter the military police. Within the police there is not too much mobility between the ranks (Oliveira Muniz, 1999). Despite his or her academic education, a police officer cannot rise to the higher ranks of the military police unless he or she has enrolled in the military police academy for three years as a cadet. Additionally, lower-rank police officers are frequently subjected to violence and humiliation at the hands of the higher ranks (Pubben, 2000). Military police officers are not allowed to talk to civilians or express their opinions without the permission of their commanders and their merit is based on the numbers they are able to produce, in terms of arrests conducted, weapons apprehended, and drugs confiscated (Hinton, 2006). It is not uncommon for police officers to leave the military police and join the civil police in search of a less hierarchical organization and greater career prospects.¹⁵

13 This is often reserved for police officers who are being disciplined by their superiors. Military police officers are disciplined internally not so much for crimes but rather because they are deemed disobedient or disloyal. Author interview, 16 November 2003.

14 For more information on the hierarchy, selection, training, and organization of the military police of Rio de Janeiro, see Oliveira Muniz, 1999 or www.policiamilitar.rj.gov.br

15 During my fieldwork I interviewed several civil police officers who had been military police soldiers before they sat the state exam for the civil police. Some of these officers had managed to rise to the rank of *delegado* within the civil police and one was even appointed the chief of the civil police.

3.5.3 The Civil Police Organization

As stated earlier, the civil police are a non-uniformed police force, charged with registering and investigating crime. The civil police typically do not patrol the streets, though they are sometimes called to do so as part of special operations often conducted with the military police. Civil police officers exercise the powers of arrest either as part of these special operations or during their regular functions. The civil police are organized into district police stations (*delegacias*) throughout the state of Rio de Janeiro, and along with the district police stations there are some specialized civil police stations in Rio de Janeiro. These stations are either specialized on the basis of the type of crime they deal with, for example there are specialized stations that deal with homicides, or the type of victim they specialize in, such as women or children. Although a hierarchy exists in the civil police, it is not as rigid as the hierarchy within the military police and it is common to see higher and lower-ranking officers from the civil police eating and socializing together (Mingardi, 1992). It is also possible for lower-rank civil police officers to question their superiors and offer their own perspective on situations although the extent to which this is possible depends largely on the station and shift chiefs.

The civil police chief is appointed by the state secretary of public security, who in turn is appointed by the state governor. The police chief is always a *delegado*, which is the rank of civil police officers who possess a degree in law. Only *delegados* can serve as shift and station chiefs (*delegado titular*) and hold higher administrative functions. There are three classes of civil police officers of this rank. The *delegados* of the first class being the highest in the hierarchy and having the most experience. Many *delegados* of the first class are appointed as station chiefs; they are then referred to as *delegado titulares*. The other civil police ranks, in descending order are: inspector (first to third class), recorder, and administrative clerk. Generally inspectors are in charge of investigating crimes whereas the recorder and administrative clerk tend to register crimes and perform other administrative functions. Civil police officers usually register and investigate crimes on their own within the civil police stations though they tend to conduct investigations on the street in pairs and always conduct special operations in groups. Public exams (*concursos*) are held frequently for each of the above listed positions. Upon passing the exam and the subsequent physical and psychological tests, the chosen individuals are given six months training at the civil police academy before being assigned to different stations and administrative positions around the state. Passing the public exam is also the only way in which a civil police officer can climb the hierarchy or be promoted to a higher rank (Kant De Lima, 1995). Although the higher and lower-rank civil police officers are also from different socio-economic backgrounds, they do attend the same academy, often enroll in the same courses, and have more contact with each other on and off the job than military police officers.

Although not as large as the military police organization or as visible, the civil police force has also received its fair share of criticism. This criticism has revolved around the sorry state of the civil police stations, the unprofessional dress and manner of civil police officers, the organization's lack of focus on investigation, and its reliance on violence and torture to solve cases (Chevigny, 1995; Kant, 1995; Archdiocese of São Paulo,

1986). A police officer quoted by Hinton (2006: 105) confirms that the civil police are more concerned with the procurement of confessions rather than the procurement of proof. Civil police officers are able to get their way during investigations even if contrary evidence exists because forensic investigators and medical personnel who conduct autopsies are subordinate to the civil police organization.¹⁶ Without financial and functional independence, they have to agree with whatever the investigating officers want. This is partly due to the fact that the police lack adequate training in criminal investigation. This lack of training means that regardless of the number of crimes that are registered, very few actually make it to trial. Registered crimes are often not properly investigated, and do not yield a sufficient amount of evidence, so cases cannot go to trial and suspects cannot be convicted. For example, in the case of the crimes of intentional homicide and robbery followed by murder in Rio de Janeiro, the evidence was so weak that after two years only 8.1% and 8.9%, respectively, of the cases could go to trial (Hinton, 2006).

The military and civil police forces are both divided up into numerous different units responsible for specific tasks though these assignments are not set in stone and change rapidly. Two special units, assignment to which is not so easy and where officers tend to stay longer, are the specialized units of both police forces: the BOPE and the CORE. BOPE (*Batalhão de Operações Policiais Especiais*) is the special operations battalion of the military police and the CORE (*Coordenadoria de Recursos Especiais*) is the special operations unit of the civil police. Both these units are highly trained, dress in black which sets them apart from the other military and civil police units, they are usually called in for special operations, such as raids on *favelas* occupied by heavily armed drug factions, which involve the use of heavy weaponry and result in the use of excessive force against the *favela* population. According to a military police officer who had served ten years within the BOPE, you have to be very cold-blooded to survive the selection and training procedure and make it with the specialized unit.

3.5.4 The Reality of Public Security in Rio de Janeiro

The city of Rio de Janeiro has six million residents, approximately one-third of whom live in one of the six hundred *favelas* scattered around the city (BBC, 2003; Dowdney, 2003). Although *favelas* have existed in Brazil since the late 19th century, they have largely been ignored and abandoned by the Brazilian government throughout most of the 20th century (Huguet, 2005; Lowry, 2003). Not only has this resulted in a strong sense of mistrust of politicians but it has also created a power vacuum within the *favelas* that has been filled by criminal gangs as detailed above (Leeds, 1996; Cano, 1998). These drug gangs employ approximately 6,000 children and adolescents between the ages of ten and eighteen as ‘soldiers’ in the drug war (Dowdney, 2003; Astor, 2002). Between 1987 and 2001, 3,940 children were killed by firearms in Rio's *favelas* while they were working as lookouts and drug-runners (Dowdney, 2002). These high rates of violent death are not just limited to children involved in the drug trade. Brazil, in general, has a startlingly high rate of violent, gun-related deaths (Cavallaro, 1996).

16 Author interview, 8 December 2003.

There are 25 gun-related deaths per 100,000 every year in Brazil (Pan-American Health Organization, 1999). In the *favelas* around the country, and particularly in Rio de Janeiro,¹⁷ this rate climbs to 150 per 100,000 deaths (ISER, 2002). Whereas for young men, typically poor and black, between the ages of 17 and 24 in Rio de Janeiro this rate is 250 per 100,000 (ISER, 2002; Cano, 1998). This rate, that disproportionately victimizes poor, young, black men, is higher than in most war zones around the world (Dowdney, 2003).

As mentioned above, the majority of these violent deaths occur when rival drug gangs attempt to take control of each other's territories, and by extension the drug trade, or when the police raid *favelas* in order to conduct arrests or confiscate illegal drugs or guns. Until recently there has never been a permanent police presence in any of the *favelas* in the state of Rio de Janeiro, and many *favelas* continue to be no-go zones for police officers.¹⁸ Efforts to police Rio's *favelas* have historically involved the traditional militarized model of policing (Amnesty International, 2005; Dowdney, 2003; Human Rights Watch, 1994). This typically consists of entering *favelas* heavily armed and in force, using brutal and repressive tactics against its residents, and engaging in shoot-outs with suspected drug traffickers that often leave many civilians dead or injured. This model has resulted in a negative image of the police amongst *favela* residents and the rest of society.

As described earlier this use of, often deadly, force in most major Latin American cities no longer has an open social or political aim as it did during the military dictatorships. Police violence is now justified as a way to control ordinary crime in poverty-stricken neighborhoods (Chevigny, 1999). Clearly torture and summary executions are used against those who are abuseable – generally common criminals and the underprivileged – and it is never used against the middle class. The police often claim that the killings are a result of shoot-outs with armed criminals. Yet they kill more than they wound and they inflict more casualties than are inflicted on them, suggesting that at least some of the killings are deliberate (Cano, 1997; Chevigny, 1995). Cano's (1997) research found that Rio de Janeiro military police officers do not shoot to immobilize but to kill. In the majority of the cases examined as part of this research, four bullets were used and the target was usually the head or the shoulders, or in some cases the victims were restrained and then shot execution style. According to Cano (1998; 1997), 287 civilians were killed in the city of Rio de Janeiro in 1995 while 27 police officers were killed in the entire state of Rio de Janeiro. This is a ratio of 13:1. According to Chevigny (1995), when the ratio of civilians to police killed exceeds 10:1, this suggests the use of deadly force as opposed to self-defense on behalf of the officers. A Human Rights Watch (2001) report found that the autopsies of 222 bodies that were killed by

17 Although it is important to note that the state of Pernambuco is more violent than Rio de Janeiro (Lemgruber, 2004).

18 The police are one of the only state agents with any presence in most *favelas*. *Favela* residents do not have access to many state services such as running water and garbage removal due to the precarious location of *favelas* or because state providers are too afraid to enter *favelas*. The state is present in some *favelas* in the form of schools or health clinics but many services are provided by NGOs and the church and the main message from the state that *favela* residents come across is repressive policing.

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the police showed that fifty-one percent were shot in the back, while twenty-three percent were shot more than five times. More than half of these victims did not have a prior criminal record. This suggests the possibility that the victims were not killed, as officers suggest, during a shoot-out between the police and local drug gangs or while they were resisting arrest, but that they might have been summarily executed.

It is becoming increasingly clear that many of the killings are part of a militarized approach to policing; criminals and those on the margins of society (*marginais*) are enemies to be killed. Police commanders claim that the killings reduce crime directly by eliminating criminals (Jornal da Polícia, 2005; Chevigny, 1999). But evidence suggests that most of those killed are not the violent criminals that the police and the public suspect them to be (Cano, 1997). In his research Barcellos (1992) concluded that more than half of those killed in shoot-outs with the police never had any previous contact with the criminal justice system and that most were not even suspected of a violent crime when they were shot. The actions of police officers in Rio de Janeiro who engage in the targeting and elimination of suspected criminals jeopardizes the rule of law and is not only a violation of the right to life, liberty, and security and the right to equality before the law, but also a violation of the principles of necessity and proportionality in relation to the use of force and firearms.

The brutal and violent behavior of police officers in Rio de Janeiro is partly due to the impunity with which these officers are allowed to operate. Historically, their actions have been ignored, supported, or encouraged by superior police officers and the community at large (Macaulay, 2002; Neild, 2001; Human Rights Watch, 1999). These violent police policies and practices have widespread public support in Rio de Janeiro. There is a prevailing perception that defending human rights invariably means defending the rights of criminals (Amnesty International, 2002). The slogan 'a good criminal is a dead criminal' has helped several politicians win elections and has led to impunity for those who have killed street children, prisoners, and suspected criminals (Cabral Gontijo, 2004).

The fear of crime has been stated as the number one concern for most Brazilians who are frustrated with their government's failure to provide basic levels of public security (Mesquita Neto, 2002; Neild, 2001). There is no general respect for programs designed to help the poor, instead Brazilian citizens support tough action by the police (Amnesty International, 1994). A utilitarian rationale is dominant amongst politicians and residents that view brutal, violent practices as a necessary evil in the fight against the rising tide of crime, violence, and drug trafficking (Rotker, 2000; Pinheiro, 1999). This description of Rio de Janeiro brings Walton's (1977) concept of divided cities to life. As mentioned earlier in this chapter this division between the upper and middle classes and the *favela* residents is based on social and territorial segregations meaning that many Latin American cities, including Rio de Janeiro, are divided into 'go and no-go areas' which have an unequal access to resources, operate using a different set of rules, and have divergent experiences (Koonings and Kruijt, 2006).

In Rio de Janeiro, the police forces are essentially in a war against gangs involved in drug trafficking. The police's policy of shooting first and asking questions later and the gun battles between rival drug factions have resulted in homicide rates that are higher than in most countries officially at war (Huguet, 2005; Dowdney, 2003).

Although a majority of the population believe that the police should be tough on crime and are not concerned with the deaths of real or suspected drug traffickers, they continue to distrust the police and are dissatisfied with the service the police provide. This has led local politicians and police commanders to take steps to try to improve the image of the police organization and the service they provide. It is these attempts to improve the police and their image that form the basis of this book.

3.6 CONCLUDING REMARKS

Similar to police forces in the rest of Latin America, police forces in Rio de Janeiro have been involved in the violent repression of the poor and undesirable since their creation. The police use of force to suppress certain segments of the population in order to protect the elite has been constant in Rio de Janeiro since they were created in the early 1800s despite changes in regimes. From the 1930s, the police also began to be used to protect the state although they still did, and continue to, protect the elite. Since the *Estado Novo*, the police began to be involved in the repression of political opponents. This continued under the last military dictatorship when the national security doctrine legitimized the arrest, torture, murder, and exile of anyone labeled a subversive. The historical inequality that led to the repression of a large portion of the population and the legitimacy afforded to this repressive behavior under the national security doctrine took on a whole new dimension after the transition to democracy. This period of political transition in Rio de Janeiro and Governor Brizola's attempts to curtail the repressive, violent behavior of Rio de Janeiro's police forces collided with a significant increase in crime, the influx of illegal drugs, and the growth of criminal organizations. While Brizola tried to keep the police out of the *favelas* in order to protect the poor who had been the victims of the police's brutality for so long, criminal organizations, like the commands, used this opportunity to expand their trade in illegal drugs and weapons and really get a foothold in *favela* communities. The police felt that their hands were tied as crime and violence in their city increased; the commands became stronger, and began engaging in turf battles amongst themselves that paralyzed the city. The high rates of fear of crime and the perception that the police are incapable of doing anything about crime and violence, coupled with the restrictions on the police to tackle the rising rates of crime in their official position, led to the growth of two phenomena: death squads and private policing.

Whereas private security guards had traditionally been a commodity available only to the rich, the rise in and the fear of crime and the perceived inability of the police to address this fear led to a growing demand for private security guards to fill the space left by the incompetence of the state. Private security guards are present everywhere in Rio de Janeiro and they far outnumber the amount of public police officers in the state. Most police officers employed by the state take on additional employment in order to supplement their income, the majority of these officers are hired by private security companies, usually owned and run by senior or retired police officers, as they already have the training and equipment needed to fulfill the function. Unable to tackle criminal groups effectively in their official position, some police officers joined clandes-

CHAPTER 3

tine death squads in order to control crime and protect Brazilian society from the negative effects of crime. Some of these death squads supported themselves while others were funded by local businesses that were interested in reducing crime and doing away with real and suspected criminals. Yet as discussed earlier, the combination of private security companies, clandestine death squads, and state police forces have not been successful in decreasing rates of crime, and more importantly in perceptions of crime. State officials have tried a variety of measures for ensuring greater protection for human rights and to ensure greater security yet human rights violations continue at the hands of state agents and the majority of Rio de Janeiro's residents continue to distrust the police and feel insecure.

At the end of the 1990s, under the governorship of Anthony Garotinho, a third way of implementing public security was introduced that attempted to ensure greater security while also respecting people's rights. The third wave is comprised of numerous measures, some have been implemented on a large, state-wide scale, others have only been implemented in certain, select locations, and still others have barely made it off the drawing board. What sets these measures apart from the other public security policies implemented in Rio de Janeiro is that they have continued to be implemented despite changes in state government. Their continuous implementation makes them ripe for research. The following four chapters will concentrate on some of the measures that have distinct implications for human rights. Although the implemented police human rights strategies described, examined, and analyzed in the following four chapters were not necessarily implemented in order to improve police compliance with human rights standards, the content of these strategies have the potential to improve police compliance with the following rights: the right to life, liberty and security of the person,¹⁹ the right to be free from torture and other forms of cruel, inhuman or degrading treatment,²⁰ the right to be free from arbitrary arrest, detention, or exile,²¹ equal treatment under the law,²² and a proportional use of force.²³

The first police human rights strategy examined in this book is training. This encompasses the training of the civil and the military police both within the police academies and through external courses. As these courses encompass the whole range of police actions and attempt to link the theories of equality, citizenship, and human

19 Article 3 Universal Declaration of Human Rights; Articles 6 and 9 International Covenant on Civil and Political Rights.

20 Article 5 Universal Declaration of Human Rights; Article 7 International Covenant on Civil and Political Rights; Articles 1 and 16 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Articles 2 and 5 United Nations Code of Conduct for Law Enforcement Officials.

21 Article 9 Universal Declaration of Human Rights; Article 9 International Covenant on Civil and Political Rights.

22 Article 7 Universal Declaration of Human Rights; Article 26 of the International Covenant on Civil and Political Rights; Articles 2 and 3 International Covenant on Economic, Social, and Cultural Rights; UN Code of Conduct for Law Enforcement Officials.

23 Article 3 United Nations Code of Conduct for Law Enforcement Officials; United Nations Basic Principles on the Use of Force and Firearms.

dignity with day-to-day police work their proper implementation and a follow-up to these courses throughout a police officer's career is likely to lead to police compliance with all five rights listed above. Following training, I focus on community-oriented policing, a strategy implemented within the military police. In its many different forms community-oriented policing aims to improve police service to the community and involve the population in the provision of their own security. The implementation of the community-oriented policing philosophy within the military police of Rio de Janeiro can lead to the greater provision of the right to life, liberty, and security, the right to be free from arbitrary arrest, detention, or exile, equal treatment under the law, and the proportional use of force. The third police human rights strategy examined is the *delegacia legal* (model police station) program implemented within the civil police. This strategy was created in order to improve working conditions in police stations, make civil police officers more professional, better able to attend to the population, and better fulfill their investigative function. As will be discussed further in chapter six, the proper functioning of this program is likely to improve police compliance with people's right to the right to life, liberty, and security, to be free from torture, and other forms of cruel, inhuman, or degrading punishment, arbitrary arrest, detention, or exile, and their right to equal treatment under the law. Finally, I examine the disarmament program, a strategy created by a local NGO in Rio de Janeiro and implemented by the NGO in cooperation with the state of Rio de Janeiro and the state police forces. As it was created in order to reduce the number of weapons on the streets of Rio de Janeiro, improve police classification, tracing, and storage of weapons, and diminish police corruption in the form of selling confiscated guns back to criminals, the proper implementation and functioning of this program can lead to the greater provision of the right to life, liberty, and security, and increased police compliance with the rule of law. These police human rights strategies will be examined in detail in the next section of this book.

4 Training Law Enforcement Officials in Rio de Janeiro

‘Neither the life of an individual nor the history of a society can be understood without understanding both.’

C. Wright Mills, *The Sociological Imagination*.

4.1 INTRODUCTION

As detailed in chapter three, policing in Brazil’s twenty-six states is divided between the civil and military police forces. Both these institutions are under the authority of the state governor and secretariat for public security and occasionally have to work together. Yet the two organizations have their own legal mandate, operational instructions, and code of conduct. These differences further influence the selection criteria, the training curriculum, the purpose, and the manner of training employed by the two police forces.

All law enforcement officers in the state of Rio de Janeiro must undergo training at one of the police academies before they are assigned to serve in a battalion, station, or fulfill an administrative function.¹ Civil police officers and military police officers are trained separately within the academies of their respective institutions. These institutions, and by extension their academies, have their own distinct environment, internal culture, curriculum, and goals that are reflected in the law enforcement officers that they produce. Following this initial training, police officers in Rio de Janeiro are also offered on-the-job training. These on-the-job training courses can take numerous forms; two of these on-the-job training courses were selected for inclusion in this research due to their implications for police compliance with human rights.

In this chapter, I provide a general description of the relevance of basic training for human rights. Following this, I describe the police academies and the training given to civil and military police officers in Rio de Janeiro. In doing this, I highlight the layout of the academies, the selection criteria used, the content of the training offered, and how this training curriculum is implemented in practice. Following this, I analyze basic training in Rio de Janeiro from a human rights perspective. In the second part of this chapter, I describe two recently launched on-the-job training courses; one which educates high-ranking civil and military police officers and relies on the trickle-down effect, and another which focuses on providing lower-rank military police officers with practical and useful skills. I highlight the structure and content of these two external courses and examine the reality of these courses prior to analyzing the on-the-job training courses from a human rights perspective.

¹ Both military and civil police officers can be assigned to particular administrative tasks within their organizations or within the state secretariat for public security, for example as secretaries, assistants, or drivers.

4.2 RECRUITMENT, SELECTION, AND TRAINING FROM A HUMAN RIGHTS PERSPECTIVE

Training law enforcement officers is an enterprise undertaken by governments the world over (WOLA, 1999; Bayley, 1985). The training of law enforcement officers typically takes two primary forms: basic training and on-the-job training, also known as in-service training (Amnesty International, 2006). Basic training is focused on new police recruits and takes place after the process of selection prior to, or during, a law enforcement official's initial assignment to a particular task. If used, on-the-job training takes place periodically while law enforcement officials are carrying out their duties in order to specialize them in their function or prior to promotion to the next rank. It can be compulsory for all officers or take the form of an optional course to increase or improve skills. On-the-job training courses can cover general policing tasks or be confined to a particular area of work, problem, trend, or skill. For example, training courses specifically geared towards the mediation of conflicts, forensic investigation, or drug-related crimes.

Training is said to be influenced by the existing police culture, therefore the culture of the police institutions in Rio de Janeiro and the type of police officers these institutions want to produce determine the training curriculum present (Chan, 1997; Bayley 1994). As police culture influences the type of training offered, training is also thought to influence police culture, yet there is no consensus as to whether attempts to train law enforcement officials are actually successful in achieving their goals (Singh, 2005; Glebbeek, 2003; Amnesty International, 2002). It is difficult to ascertain the influence of police training on police behavior, especially in the face of the realities of the occupation, the strength of peer learning, and the diversity of situations which officers often find themselves in. It is difficult, if not impossible, to train police officers to deal with each and every situation they might encounter. Attempts to train police officers tend to focus on developing a set of values rather than teaching police officers every appropriate response to all possible eventualities (O'Rawe and Moore, 1997).

Training is essentially designed to ensure that those professional skills, knowledge, and values that are not yet present in selected police recruits are instilled in them before they begin their policing duties in an attempt to shape the future behavior of these selected recruits. As mentioned above, training is thought to influence police culture and police culture is thought to influence training and both police culture and training are thought to influence police compliance with human rights standards (Amnesty International, 2002; Bayley, 1994). Essentially police training should reflect the type of police we want to have and therefore a look at the content of training, the manner in which it is imparted, and how it functions in practice is likely to shed some light on the type of police officers a society wishes to create (WOLA, 1999).

Recruitment, selection, and training are often presented as important tools to improve respect for human rights in its broadest sense. Yet, in practice, selection criteria and the training curriculum remain undeveloped usually due to the lack of resources available to an organization and the lack of understanding as to the importance of well developed selection and training policies (O'Rawe and Moore, 1997). Even where selection

criteria and training curricula are well developed, their impact is considered to be minor or impossible to assess. This is generally because police practice tends to be resistant to change and new developments are subjected to great scrutiny. Furthermore, in some cases, the problem encountered is not that there is too little training but that there is no clear criteria of what the content of this training should be (Amnesty International, 2006).

Both the guidelines for the effective implementation of the United Nations Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms lay out rules and guiding principles related to the recruitment, selection, and training of law enforcement officials.² These rules set out to increase police compliance with human rights standards so that they do not violate other people's rights but they also enforce the right of police officers to proper training as police officers' own rights may be violated as a result of inadequate training or faulty equipment (Crawshaw et al., 1998). The United Nations Basic Principles on the Use of Force and Firearms include a chapter on qualifications and training which contains the following three articles.³

Article 18 states that: 'governments and law enforcement agencies shall ensure that all law enforcement officials are selected by proper screening procedures, have appropriate moral, psychological, and physical qualities for the effective exercise of their functions and receive continuous and thorough professional training. Their continued fitness to perform these functions should be subjected to periodic review.'

Article 19 states that: 'governments and law enforcement agencies shall ensure that all law enforcement officials are provided with training and are tested in accordance with appropriate proficiency standards in the use of force. Those law enforcement officials who are required to carry firearms should be authorized to do so only upon completion of special training in their use.'

Article 20 states that: 'in the training of law enforcement officials, governments and law enforcement agencies shall give special attention to issues of police ethics and human rights, especially in the investigative process, to alternatives to the use of force and firearms, including the peaceful settlement of conflicts, the understanding of crowd behavior, and the methods of persuasion, negotiation, and mediation, as well as to technical means with a view to limiting the use of force and firearms.'

However, what do these guiding principles mean for the reality of recruitment, selection, and training? Good policing is thought to start with selecting the right people to do the job but in practice, recruitment and selection criteria focus predominantly on a person's physical ability to do the job rather than their attitude or personality (WOLA, 1999). Selection is a complicated process as it essentially aims to predict the future behavior of potential recruits. Selection should be a neutral and objective process with

2 Article 3 United Nations Code of Conduct for Law Enforcement Officials; United Nations Basic Principles on the Use of Force and Firearms.

3 United Nations Basic Principles on the Use of Force and Firearms.

the aim to establish a police agency that is skilled, professional, representative, and respects human rights. Yet the reality of most countries is different. Selection criteria mostly focus on physical characteristics, the passing of practical tests, that a candidate is not too young or too old, and that he/she has some minimum education (Amnesty International, 2006). This is due to the fact that although the demand for police officers is high, policing remains a low status job therefore states tend to lower selection standards and focus on those individuals who are physically capable of doing the job.

In general, basic training for police officers encompasses both theory and practice, with the theory period of training being followed by a period of field training under the guidance of a senior officer (Amnesty International, 2003; WOLA, 1999). In much of the world, the theoretical part of the basic training course is often limited to learning the law by heart without understanding the spirit of the law or of the implications of this law for police work as theoretical training in many countries involves the officers listening to lectures and absorbing the information without participating in discussion. The practical part of basic police training concentrates on sports, marching, and firearms training. Training in the use of force and firearms is very often limited to the technical use of these arms, without addressing the considerations that should be taken into account when using force in a specific situation. All in all, police training rarely reflects what is expected from police recruits when they have completed training (Amnesty International, 2006).

Additionally in most countries, human rights' training, if it is provided at all, is conducted as a short, isolated part of basic police training. Human rights courses tend to focus on learning international principles rather than discussing how to alter police practice to comply with human rights standards (Crawshaw et al., 1998). As these theoretical courses on human rights are not tied in with practical courses, there is a general belief within police forces that the two are not connected. Many of the discrepancies between the theoretical importance of training and the way training is imparted in practice can be explained by the fact that there is no general understanding of what training should entail; training is often seen as a stop on the way to getting more police officers on the streets (Amnesty International, 2006). Increased police presence is the goal for many policy makers and training is considered a step towards achieving that final goal. As there are no clear criteria for what training should entail or what the extent of the influence of training is, there is a greater focus on teaching practical skills over imparting values.

The impact of selection criteria and training on changing police behavior and increasing police compliance with human rights standards should not be under or over estimated. In general, the importance as well as the effectiveness of recruitment, selection, and training in addressing human rights problems is overvalued while institutional causes for human rights violations are often ignored. This is because training can be seen as a quick, easy-to-implement solution whereas dealing with institutional problems is far more difficult and time-consuming. The effect of training is dependant upon its reinforcement in practice. Training that is not enforced in practice, that is not embedded in the broader police framework, that does not receive the full support of the police leadership is deemed to be ineffective in changing behavior (Amnesty Interna-

tional, 2002). To reap the benefits of training, the skills, knowledge, and values imparted during training need to be reinforced in other settings, using a variety of methods, over time and there needs to be an ongoing commitment from the highest ranks down through the lowest ranks to abiding by the skills, knowledge, and values learnt in policing practice. The important role of frequent reinforcement and committed supervisors cannot be overvalued (Marenin, 1996). Many of the elements raised in this general discussion on police training also apply to the training of police officers in Rio de Janeiro and will be revisited throughout this chapter.

4.3 TRAINING OFFERED TO POLICE OFFICERS WITHIN POLICE ACADEMIES IN RIO DE JANEIRO

As mentioned earlier, law enforcement officials in Rio de Janeiro are trained in different academies depending on whether they are employed by the civil or military police and their rank. Selected civil police recruits are trained at the *Academia da Polícia Civil Sylvio Terra* (Academy of the Civil Police Sylvio Terra) commonly referred to as Acadepol in the historic heart of the city of Rio de Janeiro. Military police officers, on the other hand, are trained in an area known as Sulacap, approximately two hours by bus from downtown Rio de Janeiro. The military police training activities take place within the same compound but are divided between the *Academia Polícia Militar Dom João VI* (Military Police Academy), APM, also known as the *Escola de Formação de Oficiais* (School for the Formation of Officers – ESFO), where the higher-ranking officers are trained and the *Centro de Formação e Aperfeiçoamento de Praças* (Center for the Formation and Improvement of Patrol Officers), known as CFAP, where low-ranking patrol officers are trained.⁴ While all potential candidates for the police forces in Rio de Janeiro must undergo training, each training course has a separate purpose and therefore they entail classes on a variety of subjects carried out via a range of methods. I will now describe the layout, the training offered by, and the method of functioning of the three police academies.

4.3.1 The Civil Police Academy: Acadepol

4.3.1.1 Layout

Located in the historic area of downtown Rio de Janeiro, the civil police academy has recently undergone extensive renovation. The classes and offices in the old building have been renovated and equipped with central air-conditioning, new furniture, and audio-visual equipment, and new buildings have been built which house a section devoted to tactical operations and arms training, a new auditorium, library, bookstore, cafeteria, gym, and social area. The intentions of the renovations are to give the civil police organization a more professional image, to improve the learning and working conditions of those who frequent the police academy, and to enhance the self-esteem

4 For details on military police ranks and hierarchy, see chapter three.

of civil police officers. The renovations have been funded through the civil police budget of the state and through the civil-police-run non-profit organization, FAEPOL, *Fundação de Apoio ao Ensino, Pesquisa, e Desenvolvimento da Polícia Civil do Estado do Rio de Janeiro* (Foundation for the Support of Instruction, Research, and Development of the Civil Police of the State of Rio de Janeiro). Founded in 2000 by civil police officers, FAEPOL collects the registration fee⁵ for the state exam (*concurso*) for civil police officers and uses it to improve the working conditions of civil police officers. Apart from investing in the civil police academy, FAEPOL has also assisted civil police officers across the state of Rio de Janeiro by purchasing new computers and cars for civil police stations, and organizing new courses to improve the training offered to civil police officers.

The entry doors of the renovated civil police academy are made of glass and open up into a cool reception area, which offers a welcome relief from the heat and hustle and bustle of downtown Rio de Janeiro. Civil police officers are able to access, and freely move, around the academy compound by showing their badges whereas visitors, such as myself, are expected to check in at the reception desk and state the name of the person with whom they have an appointment. On my first visit to the Acadepol, the assistant director of the civil police academy and her assistant met me in the reception area and escorted me throughout the compound. Following the initial meeting and subsequent tour, I was able to make my own way around the civil police academy. The reception area is housed in the main academy building, which also houses the large auditorium, meeting rooms, the majority of the academy classrooms, and administrative offices. The classrooms are well-lit and air-conditioned, with new audio-visual equipment. Most of the preliminary courses for civil police officers take place in these classrooms whereas many of the on-the-job training courses offered by the academy and by FAEPOL are often conducted in the auditorium due to its larger capacity.⁶ The administrative offices of the civil police academy occupy the top floor of this building.⁷ Apart from the office of the director and the assistant director, which have doors, the administrative offices are all set up in an open plan giving the civil police academy an open, welcoming feel.

Training for tactical operations including firearms training is conducted in a newly constructed building on the compound that is spacious enough for the physical exercises conducted by the civil police and includes a soundproof firing range. The civil police academy compound also includes the offices of FAEPOL, where administrative matters regarding the collection, organization, and distribution of funds takes place, a library where recruits can study and access books, a bookstore, a cafeteria offering affordable food to civil police officers and recruits, and a new, state of the art gym available for the

5 As mentioned in chapter three, in order to become a civil police officer one has to pass the state exam (*concurso*). The registration fee for the state exam is approximately R\$ 80-90 (US\$ 40-45) each. This money used to form part of the general budget of the state governor but since the creation of FAEPOL it is used to provide for the needs of the civil police organization.

6 On-the-job training is also offered at individual police stations.

7 Except for the FAEPOL offices, which are housed in another building in the compound.

use of civil police officers and their families. Unlike the military police academies described later in this chapter, there are no lockers or dorms at the civil police academy for those candidates who travel to the city of Rio from other, distant parts of the state. These civil police recruits have to organize their own accommodation or travel back and forth from their home towns to attend courses.

4.3.1.2 Selection

In order to become a civil police officer, a potential candidate has to take a public exam. There are public exams for every rank in the civil police hierarchy.⁸ Whereas the ranks of inspector, recorder, and administrative clerk require the candidate to be a high school graduate,⁹ the rank of *delegado* requires the candidate to have a degree in law. These public exams are developed to be rather difficult so of the thousands who register only a few pass the exam.¹⁰ Once candidates have passed the public exam, their social and criminal backgrounds are investigated before they are submitted to a series of physical and psychological tests. Only when they are cleared on all of these levels are they selected to become part of the civil police organization and attend courses at the civil police academy.

4.3.1.3 Training

The civil police academy offers some courses for candidates who are preparing to take the public exam to enter the civil police organization but their main function is to train already selected officers. All civil police officers are obliged to attend six months of training at the civil police academy before they are assigned to administrative positions or to one of the civil police stations in the state of Rio de Janeiro. This six-month training course consists of classes in four general areas: the institutional principles of the civil police, the use of firearms and ammunition, ballistics, and the practical aspects of policing.¹¹ During this training period civil police officers must also attend seminars and take part in an internship program. In order to be eligible to work in a *delegacia legal*,¹² civil police officers have to take additional courses on policing practice that focus on investigation methods, information technology, and the functioning of the *delegacia legal* program computer network.

8 For details of the civil police ranks and hierarchy, see chapter three.

9 These ranks of the civil police were required to have university degrees until governor Anthony Garotinho lowered the education requirement to join the civil police in 2000 (Hinton, 2006).

10 Interviews with the director of the department of instruction at Acadepol, the civil police academy, 26 November 2003, 11 November 2004, and 20 December 2004.

11 *Ato do Superintendente de Ensino, Pesquisa e Intercâmbio* (act of the superintendent of the department of education, research, and exchange). *Ordern de Serviço Sepi* # 048, 19 September 2002.

12 For more on the *Delegacia Legal* (Model Police Station) Program, see chapter six.



Photo 1: Training potential civil police officers at Acadepol

As mentioned above, one of the areas in which civil police officers are trained is the institutional principles of the civil police. This area of training includes the following elements: a legal base, which introduces the constitutional decrees and laws, that apply to the civil police and the way it should function,¹³ entrance into the civil police including the public exam, the two-year probationary period, achieving job permanency, and the various ranks in the hierarchy of the civil police, the responsibilities and functions of the police, the ethical code of the civil police including the penal, civil, and administrative responsibilities of the law enforcement officials, the principles of public administration, the duties and responsibilities of the civil police along with the consequences, penalties, and process of disciplinary transgressions, human rights and citizenship in the context of police activity, the basic organizational structure of the civil police covered in decree 22932/97, police tactics, the statute of the child and the adolescent, and laws 9099/95 and 10.259/01 that affect daily police procedures.

Civil police candidates are also trained in the theory behind and the practice of using firearms and ammunition. This area of their training is the second most time-consuming, after the practical aspects of policing, that is offered at the civil police academy. It involves: general information about firearms and ammunition such as the concept, origin, and evolution of firearms, the criteria of classification, the units and caliber of the ammunition, and considerations of the movement of a projectile in the atmosphere, a detailed study of the types and components of ammunition, general information about

13 The legal elements covered are: the Constitution of the Republic of Brazil from 1988, the Constitution of the State of Rio de Janeiro from 1989, legal decree 218/75, decree 3044/80, legal decree 220/75, decree 7295/84, law 699/83, law 2990/98, and law 3586/01.

the identification of firearms on the basis of primary, secondary, and tertiary characteristics, stopping power, the velocity, and area covered by the projectile, theoretical concepts such as the responsibility of using a firearm, legislation, police equipment, and ballistics, and practical concepts covering the handling and use of revolvers, and semi-automatic weapons.

Along with the detailed training on the theory and use of firearms and ammunition, civil police officers are also trained briefly in ballistics. In this section of their training the candidates cover the concept of armament, the general classification of arms, the essential parts and identification of small firearms, the essential parts and identification of long firearms, the projectile of firearms, the equipment used to compare two bullets or casings, testing firearms and their projectiles and deciphering the results of these exams.

Lastly, there is the area of the practical aspects of policing which composes the most time-consuming of all the training areas. This area includes all the aspects and processes of daily police work: the police report, police investigations, arresting and processing the arrest of a suspect, interrogation techniques, crimes committed after provocation, usual police routine, and deriving clues from the location of a crime.

Civil police officers being trained to work in the *delegacias legais* are required to attend additional training sessions on the practical aspects of police work, information technology, and the *delegacia legal* program computer network. The practical aspects of police work training that is part of the *delegacia legal* program is an extension of the first practical police work course described above. The course created for police officers selected to work in the *delegacia legal* program focuses more on the administration and management of the workload, police investigation procedures, statistics, and attending to the population.

Civil police officers who are selected to partake in the program are also introduced to the hardware and software of the civil police computers, the *delegacia legal* program computer network, and the civil police intranet network. This is followed by details about the *delegacia legal* system, the different levels of access to the system depending on the rank and responsibility of the officers, the various forms it contains, the stages of registering a crime and processing the paperwork, and the types of internal and external operational support that is available.

After civil police officers have completed their initial training and are tested on their knowledge of the material, they are assigned to different stations and administrative positions around the state. Only the top three candidates graduating from the academy have a choice as to where they will work whereas the remainder of the newly trained civil police officers are assigned wherever they are needed.¹⁴ Civil police officers working in conventional district stations¹⁵ only return to the civil police academy if they

14 They are later able to exchange their posting with a fellow civil police officer assigned to another location if they receive the approval of the station chiefs or supervisors of both locations.

15 For more information on the distinction between conventional and converted stations, see chapter six.

IN WAR, THOSE WHO DIE ARE NOT INNOCENT

wish to participate in specific on-the-job training courses¹⁶ that may help them advance in their career or secure a position in a specialized unit. Civil police officers assigned to *delegacias legais*, on the other hand, are required to log in at least twelve hours of training per month either at the civil police academy, in their stations, or via internet distance learning in order to keep their position and be eligible for the benefits that come along with it.¹⁷ Initially *delegado(a)s*, usually assigned as station or shift chiefs, did not have to undergo retraining even if they were part of the *delegacia legal* program. This has recently been changed due to the state's desire to professionalize the civil police and its realization of the importance of the leadership role of the *delegado(a)s* within the civil police stations and in the civil police hierarchy.



Photo 2: Civil police firearms training

4.3.1.4 Practice

Civil police officers and potential candidates for the civil police have the benefit of being trained on-location at Acadepol. The civil police academy has a central location, has recently been renovated, and has access to a variety of resources as I described earlier. It also has the benefit of being relatively independent. The existence of FAEPOL means that the civil police can decide what it considers important and take care of many of its own training needs such as the specialized courses mentioned earlier. Yet there

16 Such as those on autopsies, entering a risky area, using particular equipment, and taking part in tactical operations by FAEPOL.

17 For more information on the *delegacia legal* program, see chapter six..

are negative aspects of the training at the civil police academy. The main criticism of the civil police training program is that the courses tend to be too focused and legally oriented. According to a researcher at the institute of public security:¹⁸

‘During their training, the civil police are just taught the law and how to apply it in a robotic way. They do not have an understanding about rights, proper investigation techniques, or how to interact with the population in the course of their duties. They just apply the law.’

This is also something I noticed while conducting fieldwork at the civil police academy; apart from a brief general session about human rights and the rights of citizens, the civil police training program does not leave any room for general abstract discussions. The civil police officers are simply taught about specific laws and how they can apply them in their daily police work. This distinction between the concept of human rights and the practical aspects of police work means that theoretical notions of rights are considered separate from what civil police officers learn about the day-to-day functioning of their job. Therefore despite attending classes in human rights and the rights of citizens, civil police officers do not see a connection with the way they conduct investigations or treat the population in the course of their work.

As will be detailed in chapter six, attending to the population, in the form of victims, witnesses, or criminal suspects, is not seen as a priority or even as something that civil police officers really need to pay attention to. There is a greater focus on fighting crime and eliminating drug gangs, and the importance of this war on drugs and crime is evident in the focus on firearms training at the civil police academy. Numerous civil police officers, including high-ranking civil police officials, regarded firearms training as the most important aspect of their training at the police academy. In the words on one high-ranking official at the civil police academy:¹⁹

‘The reality of police work in Rio de Janeiro makes it imperative for police officers to be confident in the use of firearms. It is important because if they are not good with their weapons they will be killed. Therefore we spend a lot of time training officers to use their guns; in fact it is one of the most time-consuming aspects of training.’

This is reflected in the amount of time that is spent on firearms training at the civil police academy in Rio de Janeiro, second only to the time spent on learning the practical, day-to-day aspects of police work. Therefore even though they are educated about rights and laws, these rights and laws are not seen as having a connection to daily police work and many civil police officers still consider the ability to use a gun the most important skill they can obtain. Active civil police officers whom I interviewed at police stations around the state concentrated more on the useful skills they had learnt

18 Author interview, 5 November 2004.

19 Author interview, 4 December 2003.

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from the practical training courses rather than theoretical courses on laws and rights. According to one civil police inspector with four years working experience:²⁰

‘The most important thing I learnt at the police academy is how to protect myself by using my gun. Sure, we learnt about the law and its application and how to do our work within the delegacia but that’s very abstract, like ideas. You only get a hang of applying the law when you’ve worked in a delegacia for a few years, your colleagues help you, they teach you how the work should be done. From the academy you just learn how to protect yourself.’

In addition to this, there are no permanent instructors at the civil police academy.²¹ The instructors are typically active or retired civil police officers with other duties and responsibilities who also periodically give classes at the civil police academy. During my fieldwork within the civil police stations I observed some of the senior, more experienced civil police officers excusing themselves from attending to the population, registering, and investigating cases in order to teach courses at the civil police academy. Not only does this hinder the education of the candidates but also the efficiency of police work in the stations as will be examined further in chapter six on the model police station program (*Programa Delegacia Legal*).

Based on the information presented above, the human rights implications of civil police training are likely to be minimal. Although the civil police academy offers courses on human rights and citizenship, the values inherent in these concepts are not connected to police practice which concerns itself primarily with fighting crime and drug traffickers. The human rights values and knowledge imparted in the police academy are not periodically reinforced, in fact as we will see in chapter eight, one of the behaviors that is reinforced is not even part of the civil police mandate and not something the civil police are trained for, that is the maintenance of public order and the prevention and detection of crime through police stop and search tactics and not the investigation of crime. Furthermore, the influence of training on policing practice depends on the commitment of the higher ranks and how they supervise the implementation of the skills, knowledge, and values learnt in training. If supervisors do not reinforce what has been taught during training and ensure that their subordinates abide by what they have been taught, training will have little influence on police practice. As will be highlighted in chapter six and also in chapter eight, there is a great difference between the higher ranks in the civil police and therefore the commitment of superiors and their supervision of the implementation of human rights and citizenship training is sporadic at best.

20 Author interview, 19 March 2004.

21 This factor will be discussed further in the next section.

4.3.2 The Lower-Rank Military Police Academy: CFAP

4.3.2.1 Layout

The military police academies for lower-rank patrol officers and higher-rank officials²² are located within the same compound at Sulacap about two hours drive from downtown Rio de Janeiro. Despite their geographical proximity, the two academies are different in appearance and functioning. CFAP is the *Centro de Formação e Aperfeiçoamento de Praças* (Center for the Formation and Improvement of Patrol Officers), where military police recruits are trained for the ranks of soldier, corporal, and sergeant. CFAP is located deeper in the military police academy compound. So in order to get to it one either has to walk through or around the academy for higher-rank officials. Being outside the city of Rio de Janeiro, the military police academies are much more open and spacious in comparison to the civil police academy. Yet they appear more enclosed and less inviting than the civil police academy. This is exacerbated by the fact that visitors to the military academies are checked along with their belongings before they are allowed to enter the premises and they have to leave a form of identification at the entrance gate, which they can retrieve upon departure by handing in their visitors card. Apart from the usual classrooms, dormitories, and mess halls the military police officers and recruits have access to four football fields, two swimming pools, stables for police horses, a forensic investigation department, a large firing range, and an area where they can partake in simulation exercises such as those designed to simulate the entrance into a *favela*. Due to its ability to simulate police practice in certain areas of Rio de Janeiro, this area of the grounds is especially valued by the higher ranks and the specialized units, such as the BOPE, who frequently conduct training exercises there.

Lower-rank patrol officers of the military police are obliged to undergo six-months of training at CFAP. During this training period, the recruits are required to wear black boots, jeans, and a white ‘military police’ t-shirt. This instantaneously sets them apart from the recruits at the neighboring academy for higher-rank officials who wear military police uniforms and also the military police officers supervising and instructing them. The military police recruits at CFAP have a separate mess hall and are not allowed to interact with the higher-rank officials at mealtimes. The higher-rank officials who supervise and instruct the military police recruits and fulfill administrative functions within the academy eat in a smaller mess hall where their food is specially prepared for them, including the grilling of steaks upon request, and the seating is arranged according to rank. The seat of the *commandante* (director) of the academy is at the center of the largest table and the rest of the officials stop by to salute him as a means of greeting when they enter the mess hall and also to ask for his permission before they leave the mess hall making him seem like a godfather figure, thereby highlighting the importance of hierarchy within the military police high ranks and the militarization of the police.

22 For more information on military police ranks, see chapter three.



Photo 3: CFAP compound featuring the offices of the director of CFAP

In fact, there is not much socialization between the higher and lower ranks at the military police academy, a characteristic reproduced in the battalions (Pubben, 2000; Oliveria Muniz, 1999). The lower-rank officers have to salute the higher ranks whenever they see them and obey their commands. While the classrooms and toilets for the military police officers are rather basic with a large blackboard at the front and chairs and tables for the students in various stages of disrepair, the offices of the higher-rank officials are comfortable and modern, equipped with air-conditioning and computers, thus solidifying the hierarchal differences between the higher and lower ranks present throughout the military police. The majority of military police recruits at CFAP attend classes during the day from 7:30am until 5pm before returning to their own homes at night. It is not common for them to reside at the police academy for their six-month training course, but it is a possibility for those recruits who come to the police academy from far-away locations in the state of Rio de Janeiro.

4.3.2.2 Selection

In order to become a lower-rank military police officer, a potential candidate has to pass one of the frequently held state exams conducted according to the need of the military police force. These state exams are often very well attended; up to 10,000 people apply for 500 open positions of military police patrol officer at any one time. This position is popular amongst the lower classes due to its stability, the reliability of the pay, and the

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access to free meals whilst on the job. The potential candidate has to be at least eighteen years old and must have completed his or her high school education (*segundo grau*).



Photo 5: Training compound for lower-rank military police officers

Prior to 2000, however, it was sufficient for potential candidates to have completed *primeiro grau* (primary education).²³ So the majority of officers patrolling the streets are not as educated as those currently being trained within the academy. Those candidates who pass the state exam designed to test an individual's general knowledge, level of Portuguese and mathematics, are subjected to a series of physical and psychological tests.²⁴ Following this their social background is investigated to confirm that they have not been involved in any crimes and as a means to gather information on the individual's character. During this time, references are also gathered from the military on all male candidates. All Brazilian men are required to serve a year in the Brazilian armed forces when they turn eighteen, although exceptions are made for students and for health reasons. The behavior of these male candidates during their time in military service is considered important, as it is thought to highlight a person's ability to obey orders, and is therefore evaluated carefully. Only when they are cleared on all of these levels are they selected to become recruits of the military police organization.

23 Interview with the then director of the CFAP, 24 November 2003.

24 Interview with the then vice-director in charge of selection, 24 November 2003.



Photo 4: Center for selection of lower-rank military police officers at Sulacap

4.3.2.3 Training

As mentioned above, all recruits for the military police are obliged to partake in a six-month training course at CFAP before they become military police officers with the rank of soldier and are assigned to battalions or administrative functions around the state. The general objectives of the training course is to turn recruits into military police soldiers, to develop the necessary skills in the recruits so that they are able to exercise their function to the best of their abilities, and to motivate the recruits by demonstrating the responsibilities of the military police organization and the importance of the military police soldier to the *fluminense*²⁵ society.²⁶ The six-month training course consists of classes in four general areas: basic foundation of military police officers, instrumental knowledge, complementary knowledge, and operational experience. In order to complete their instruction, the recruits have to participate in internships and seminars, and fulfill their internal service duties. For example, recruits at CFAP are expected to keep the grounds and buildings of their academy clean. As it is a duty and part of their formation, no other agency is contracted to look after and contribute to the upkeep of the academy.

25 Portuguese word for a native or inhabitant of the state of Rio de Janeiro.

26 *Centro de Formação e Aperfeiçoamento de Praças: Grade Curricular.*

Classes in the basic foundation area include: the history of the military police in Rio de Janeiro, health, hygiene, and first aid, psychology, and human rights and ethical police conduct. Classes in the discipline of instrumental knowledge include: armaments, military order and unity, and the techniques of the narration and writing up of documents. Classes in the discipline of complementary knowledge include: physical education and self-defense. Whereas the police recruits have to take part in classes on basic individual police instruction, firearms training, and communication in order to fulfill the requirements for the operational knowledge discipline. Lastly, in order to complete this course military police recruits are expected to attend the official inauguration of their course, participate in seminars, attend to their internal service duties, complete a practical operational internship, and attend the graduation ceremony. Once military police recruits have completed their training course and passed the final exam, they graduate from the military police academy and begin their careers as military police soldiers. These military police soldiers are assigned to various patrol and administrative functions around the state of Rio de Janeiro in which they have no say, but they are able to apply for a transfer to a more suitable location at a later date.

Unlike civil police officers, military police officers rarely return to CFAP for on-the-job training although some high-ranking military police officials are trying to change this. They are attempting to overturn a law enacted in 1996 by the then secretary of public security of Rio de Janeiro, General Cerqueira. This law allows military police soldiers to be automatically promoted to the rank of corporal following eight years of service within the military police, and corporals to be promoted to first degree sergeants after an additional seven years service.²⁷ Therefore within fifteen years of joining the military police a soldier can achieve the rank of first sergeant (and the rank of second sergeant in another five years) without having to undergo any additional training.²⁸ According to some in the military police hierarchy this makes for law enforcement officials who are ill-prepared and trained for their new roles and who do not value education, as they will be promoted after a number of years regardless of what they do.²⁹ Therefore some high-ranking military police officials are working with a local NGO, Viva Rio, in order to overturn this law and develop courses aimed at the development of corporals and sergeants that are to be administered to soldiers and corporals respectively to bring them up to a consistent and acceptable standard before they are promoted.³⁰

4.3.2.4 *Practice*

As the fear of crime and feelings of insecurity amongst the population have increased, public security policies in the state of Rio de Janeiro have involved increasing police presence on the streets and indulging in repressive policies (Garotinho et al, 2000). This requires the military police organization to recruit and train more military police

27 For details on military police ranks and hierarchy, see chapter three.

28 Interview with the then director of the institute of public security, 4 July 2006.

29 Interview with the then director and vice-director of training at CFAP, 19 June 2006.

30 Author interview, 20 October 2003.

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officers, which they do by holding more state exams and opening the state exams to more potential candidates. Although this may increase the number of officers on the streets it also inevitably results in a larger number of recruits at CFAP, a move that overburdens the resources available to the academy. This is reflected in the fact that administrative officials are overloaded in the organization of all the applications during



Photo 6: Training compound for lower-rank military police officers

the selection procedure and the classes provided for lower-rank military police officers are packed full of recruits meaning that recruits are less likely to receive individual attention. Similar to the situation described at the civil police academy, the instructors at CFAP are not professional instructors working solely for the academy. They are active high-rank or retired military police officers with numerous other responsibilities for whom giving classes at the academy is not a top priority. Therefore, CFAP lacks a permanent rotation of instructors who are able to devote the necessary amount of time to teaching and improving recruits.

The classes also do not seem to be the top priority for the recruits who are frequently excused from class in order to attend to an administrative task, take part in an operation, or assist the other military police officers on the street. This suggests that first-hand operational knowledge and the opportunity to assist colleagues are considered more important than learning in a classroom environment. CFAP does not have a library or documentation center on its premises and many instructors do not have the time to provide articles and documents to their students, which leaves the recruits in an unfavorable position. Lastly, as I mentioned above, there is no janitorial service pro-

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vided at CFAP so the military police recruits are expected to clean the entire compound themselves. As CFAP occupies a large area this takes the students a considerable period of time daily that they could otherwise devote to attending courses, learning, and studying for their exams.

During my fieldwork in Rio de Janeiro I was witness to many of these inadequacies in the training of rank-and-file military police officers. There were always a large number of recruits being trained at CFAP but this training consisted more of obeying orders, saluting superiors, marching, military drills, and keeping the academy grounds clean than attending classes. Only a few of the instructors hired by CFAP are present on the academy grounds on a daily basis. The majority of them have other jobs; the active military police officers are in charge of battalions or special units and the retired police officers work as private consultants and security officials. These instructors only travel to CFAP when they are scheduled to teach a class and even then they are sometimes late or unable to show up due to other commitments. This means that military police recruits miss out on some of the training listed in their curriculum. On the other hand, often when an instructor is present military police recruits are taken out of their lessons to participate in what are termed 'more important activities'. These more important activities usually consist of marching in military formation or assisting military police officers in their duties around the city; this is especially common during major sporting or cultural events. This gives military police recruits the impression that the lessons being offered to them in class are not important and that they will learn much more patrolling the streets with other officers or marching around the academy compound with their fellow recruits. Several instructors at CFAP emphasized the importance of recruits learning from experience outside the academy and the military activities they took part in within the academy. Some of these instructors actually apologized for the recruits not being synchronized while conducting military drills. They explained that it was the beginning of their course and the students were new but that they would soon be coordinated and marching in perfect formation as this was a very important aspect of the military police. Though the importance of practical experience, discipline, and team-building should not be negated, I fail to see how engaging in military drills in the sun for hours on end will benefit the military police officers in their assignments.

There are those high-rank military police officials who would like to improve the training being offered at CFAP. Some of these officials have made suggestions as to enhancing the amount of training offered, increasing the time devoted to it, and changing the focus of training away from repressive tactics and military activities towards the importance of attending to the population including the manner and attitude with which military police officers address civilians. But these individuals are simply lone voices who are often overpowered by those who consider classroom training to be irrelevant for military police patrol officers and believe they should spend more time on the beat with experienced officers. Considering the nature of policing in Rio de Janeiro, these recruits will inevitably learn more about strict military discipline, repressive behavior, and the importance of eliminating the enemy rather than ethical behavior and the rights of citizens. Even if the content and delivery of training within

the police academy is changed, it is not likely to influence the way military police patrol officers police as their use of repressive, tough-on-crime tactics are supported and reinforced by their superiors and much of society at large. In fact, many police officers I interviewed cast doubt on the reach of academy training as most believed they had learnt more from their practical experience than was taught to them within the walls of the academy. According to one military police corporal with fourteen years in the force:³¹

‘I don’t remember anything I learnt at the academy. None of it was relevant. Only the feeling of being a military policeman and working together with the guy next to me. Everything else I learnt out here on the street from the other officers. This is where you learn the reality and how to deal with it.’

The low quality of the training being offered at CFAP, its focus on obeying orders and military discipline, the belief throughout the ranks both within and outside the academy that practical policing experience is more important than knowledge and values followed by a reinforcement of this military doctrine throughout an officer’s career and the lack of commitment amongst the higher ranks to change ensures that the training of low-rank police officers can only have negative implications for human rights compliance. Even though rank-and-file military police officers are offered a course on police ethics during their preliminary training, this course, if attended, is overridden by the organization-wide focus on military order, loyalty, and discipline and the reinforcement of these values and not values of human rights and ethical conduct.

4.3.3 The Higher-Rank Military Police Academy: APM

4.3.3.1 Layout

As mentioned above, the military police academy Dom João VI, where high-rank military police officers are trained, is located in the same compound as CFAP. Although the two academies share some facilities and there is a good deal of interaction between the two, the APM certainly has its own culture. The area occupied by the APM is more compact and enclosed, and in much better shape than CFAP. The military police academy for high-rank officials is cleaner, more modern, and better kept up with the buildings focusing in on the inner courtyard where some of the training and the graduation ceremonies take place. It is not just the buildings of the APM that are more formal and professional but also the employees, all of whom seem to dress impeccably. Recruits of the APM are known as cadets; they wear an adapted version of the military police uniform (minus the gun and achievement badges), salute their superiors, and only speak if they are spoken to. Although the cadets at APM must show a considerable amount of respect for their superiors and are not usually seen socializing with them, the distance between the recruits and the instructors is less than that at CFAP. Perhaps due to the fact that while recruits of CFAP are usually dark-skinned individuals from lower

31 Author interview, 26 June 2006.

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or lower-middle class families, the cadets at APM are usually lighter skinned and come from middle or upper-middle-class families with connections³² (Oliveira Muniz, 1999).



Photo 7: Entrance to APM, military police academy for high-rank officers

In order to become military police officials with the ranks of captain to colonel,³³ cadets have to undergo three years of training at APM. During this time the cadets are required to live within the APM compound apart from during the holidays when they are allowed to visit their families, are not allowed to leave or receive visitors without the consent of the *commandante* of the academy, and must abide by a strict set of rules and regulations.³⁴

4.3.3.2 Selection

In order to become a high-rank military police official, a potential candidate has to pass a state exam held at the State University of Rio de Janeiro in cooperation with APM.³⁵ There are different standards for candidates from military and civilian backgrounds but

32 Noted in the researcher's field notes based on observations of interactions between the ranks at APM and on conversations with several cadets.

33 For details on military police ranks and hierarchy, see chapter three.

34 Interview with the then director of APM, 26 November 2003.

35 *Vestibular Estadual 2004, Exame Final, Manual do Candidato.*

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in general the potential candidate has to be at least seventeen years old and have completed his or her high school education (*segundo grau*) although many candidates also have some university courses under their belt. Those candidates who pass the state exam designed to test an individual's general knowledge, understanding of mathematics, geography, history, Portuguese and a foreign language are subjected to a series of physical and psychological tests. Following this, their social background is investigated to confirm that they have not been involved in any crimes and as a means to gather information on the individual's character. Depending on whether the potential cadets have a military or civilian background, references are gathered from their former employees and colleagues. Only when they are cleared on all of these levels are they selected to become cadets in the course for the position of high-rank military police officials.



Photo 8: Training compound for higher-rank military police officers

4.3.3.3 Training

As mentioned above, the course for high-rank military police officials has a duration of three years. The general objective of the course is to enable military police officials to assume the post of captain in the military police hierarchy and supplying them with an indispensable professional culture and those skills necessary for the development of their career up the military police ranks.³⁶ The classes offered during this course are divided

³⁶ *Polícia Militar do Estado do Rio de Janeiro Diretoria de Ensino e Instrução: Currículo.*

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into two areas: fundamental instruction and professional instruction, and then further divided over the three-year duration of the course as the tables below demonstrate. In addition to the courses listed below, military police cadets at APM must attend seminars and lectures by visitors during their three years and also partake in a practical internship during their last two years at the academy. Cadets who graduate from APM generally do have a choice as to where they are placed in the state of Rio de Janeiro but their decision has to be approved by their unit commander at the academy and by the battalion commander where they wish to be placed.

Table 2: Fundamental Instruction Courses for Military Police Cadets at APM

Type	Subject	1 st year	2 nd year	3 rd year
Fundamental Education	General Administration		*	
	Criminology		*	
	Administrative Law		*	
	Civil Law	*		
	Constitutional Law I	*		
	Constitutional Law II		*	
	Rights of Children and Adolescents		*	
	Rights of the Consumer			*
	Human Rights		*	
	Criminal Law I		*	
	Criminal Law II			*
	Military Criminal Law		*	
	Procedural Criminal Law			*
	Military Procedural Criminal Law			*
	Ethics	*	*	*
	Oral and Written Expression	*	*	*
	Introduction to the Study of Law	*		
	Forensic Medicine		*	
	Research Methodology	*		
	Psychology			*
Sociology	*			
Techniques of Research		*		
Special Criminal Legislation			*	

Source: *Polícia Militar do Estado do Rio de Janeiro Diretoria de Ensino e Instrução: Currículo*

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Table 3: Professional Instruction Courses for Military Police Cadets at APM

Type	Subject	1 st year	2 nd year	3 rd year
Professional Education	Administration in the Military Police			*
	Armaments	*	*	
	Intelligence			*
	Supervision and Leadership		*	
	Social Communication			*
	Communication	*		
	General Knowledge about the State of Rio de Janeiro	*		
	Control of Civil Disturbances		*	
	Self-defense	*	*	*
	Dictation		*	
	Physical Education	*	*	*
	Statistics in the Military Police	*		
	Ethics of the Military Police	*	*	*
	Historical Evolution of the Military Police	*		
	Computing	*	*	*
	Training for Mounted Police	*		*
	Individual Tactical Training	*		
	Investigation	*		*
	Basic Legislation for the Military Police	*	*	
	Conflict Negotiation			*
	Military Order and Unity	*	*	*
	Operational Practice			*
	Procedural Practice			*
Health, Hygiene, and First Aid	*			
Public Security	*	*		
Firearms Training	*	*	*	

Source: *Polícia Militar do Estado do Rio de Janeiro Diretoria de Ensino e Instrução: Currículo*

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Photo 9: The firing range at the military police academies at Sulacap

4.3.3.4 *Practice*

Unlike CFAP, cadets at APM do not have to clean and contribute to the upkeep of the academy as a private company is hired to undertake this task. Therefore the cadets can concentrate on their training and development at APM. They also have access to a library and computers and although they are not the latest in technology, they still function effectively. But the students are overloaded with courses; they take around twenty-two courses a year, which means that none of the above-mentioned subjects receive enough attention. Even within the long list of courses that military police cadets are obliged to attend there are those that are considered more important than others. Several high-ranking military police officers, including the then director of APM, considered firearms training to be the most crucial element of training for the military police cadets.

‘I will tell you, the cadets here are very well trained, especially in the use of firearms. I think that is the most important skill we can teach them, the most important course we offer. With the reality of policing in Rio de Janeiro, how to use his gun is very important for a police officer.’³⁷

These cadets are trained in the use of the five weapons primarily employed by the military police, which include pistols, revolvers, some semi-automatic weapons, and also a few non-lethal weapons. The cadets are instructed in the use of this weaponry in a variety of situations, including long and short-range shooting. All police officers are armed and therefore should know how to use their weapon. Yet high-rank military police officers are usually assigned to administrative, management functions within their respective battalions, are rarely involved in external operations, and therefore this disproportionate focus on firearms training seems misplaced to this researcher.

In addition, in both the CFAP and APM there is a steep hierarchical structure which means that the recruits and cadets are normally not allowed to ask questions and when they do they are short and to the point. There is no debate during the courses or a discussion of the topics presented from differing points of view. Cadets are simply expected to digest and memorize the information provided to them and not question authority. According to one police cadet:³⁸

‘We learn so much here, they keep us very busy but I wonder if all of it is necessary for the position I will hold in the future. But there is no time for these thoughts or a discussion on the practical relevance of the courses. We just have to learn everything they teach us.’

37 Author interview, 28 November 2003.

38 Author interview, 10 December 2003.

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Photo 10: The firing range at the military police academies

High-rank military police officers in Rio de Janeiro live and study within the academy for three years and during this time they take over sixty courses including courses on rights, laws, and ethical conduct, yet the implications of these theoretical courses for daily police work are not explained and discussions are not well regarded. It is difficult to gauge what kind of influence training has on the compliance of high-rank military police officers with human rights standards. Sticking to the requirements mentioned earlier, the influence of training on police practice depends on reinforcement in different ways over time and the commitment of supervisors. Although there is some movement towards change within the military police, higher ranks many continue to support, and thereby reinforce, the traditional model of repressive policing. The militarization of policing in Rio de Janeiro and the commitment of the higher ranks to this model of policing minimizes the human rights implications of the training offered to the higher ranks.

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Photo 11: The firearms training section at the military police academies

4.4 GENERAL ANALYSIS OF PRELIMINARY TRAINING FROM A HUMAN RIGHTS PERSPECTIVE

As has been described and examined above, all law enforcement officials in Rio de Janeiro regardless of their rank or whether they are employed by the civil or military police forces must undergo at least six months of training before they are assigned to administrative or operational policing functions. This tendency to train law enforcement officials prior to them beginning their jobs is a positive one as it is a consistent requirement which aims to bring potential police officers to a standard level and explain the requirements of their job to them. Yet as has been discussed the reality of basic training in the state of Rio de Janeiro is diverse. Not only are the civil and military police forces under different management, they also receive training in diverse subjects in different locations and there is a further division within the military police: between the high-rank officials and the low-rank patrol officers.

The three police academies covered in this chapter, Acadepol, CFAP, and APM, are different in their layout and functioning yet they do experience many of the same challenges. The problems experienced by CFAP are the most grave and are further enhanced by the large number of recruits that are trained at CFAP and the sparse resources at its disposal. This means that low-rank military police officers, who have the most contact with the population, are often the least trained and prepared for their duties. The recruits at CFAP and the cadets at APM are both predominantly trained to follow orders, adhere to strict military rules, and use weapons. These traits, although necessary, do not necessarily contribute to increasing police officers' compliance with human rights standards in Rio de Janeiro. As detailed in chapter two, the militarized model of policing predominantly being carried out by the police in Rio de Janeiro focuses on following orders sent from above in order to eradicate an enemy using any means available. This method of policing inevitably leads to violations as it justifies the use of force and does not take the population's needs into account. In contrast to the military ethos, the police ethos involves contact with the community and the use of minimal force in order to solve a problem. The training being offered to the military police in Rio de Janeiro concerns itself with the military ethos and is therefore unlikely to increase police compliance with human rights standards.

Unlike the military police, the civil police organization does not have a steep hierarchical structure and this is reflected in the training of civil police officers and the functioning of Acadepol. At Acadepol all ranks are often represented in one class and recruits and civil police officers returning for in-service training are all encouraged to ask questions and partake in discussion. As the civil police is a non-uniformed force, the students and civil police instructors dress in a casual yet professional manner. There is also no military formality as in the military police academies so the civil police candidates do not have to learn to salute their superiors or to march in formation with their unit. Training for civil police officers, on the other hand, focuses on practical day-to-day aspects of policing, the laws that apply to civil police officers' work, the paperwork they have to fill out, and the use of firearms while disregarding broader theoretical discussions and the link between rights in theory and the practice of police work. Additionally, compliance with human rights and ethical behavior values are only

enforced in some police stations by some police chiefs therefore the overall ability of civil police training to increase police compliance with human rights standards is minimal. Yet as we will see in chapter six, in locations where training is reinforced over time and where police work is well supervised, increased police compliance with human rights is possible.

As detailed above, all three police academies did not have access to professional, full-time instructors. Some of the instructors, although very good and knowledgeable, were not always accessible to the students. As they all had other duties and responsibilities, training potential police officers was not their first priority. In addition to this, certain subjects were valued more than others at all three academies. More time was devoted to those subjects considered more valuable, which included firearms training and, in the case of the military police, military drills and other military activities.

Some researchers at the institute of public security are currently in the process of working with the state governor and the individual police forces in order to reform the preliminary training of law enforcement officials in Rio. For these researchers, the biggest motivation for change is the steep hierarchical division within the military police and the lack of education of the lower-rank patrol officers within this force. The academics that I interviewed considered the low level of training and education of the low-rank patrol officers of the military police to be one of the biggest problems of public security in Rio de Janeiro. Some of them have voiced these concerns to higher-rank military police officials and have suggested ways to raise the level of the military police, but the military police high command has yet to agree to it. The recommendations given to the military police regarding the reform of police training include hiring full-time instructors for the police academies, teaching police officers how to interact with the population on a daily basis in situations when a crime has not occurred,³⁹ and integrating practical classes with the theoretical notions that apply to them. According to one academic:

‘We have sat down and talked to those in charge of the military police organization and explained to them the importance of training especially for the lower ranks. We have even offered them suggestions and programs that they can use to educate the lower-rank officers and improve the entire military police. They know there is a problem; they have the solutions yet they choose to ignore it. They prefer to maintain the status quo. This way they can tell the patrol officers what to do, whom to shoot, and no one asks any questions. They are easier to control. This is why training of the police will take a very long time to change because the people in charge do not want it to.’

As can be gathered from the quote above, despite the work of certain academics there is still a considerable amount of resistance from the military police force when it comes

39 As detailed in chapter two, one of the main functions of the police along with the maintenance of public order and the prevention and detection of crime, is the provision of assistance to the public.

to reforming the method of training and the classes military police officers are obliged to take. During my fieldwork, I also interviewed some high-rank military police officers who were open to reform and were attempting to negotiate change both within the military police academy and also in terms of what is expected from police officers during their daily work. Therefore it seems that there is a degree of internal disagreement within the military police as to the purpose of training, the task of low-rank patrol officers, and the role of the military police in Brazilian society. Are low-rank military police officers simply disposable soldiers in the war against drug trafficking and crime, or do they serve a vital function in protecting and assisting the population and communicating the needs of the community they police to the state?

Training is meant to provide potential police officers with the knowledge, skills, and values that they may not have already possessed and bring all potential police officers to a common standard. As they are concerned with the formation of future police officers, selection criteria and training are considered to be of the utmost importance in any attempt to improve the police and increase police compliance with human rights standards. Although this element of reform is heavily invested in, it is highly difficult to determine what, if any, influence training has on police compliance with human rights. Training could increase police compliance with all five rights detailed in chapter two and serve to support other police human rights strategies within the Rio de Janeiro police forces. Yet the implications that training could have for police compliance with human rights is impeded by the militarization of policing in Rio de Janeiro that is evident in training, reinforced in police officers throughout their careers, and supported by most supervisors.

In this part of the chapter, I have described the layout, selection criteria, and training offered at the three police academies in Rio de Janeiro. Following the analysis of preliminary training in Rio de Janeiro and the implications of this training for police compliance with human rights, I will now examine two on-the-job courses offered for civil and military police officers. One of these courses attempts to enlighten and broaden the minds of high-ranking civil and military police officers in order to initiate change from the top down, while the other course seeks to offer lower-rank military police officers practical skills to assist them in their duties and improve the organization from the bottom up.

4.5 ON-THE-JOB COURSES FOR POLICE OFFICERS IN RIO DE JANEIRO

4.5.1 Extension Course from the Top Down

4.5.1.1 *Structure and Content of the Course*

The extension course specializing in the ‘Policies of Criminal Justice and Public Security’ is offered by the Federal Fluminense University (*Universidade Federal Fluminense – UFF*) in the state of Rio de Janeiro. It was the brainchild of Professor Roberto Kant da Lima and was created in February 1999 as a joint initiative by the researchers at the Fluminense research school of the department of Humanities and Philosophy (*Núcleo*

Fluminense de Estudos e Pesquisa do Instituto de Ciências Humanas e Filosofia – NUFEP). This post-graduate course brings together the departments of anthropology, sociology, and political science at the UFF along with several criminologists from outside Brazil in order to facilitate an understanding and exchange between academics and practitioners. During this ten-month course, participants from the higher ranks of both the civil and military police forces, the public prosecutors office, psychologists, social workers, NGO representatives, and researchers from various disciplines⁴⁰ are brought together to discuss the progress and policies of criminal justice and public security from anthropological, historical, sociological, cultural, and political perspectives. Initially this course was only open to colonels from the military police and *delegado(a)s* of the first rank from the civil police, but then the course organizers realized that many of the participants were retiring from the police force shortly after completing this course and were therefore unable to spread their knowledge throughout the remainder of the organization. Therefore the course has now been opened up to captains, majors, and lieutenant colonels of the military police and *delegado(a)s* of all classes of the civil police. Although it is offered by an external university, this course is now compulsory for promotion to the highest rank of the military and civil police forces. This yearly course begins in March and runs through until December during which time participants have to attend lectures, seminars, and conferences three times a week. These lectures and seminars are usually held in the early morning so that the participants can see to their other professional commitments as well. In order to receive full credit for the course, the participants must also write their thesis under the supervision of one of the professors, which they spend the year following the course finalizing. The 120 participants of the class, of who around 20 are women, are either lectured as one group in a large auditorium or divided into small, simultaneously held classes in order to facilitate discussions. During the duration of the course, the participants have access to the UFF library, the documentation center of NUFEP, and a computer lab to assist them in their work. The curriculum of the course consists of fifteen obligatory disciplines that are taught by a different professor and require the knowledge and use of diverse literature.

The curriculum of the specialization course on the Policies of Criminal Justice and Public Security is as follows: Systems of Criminal Justice and Public Order, Criminology applied to Public Security, Theory of the Police, Violence and Society, Social Control and Criminality in Rio de Janeiro, Methodology of Research and Public Security, Urban Culture in Brazilian Society, History and Democracy, Violence of the State in Brazilian Society in a Comparative Perspective, Administration and the Process of Decision Making, Social Thought and Urban Organization, Policies, Decisions of the Government and Public Security, Media, Ethics, and Public Security, Organization and Culture, and The Social Question and Public Security.

Although this course does not offer classes on human rights, human rights values are implicit in many of the classes taught as they are taught by university professors and not police officers. Many of these professors were persecuted as student activists during the military dictatorship in Brazil so the opinions that they offer are not those prevalent in

40 The general idea is to have the course composed of 75% police participants, and 25% civilian participants.

the police academies. For example, classes on Social Control and Criminality in Rio de Janeiro include discussions on the criminalization of poverty and the unequal application of the law whereas classes on The Social Question and Public Security call current public security policies into question and highlight the importance of economic development and increased citizenship rights in the provision of security.

4.5.1.2 *Practice*

By its very nature this course enhances cooperation between the police forces in Rio de Janeiro and between the police forces and Federal Fluminense University. It brings academics and practitioners from different walks of life together. The participants of this course not only learn from the professors but also from each other. They also begin to open their minds and let go of the stereotypes and prejudices they may have had about people from a group other than their own. For example, police officers, public prosecutors, and NGO representatives who often do not have contact with each other are given the opportunity to get to know and understand each other. This course facilitates a discussion on prevalent theories in different disciplines and presents commonly known information in a perspective that is new to many participants. The majority of participants in this course are enthusiastic and involved in discussions about theories and debates on current affairs. The participants are able to draw on their personal experiences as practitioners during these discussions and share their thoughts on issues that affect them on a daily basis. Numerous high-ranking police participants that I interviewed stated that the course made them open up their minds and look at the issue of public security from a different perspective than the one they typically encountered. According to one of the participants:⁴¹

‘I thought I knew the whole story. I thought I had all the information but participating in this class offered me a whole new perspective on numerous topics. It really changed the way I think.’

Another participant spoke about how the course made him confront his beliefs about crime and violence in Rio de Janeiro including the role of the state and thereby the role of the police:⁴²

‘The information presented during this course is so confronting, not just the information the professors give us but also what the other participants talk about in the discussions, their experiences and perceptions. I have to admit, I have trouble listening to it sometimes. It goes against everything I believe about criminality and the role of the police. In my twenty-five years in the police I have never heard anything that made me question my beliefs. This course is confronting but because of that it is also good.’

41 Author interview, 3 March 2004.

42 Author interview, 19 December 2004.

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The course also facilitated some reunions as it brought together both civil and military police officers from all over the state. Many of the participants were able to use this opportunity to catch up with old friends that they had not seen since they trained together at the academy or since their youth. This re-encounter sometimes led to future cooperation between the two organizations or between two units within an organization thus facilitating cooperation within and between the two forces. Though this course benefits from a variety of participants and committed professors from numerous different universities and disciplines, this also creates a problem for the participants. Some of the professors who are contracted from different universities come to UFF to teach their classes and then they leave. They do not always make their contact information available to the participants in the course, which makes it difficult for the participants to ask questions about the topics taught and discussed at a later date. I noticed this as a problem during the months that I attended this course, the participants often discussed the information and ideas presented during the classes informally during breaks throughout the duration of the course. Sometimes during these discussions conflicting opinions or additional questions would arise but the participants did not have access to all the professors so they could not ask for clarifications or answers to their questions.

This course works with the hierarchal nature of police organizations in Brazil. It is a post-graduate level course open only to high-rank civil and military police officers and therefore it acknowledges the presence and importance of the hierarchal division between high and low-rank officers. Although this guarantees the continuation of the course, it does not necessarily mean that the goals of the course, the passing on of information to the lower ranks and the improvement of the entire police forces, are being achieved. During my research, I observed that some of the police officers that participated in this course did so for their own benefit and not for the general good of the police force that employs them. Many of these participants use the knowledge they gain in the course to pursue further education and degrees, some even retire from the police force and become consultants or security advisors, positions that hold more financial gains than working for the state police forces. Even those officers who remain with the police find it difficult to pass on their knowledge to the other ranks, as they are generally the sole voice of reason amongst the many who are opposed to change. Even though attendance in this course is now compulsory for advancement within the civil and military police organizations not everyone takes the course seriously or believes in its content.

After attending this course at UFF, high-rank police officers can have intellectual discussions about theoretical concepts but seven years after the initial implementation of this course, the information and knowledge has yet to trickle down to the lower ranks.⁴³ None of the lower rank police officers that I interviewed throughout my fieldwork in Rio de Janeiro had ever heard of this course which would suggest that high-rank police officers attending the course do not inform their subordinates about the course or pass on the knowledge they have learnt during this course. During my second fieldwork period in 2004, I attended this course and also conducted fieldwork

43 Noted in the researcher's field notes based on observations with battalions and stations and conversations with high and low-rank police officers.

within police stations and battalions. At this time, one of the participants in the course was also the station chief of one of the civil police stations where I was conducting in-depth fieldwork, yet none of the police officers, social assistants, or administrative staff within this police station had any knowledge that their chief had been attending a course three days a week for the past nine months. This tendency of high-rank police officers to attend this course but not inform their subordinates about the course or disseminate the information they have obtained from the course leads me to believe that high-rank police officers tend to attend this course for their own benefit. The inclusion of this course into the official training curriculum for the higher ranks gives an incentive to civil and military police officers to attend this course yet there is no incentive for them to push the knowledge they receive further down the line. This concentration of knowledge at the top of the police organizations preserves the hierarchy within the police. Lastly, though it brings together individuals from different organizations, it has yet to formally bring the organizations themselves together.

The course is likely to continue especially since it has been integrated into the training curriculum of both the civil and the military police forces. Military police officers who wish to attend the *Escola Superior da Polícia Militar* (Superior School of the Military Police) are required to attend this course, as are civil police officers who wish to be considered for the rank of first *delegado(a)*. It remains to be seen whether the course will be successful in achieving the remainder of its goals in the future.

4.5.2 Extension Course from the Bottom Up

4.5.2.1 *Structure and Content of the Course*

The Citizen Police Practice Improvement Course is organized and carried out by a non-governmental organization (NGO) known as Viva Rio in order to improve the training offered to lower-rank military police officers and better prepare them for their daily policing tasks. Since it was founded in 1993, Viva Rio has become one of the most well-known and respected NGOs in Rio de Janeiro. The year it was founded, fear and indignation gripped residents of Rio de Janeiro. As mentioned in chapter three, amidst political tensions, economic losses, and social crisis, the population was profoundly shaken by a series of kidnappings, the murder of eight street children in front of the Candelária church, and the wholesale killing of 21 people in the Vigário Geral *favela*.

In response to these shocking events, residents of Rio organized a city-wide demonstration for peace. At 12:00 p.m. on December 17th of that same year, thousands of people dressed in white, paused for two minutes in a silent appeal for peace. On this day, Viva Rio was created to empower individuals, associations, and companies to build a more democratic and just society.⁴⁴

Since then, Viva Rio has organized peace campaigns and social projects with the widespread support of residents of Rio de Janeiro. Many projects are directed specifically at the youth, who are the most vulnerable to violence and social risks. Today, Viva

44 For more information see, www.vivario.com.br Last accessed 23 September 2006.

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Rio works together with local organizations in some 350 *favelas* and other low-income communities to overcome violence and social exclusion throughout Rio de Janeiro. Some other projects organized by Viva Rio are: disarmament of the population,⁴⁵ offering free legal assistance in low-income communities, involving youngsters in sports and boxing so as to distance them from involvement in the drug trade, micro-credit opportunities for small businesses, and preparatory internships for youths from low-income communities to prepare them for the commercial job sector.

In addition to the projects listed above, Viva Rio is also involved in training low-rank military police officers because it believes that part of the solution to Brazil's public security problems lies in proper police training. Police who are well trained and whose actions are aimed not only at preserving order but also at preventing violence and promoting civil rights can win the confidence of the population, reversing the situation of mutual distrust and fear prevalent in Brazil at the moment.

This was the impetus for Viva Rio to cooperate with the military police in creating the Citizen Police Practice Improvement course in July 2002. The Citizen Police Practice Improvement course was organized to continue educating and addressing the problems encountered by rank-and-file military police officers in Rio de Janeiro. It seeks to improve the quality of policing by providing a space for reflection upon common police practices and opening up the debate on the nature of the relationship between police officers and the communities they serve. The larger goal is to make continuing education itself a part of police officers' routines.

Structured around the concepts of citizens' rights, ethics, and community relations, the course is based on a series of case studies – actual occurrences registered with military police and transformed into didactic examples.⁴⁶ Although the contents of this course have distinct human rights implications, the organizers deliberately did not use the term human rights in the title of the course due to the negative police perception of human rights. Instead the organizers decided to focus on improving police practice which is considered important by all police officers as discussed earlier in this chapter. Although the organizers avoided the term human rights, the course offers police officers guidelines on when to use force, when it is necessary and only to the extent that it is proportionate, and teaches them communication and mediation skills so they can resolve conflict without having to resort to the use of force. Using specially developed teaching materials, including 14 videos, 20 booklets and an instructor manual, the program has trained close to 200 sergeants to act as trainers in a new methodology that places value on police intelligence and discretion, as opposed to abusive and excessive force. The Sergeant-Instructors trained then replicate the training within their precincts, eventually reaching more than 10,000 policemen. The sixty-hour course covers the following topics: the use of force, gun use, domestic violence, community policing, procedures to follow with children and teenagers, new technologies, assistance techniques, conflict prevention and mediation, police image, professional enhancement, professional ethics,

45 For more on the disarmament program, see chapter seven.

46 Interviews with the then coordinator of the Citizen Police Practice Improvement Course, 19 July 2003 and 20 October 2003.

discrimination and prejudice, local security planning, and techno-professional procedures.

The Citizen Police Practice Improvement Course was developed by Viva Rio, in partnership with the Military Police of the Rio de Janeiro State and with the financial support of *Unibanco Seguros* and the Department for International Development (DFID) of the British Government.

4.5.2.2 *Practice*

It is rare for police forces to work willingly with NGOs and vice versa. This is the case in countries around the world including Brazil, with the exception of this course, which involves the military police of Rio de Janeiro working with a prominent NGO to educate and improve the military police for the benefit of the organization and society as a whole. This course, the result of collaboration between a military police colonel and Viva Rio, is coordinated by Viva Rio and implemented by military police officers within the military police.

The military police sergeants who are trained to be instructors and further train the rest of the military police lower ranks are volunteers who are versed in public speaking and motivated to make a difference within their organization. The course, which draws its examples from police officers' experiences and cases encountered by the military police, allows for an open exchange of ideas on topics that are not usually up for discussion within the police and something that is certainly missing from the training which low-rank officers receive at CFAP. Under the current system, military police officers are not periodically retrained at the police academy, thereby making this course the only instruction offered to patrol police officers once they have left the academy. The police officers who participate in the course learn useful skills that they can use in their daily policing duties and that lead to boosting their self-esteem. The military police patrol officers learn amongst other skills, how to prevent conflict, solve problems, and when and how to use force.

Only those military police officers who have been in the force for two years are able to take part in this course. This could be a positive or a negative factor. In the positive sense, police officers who have two years service behind them usually have a good idea of what their day-to-day job entails and the skills they need, yet may not possess, in order to do their job properly and therefore could be more open to the philosophy, method, and content of this course. In the negative sense, police officers who have been working within the military police for two years might be engrossed in the culture of the military police and not be open to additional education, especially through a course organized by a prominent NGO that is not recognized by the police organization.

The main challenge that faces the Citizen Police Practice Improvement course is that it attempts to implement change from the bottom up. In this sense, it is trying to go against the grain and work without the approval of the military police higher ranks. Although a military police colonel initially thought of the idea, the course has not been well received by other high-ranking military police officers. Unlike the course offered by UFF, this course has not been accepted as part of the official training curriculum for low-rank military police officers and is not required for police officers to be eligible for

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promotion. Some high-ranking military police officers, who work as supervisors of units or commanders of battalions, simply discourage lower-rank police officers from teaching and participating in the course by not allowing them to do it during their work shifts or on police premises. According to one of the trained sergeant-instructors this causes many problems in the dissemination of the course:⁴⁷

‘I think this is a very relevant course which is why I signed up to be an instructor, to teach other officers these skills that will help them do their jobs better but the disapproval of the commanders makes this very difficult. I cannot teach during work hours and the soldiers in my battalion cannot attend this course during work. It is not recognized by the police, just something extra but most of us don’t have time for extras. We all have additional employment and families to take care of so we cannot stay on after our shift ends to teach or attend the course.’

Other supervisors have gone so far as to threaten and discipline military police officers who are involved in the program. According to the coordinator of the course, the resistance of the higher ranks has been the biggest impediment to the implementation of this course. The resistance of the high-ranking military police officers makes it difficult for the sergeant-instructors to pass on information to the other ranks and accomplish the goals of the course. It remains to be seen whether this course can overcome some of the resistance it has come up against to really be beneficial to lower-rank military police officers. The long-term plan of Viva Rio is to have this course accepted and fully supported by the military police so that the NGO is, in essence, no longer needed for the course to function and continuing training for patrol police officers becomes the rule and not the exception in Rio de Janeiro.

4.6 GENERAL ANALYSIS OF ON-THE-JOB TRAINING FROM A HUMAN RIGHTS PERSPECTIVE

Not only do the two on-the-job training courses described above target different law enforcement officials but they also approach the education of police officers and the improvement of police forces from two different perspectives. The course offered by the Federal Fluminense University brings together high-rank civil and military police officers in order to broaden their horizons and begin a dialogue on theories relating to policing and public security. After participating in this course, high-rank civil and military police officers are able to view their behavior, their organizations, and society in general from various perspectives. As detailed earlier, some participants in this course were hearing opinions that contradicted their own for the first time. By participating in the course, high-rank civil and military police officers gain a greater understanding of the fact that the violence and criminality in their society is as much a consequence of poverty, inequality, and social exclusion as criminal acts and the path towards greater security has to involve economic development and citizenship and not just repressive

⁴⁷ Author interview, 15 November 2003.

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policing. These officials could be catalysts for change in their organizations yet they still remain a minority and the knowledge they gain has not yet been converted into practice. The benefits of this course continue to remain with the higher ranks and have not yielded results for the low-rank officers or for the police organizations in general. The implications of this course for police compliance with human rights are difficult to determine. As it is required for progress in the civil and military police forces, this course does have the support of supervisors and the higher ranks yet the information provided therein is not considered important for operational policing, which is why police officers tend to keep the knowledge they are given to themselves.

The course offered to low-rank military police officers, on the other hand, focuses entirely on practical skills and changing behavior. The patrol officers who take part in this course may not be able to discuss contemporary developments in diverse academic disciplines but they should have a more positive self-image and be better able to attend to the population. The course teaches the law enforcement officers to question their military training and learn to talk to the population and solve problems before resorting to violence and repression. In this sense it is crucial for the reform and professionalization of the military police force. Yet as it is only focused on lower-rank military police officers it has yet to be a fully accepted form of training within the military police. The Citizen Police Practice Improvement course continues to be opposed by much of the military police higher ranks. Despite its potential to improve the behavior of military police officers and facilitate the building of a more positive relationship between the military police and the communities they police, the fact that the course lacks the support of the higher ranks and police participation therein is not encouraged or reinforced in reality means that the implications of this course for police compliance with human rights is minimal.

4.7 CONCLUDING REMARKS

In this chapter, I have described the content and reality of preliminary and on-the-job training of law enforcement officials currently taking place in the state of Rio de Janeiro. All law enforcement officials in Rio regardless of whether they are employed by the civil or military police force or their rank are obliged to undergo basic training at the civil or military police academies respectively. Although training is compulsory for all ranks, the purpose, amount, focus, and type of training differ from one police force to another and also from one rank to another. Training at each of the three police academies entails positive and negative aspects but the one thing that stands out is the hierarchy within the police, the concern with military discipline and the focus on firearms training within both the civil and military police forces. Lessons within the classroom are not considered as important as learning how to shoot and take part in other practical aspects of police work. Operational skills are appreciated more than knowledge and values, and this focus on skills is reinforced throughout training and during daily police work.

The two on-the-job training courses attempt to offer additional education and skills to already practicing police officers in order to improve the performance of their

function. Yet these courses still require some work as to how they can best be translated from theory into practice and overcome some of the challenges that hinder them from being fully included in the civil and military police force training regime.

Selection and training are very important as they are the first crucial steps in the formation of police officers. As training attempts to teach knowledge, skills, and values in order to create the type of police a particular society needs and wants and brings all police officers to the same level, efforts to implement human rights within the police often begin here. Yet as police officers spend more time doing their jobs than being trained for them and the presence of several intervening societal and institutional factors, the influence of training on policing and especially police compliance with human rights standards is difficult, if not impossible, to gauge. This is also the case for the training presented in this chapter. The influence that the preliminary and on-the-job training of civil and military police officers has on the compliance of these officers with human rights standards cannot be determined due to intervening factors such as the culture of the two police forces, the public security policies of the state, the model of policing used by the police organizations, and the perceptions of security prevalent in society.

While the training described in this chapter cannot be clearly linked to police compliance with human rights standards a detailed study of what police training entails, how it is carried out and perceived by those involved in it does allow us to gauge what sort of implications the training researched could have for human rights. Although training in human rights and ethical policing is offered, explicitly within the police academies and implicitly in the extension courses, the human rights implications of this training are minimal. This is because human rights and ethics courses are not periodically reinforced throughout the organization or over time, and they do not have the support of most superiors, with the exception of the extension course offered by the Federal Fluminense University. The support within the police organizations and also of society in general is for repressive, tough-on-crime policies that increase feelings of security. This focus on repressive policing to maintain order and to fight crime and the importance of obeying orders, adhering to strict military discipline, being responsive to one's superiors and not to the people guarantee that the influence of any human rights training will be minimal at best.

5 Community-Oriented Policing Brazilian Style

'Whoever chases monsters should see to it that in the process he does not become a monster himself.'

Rafael Perez, convicted CRASH unit policeman. Los Angeles Police Department, Rampart Division.

5.1 INTRODUCTION

Community-oriented policing¹ has consistently been touted as an answer to the failure of traditional policing, which distanced and isolated the police from the people they were meant to be serving. Traditional policing focuses on protecting the state instead of serving the population. It typically involves police officers patrolling large areas of a city in a car with their productivity being judged on the basis of the number of people they arrest or the amount of illegal arms or drugs they apprehend (Bratton, 1998; Trojanowicz and Bucqueroux, 1998). These police officers are often transferred from one area to another and therefore do not attempt to develop a relationship and cooperate with the community they are assigned to.

Essentially, community-oriented policing aims to increase contact between the police and the population and to involve the population in guaranteeing public security (Wycoff and Skogan, 1997; Williams and Henderson, 1996). But the concept and philosophy of community-oriented policing has been implemented in a variety of different ways throughout the world. In this chapter, I examine what community-oriented policing entails and discuss community-oriented policing initiatives in Brazil, and specifically in Rio de Janeiro, as implemented by the military police.

There are two reasons for the initiative of the military police. Firstly, the military police more than the civil police were the focus of criticism and attacks concerning arbitrary violence and abuse of authority. For the military police, not being able to change might have led to the loss of political support and legitimacy and as the military police organization is the largest, most visible state agency in most Brazilian states, this would, by extension, affect the legitimacy of the state. Secondly, the military police more than the civil police are able to gain legitimacy and political support through community-oriented policing. This type of policing improves preventive policing and the police interaction with the community, which are the principal functions of the military police.

1 This philosophy is often referred to as community, community-oriented, proximity, or people-friendly policing. In this chapter, only the term community-oriented policing will be used in order to reduce confusion and highlight the difference between community-oriented policing initiatives, which can take many different practical forms, and community policing patrols. The latter are preventive patrols made by permanent community policing officers of a small, pre-designated area and constitute one of the ways in which community-oriented policing is implemented.

Following a general discussion of community-oriented policing and what this strategy implies for police compliance with human rights standards, the four main community-oriented policing initiatives currently being implemented in Rio de Janeiro are described. These initiatives are: Community Breakfast, Community Security Councils, the Special Areas Policing Group, and Community Policing Patrols. This description of community-oriented policing in Rio de Janeiro is followed by an in-depth study of two neighborhoods where the above-mentioned community-oriented policing initiatives have been implemented and an examination of the perceptions of the key actors involved in this strategy. After this, the societal and institutional factors that facilitate and impede the implementation of this strategy are highlighted. Finally, I discuss what these initiatives, which oblige the police and citizens to cooperate with each other after years of mutual distrust and dislike, have achieved thus far.

5.2 THE BASICS: WHAT IS COMMUNITY-ORIENTED POLICING AND WHY IS IT IMPLEMENTED?

5.2.1 What is it?

The birth and growth of community-oriented policing activities was caused by the realization that there was a need to alter the operational activities that constituted traditional policing. Law enforcement leaders discovered that there are limitations to the previous police organizational structure and practice. Traditional police crime control strategies had failed, the quantity and nature of crime was changing drastically; additionally, communities were becoming more diverse, and demanding better government service-delivery methods (Bratton, 1998; Kelling and Coles, 1997). According to Bill Spelman, traditional policing procedures in countries like the United States and Brazil, such as rapid response to calls, preventive patrolling, and follow-up investigations, are not enough to ‘arrest the bad guys’(Texas-Brazil Police Exchange).² ‘The best way to prevent crime is to involve the community and to look at the patterns and problems,’ he said. ‘We must get ahead of the crime curve.’ This change in the structure and mentality of the police organization ushered in the heyday of a whole range of community-oriented policing programs. There are three critical elements associated with community-oriented policing: the creation of and reliance on partnership with the community as well as with other public and private resources, the application of problem-solving strategies or tactics, and the need for comprehensive transformation of police organizations’ culture and the structure to support this shift (Skogan, 2003).

Over the years, efforts to implement community-oriented policing and promote a new role for the police have taken on various forms. In order to accommodate this new policing strategy, police organizations have provided additional training to police personnel, either made all officers community policing officers, or devoted part of the staff full-time to community-oriented policing activities, conducted frequent meetings with neighborhood watch and other community agencies, began providing services for

2 www.utexas.edu/cola Last accessed on 23 January 2005.

the elderly and more vulnerable populations, established satellite offices in problem areas of the community, created a hotline and began relying on citizen information, and conducted sweeps based on information received (Kelling and Coles, 1997; Wycoff, 1995).

Since its rise in popularity in the 1990s, community-oriented policing has been implemented in different ways throughout the world, yet the basic idea behind the strategy remains the same. A report by the United States Department of Justice described community-oriented policing as ‘a shift from a reactive, incident driven method of policing to a pro-active, problem solving force’ (Wycoff, 1995). Community-oriented policing programs worldwide hope to develop close ties between the police and community by combining the efforts of police, local government officials, and the community to identify common crime-related problems and work together in order to solve them.

5.2.2 What it Hopes to Achieve

It is generally acknowledged that effective community-oriented policing results in improved physical environment in neighborhoods, more positive public attitudes towards law enforcement agencies, decreased potential for conflict between citizens and the police, increased citizen knowledge of policing and emergency assistance activities, reduction of fear, an enhanced quality of life in the community, increased officer satisfaction, and reduced crime rates through the combined efforts and resources of the police, local government, and community members (Bratton, 1998; Trojanowicz and Bucqueroux, 1998; Kelling and Coles, 1997; Williams and Henderson, 1996).

Based on the positive results listed above that were published following initial pilot projects involving community-oriented policing, similar initiatives have been enthusiastically taken up all over the world. Yet, efforts to implement them have encountered very real shortcomings (Bayley and Rosenbaum, 1994). One of the most frequently cited shortcomings is that community-oriented policing means something different in every country, city, and neighborhood. The idea behind community-oriented policing is not understood by everyone yet due to its popularity, the community-oriented policing label has been placed on already existing activities in many countries. This means that there is no consistent policy and not only can community-oriented policing initiatives differ drastically from one neighborhood in a city to another but often policing activities are termed community-oriented policing when, in fact, they are not (Wycoff and Skogan, 1997). Pilot community-oriented policing projects have tended to be implemented in affluent neighborhoods, or those that are in the media spotlight, which means that while some people in a city will have positive experiences with the new project, the experiences of others continue to be negative which is contrary to the right to equal treatment before the law.

Taking into account the above-mentioned benefits and limitations, it can be stated that, in theory, community-oriented policing initiatives have distinct human rights implications³ and the potential to improve the law enforcement officials’ adherence to

3 Despite the absence of empirical evidence to support this relationship.

the law. The philosophy of community-oriented policing stresses the importance of police service to the community and of both parties working together. By encouraging the police and the community to communicate and cooperate, this strategy promotes the building of trust between the two parties and the demilitarization of the police. This increased communication, understanding, and cooperation decreases the likelihood of human rights abuses taking place. A strong relationship between the police and the community increases the likelihood that the citizens' right to life, liberty from torture, and freedom from arbitrary arrest will be respected. Better relations with the police and a decrease in police violations against the community increase the feeling of security in the community and therefore their quality of life. In addition, due to increased contact between community members and law enforcement officials, those police officers who abuse their authority can be identified and reported to the appropriate authorities. This serves as a deterrent for police officers who indulge in criminal or abusive behavior. It also ensures that abusive police officers will be held accountable for their actions.

In general, community-oriented policing promotes open communication and increased cooperation between the police and the population. The increase in communication and cooperation envisioned by community-oriented policing decreases the likelihood of police abuse, has the potential to improve a law enforcement official's adherence to the rule of law, and increases the probability of police officers being held accountable for their actions. In this sense, community-oriented policing can be seen as a police human rights strategy. I will now build on this basic concept of community-oriented policing and examine what community-oriented policing means in the Brazilian context and how it has been implemented in different Brazilian states before I turn my focus to the state of Rio de Janeiro.

5.3 HUMBLE BEGINNINGS: THE COMMENCEMENT OF COMMUNITY-ORIENTED POLICING IN BRAZIL

By the mid-1990s, community-oriented policing programs being implemented in the United States and Canada and the numerous publications heralding the positive results of these programs caught sight of emerging democracies such as Brazil, that were interested in reforming and improving their police forces and enhancing the state of public security in their cities (Mesquita Neto, 1999). During this time, numerous community-oriented policing projects started to be implemented in diverse municipalities in many Brazilian states. There were documented projects in Espírito Santo, the Federal District, Pernambuco, Rio Grande do Sul, Rio de Janeiro, and São Paulo, with names such as 'community policing', 'interactive policing', and 'citizen security'. These were mostly pilot projects confined to a particular city or neighborhood. This changed in 1996 when the Center for the Study of Violence (*Núcleo de Estudos da Violência*) at the University of São Paulo initiated an exchange program between the military police of the state of São Paulo and the Royal Canadian Mounted Police. The purpose of the program was to exchange experiences with regards to community-oriented policing and the participation of civil society in the formulation and implementation of policies to control violence, in general, and police violence in particular. One of the results of this

experience was the launching of a project to implement community-oriented policing across the entire state of São Paulo. It is the most ambitious community-oriented policing project to be implemented in Brazil to date.

5.3.1 The Impetus for Change

According to Lindholt, Mesquita Neto, Titus, and Almeida (2003), the time was ripe because the transition to democracy in Brazil brought with it a redefinition of the expectations of the police. The criteria to evaluate the police was no longer simply their capacity to maintain law and preserve public order but also their capacity to respect and protect the rule of law and the rights of citizens. This extension in what is perceived as the duty of the police was brought about by pressure exerted by the population and several prominent human rights organizations. Police violence, which was a common occurrence during the military dictatorship, began to compromise the legitimacy of the police forces and the government under democratic rule (Bailey and Dammert, 2006). At the same time, police and government officials realized that if they could not improve and control state agents, including police forces, then they would lose confidence and respectability in the eyes of foreign governments and investors. This would drastically jeopardize the stability of their government and Brazil's chances of economic development and success.

Therefore at the same time that human rights organizations were supporting changes within the police in order to reduce police violence, business organizations began to increasingly denounce the deficiencies of the police and support changes to augment the effectiveness and efficiency of the police. Finally, groups of prominent new professionals within the police, government, and civil society with access to information about policing in other countries, especially the United States and Canada, began to learn more about the gravity of the deficiencies and the violence perpetrated by the police in Brazil. Hence at the same time, yet for different reasons, these groups began to perceive the limitations of traditional forms of policing in Brazil and the possibilities for reforming the police and society in general inherent in community-oriented policing (Lima Dantes, 1999). Therefore community-oriented policing emerged in Brazil not only as a strategy to make the police more effective in terms of crime control and maintaining order but also to make it more responsive to citizens and accountable to the community (Mesquita Neto and Loche, 2003).

5.3.2 The Growth of a Trend

Although São Paulo was the first and only state to adopt community-oriented policing as a state-wide policing strategy it was not the only state to implement community-oriented policing. The military police of the state of Minas Gerais have established a long-term exchange program with the police in the state of Texas in the United States⁴ (Texas-Brazil Police Exchange). This program promotes an exchange of ideas, strategies, and experiences of policing between law enforcement agencies themselves,

4 Due to the similar size of the two states.

community members, academic institutions, and government officials in both countries. This program has four main goals. The first is to impart crime, violence, and drug prevention training to the participants. Secondly, the program aims to increase citizen participation and cooperation with the police, and improve law enforcement officials' conflict management and ethnic tolerance skills. The program also aims to modernize the law enforcement agencies in Minas Gerais and Texas. The last aim is to implement good governance practices, transparency, and accountability within the police.

The northern state of Bahia is also implementing a program called 'Community Policing – Citizen Police' (*Polícia Militar da Bahia*).⁵ The military police in Bahia also realized the importance of changing their way of doing things for a better future for the organization. The organization wants to implement a modern policing model that will allow them to attend more satisfactorily to the needs of citizens. In addition, the military police force of Bahia wishes to increase interaction and communication between the police officers and the community.

As has been described above, after decades of repressive police behavior and tense relations between the police and the community in Brazil there was a widespread desire for things to change and for the police to be reformed. Numerous states around Brazil chose to do this by implementing community-oriented policing programs. Although these programs differed considerably they all focus on the military police and have similar goals. The hope in many Brazilian states is that community-oriented policing techniques will not only improve police-community relations but will also increase safety in *favelas* – or urban slums – that suffer from acute crime and deep mistrust between residents and law enforcement officers (Mesquita Neto and Loche, 2003). This is a theme I will expand on further in the section below on community-oriented policing in Rio de Janeiro where a special program has been developed to implement community-oriented policing initiatives in *favelas*.

5.4 COMMUNITY-ORIENTED POLICING IN RIO DE JANEIRO

5.4.1 Setting the Stage for Implementation

Similar to the rest of Brazil, a change in the politics of policing and public security in Rio de Janeiro began to take place after the return to democracy. As discussed in chapter three, the election of a left-wing, human rights-oriented politician, Lionel Brizola, as the state governor at the beginning of the 1980s meant that communication and cooperation between the police and the community as a way to resolve the problems encountered in public security and counteract the consequences of the military regime's repressive policies were increasingly supported (Mesquita Neto, 1999). During his second term from 1991 to 1994, Brizola appointed Colonel Cerqueira as the commander general of the military police and the state secretary of public security. Colonel Cerqueira reflected these progressive ideals and attempted to put them into practice. He favored a view of public security based on the demilitarization of the

5 www.pm.ba.gov.br/pmcidada.htm Last accessed on 20 January 2005.

police and collaboration between the police and the community, therefore he proposed the implementation of a community-oriented policing program (Hinton, 2006). In 1991, a pilot community-oriented policing project was launched in the neighborhoods of Copacabana⁶ and Leme. Yet the implementation of the project coincided with a drastic increase in crime in Rio de Janeiro, and more significantly, in the fear of crime as was detailed in chapter three. This pilot community-oriented project was halted by the following state governor, Marcello Alencar, who advocated a return to conventional, repressive policing practices as a way to control the problem of crime and violence in Rio de Janeiro (Mesquita Neto, 1999; Oliveira Muniz, 1999). For this conservative government, fortifying the police and the sustained cooperation of the police and the armed forces in the war against crime, especially the war against drugs, continued to be the most effective form to counter increasing criminality.

5.4.2 Giving it Another Try

After this initial defeat, community-oriented policing made a comeback in Rio de Janeiro in 1999 as a pilot project in the neighborhood of Copacabana. Faced with the task of policing this nationally and internationally prominent and incredibly heterogeneous neighborhood at a time when crime was on the rise, the then state governor, Anthony Garotinho, approached the commander of the 19th military police battalion⁷ and organizations such as the 'Friends of Copacabana,' the 'Resident's Association of Copacabana,' and the 'Association of Businessmen of Copacabana.' Together they came up with a pilot project that increased police presence in the neighborhood, made the police more accessible to the population, and involved the population in increasing security in their neighborhood. Even though it involved a significant change in the method of policing, this program was strongly supported by police officials, the community, and local politicians alike. The police received assistance in their difficult task of policing such a diverse and densely populated neighborhood, the community members could take control of their own security and contribute to the security policies that affected them, and the politicians were pleased to have a project that was receiving positive publicity and increased the public's confidence in the government's ability to do something about crime and violence in Copacabana, the tourist hot spot (Oliveira Muniz, 1999).

6 Copacabana, the well-known beachfront neighborhood is a vibrant, melting pot of people from all walks of life. Its numerous hotels, restaurants, and shops attract tourists from all over the world, and employees from poorer states around Brazil and neighborhoods in Rio. Living amongst the tourists, shopkeepers, and waiters are the residents of Copacabana many of whom have been present in the area since the glory days of Copacabana in the 1950s.

7 The 19th military police battalion has jurisdiction over the area of Copacabana and was responsible for the implementation of the pilot community-oriented policing project.



Photo 12: A view of the Ipanema and Copacabana beachfront neighborhoods

With the implementation of this pilot project, police officers who had once been distant figures symbolizing repression were visible on nearly every street corner, on foot, on bicycles, in community-oriented policing posts (booths manned by community-oriented policing officers specifically created in order to make the police accessible to the population at all times) in beach buggies, and sitting in cars. Frequent meetings between police officers of the 19th battalion and the Copacabana community representatives accompanied this increase in police presence and accessibility. These meetings were designed to increase the communication, understanding, and cooperation between law enforcement officials, local politicians, and community members. During monthly meetings community members were able to discuss common concerns with each other and with the police officers responsible for policing their jurisdiction (Oliveira Muniz, 1999). This was followed up by brain-storming sessions on the cause of these concerns and what could be done to decrease them thereby actively involving the population in the promotion of their feeling of security. The results of these meetings were diverse and included, amongst other things, lobbying for better and more strategic lighting on the streets of Copacabana and training apartment complex doormen and night guards at commercial locations in detection and protection techniques against potential burglars.⁸ The results of this program can still be perceived in the neighborhood of

8 Interview with the then Community Policing Coordinator, 22 January 2004.

Copacabana.⁹ The community members continue to be incredibly involved in public security activities in their neighborhood. Police officers are well known by, and are often seen conversing with, community members. Meetings between police officers and community members are well attended and the two parties continue to work together to voice their concerns and plan appropriate solutions.

5.4.3 Building on a Good Foundation

Based on the positive outcomes of the pilot community-oriented policing project in Copacabana, community-oriented policing programs have also been implemented elsewhere in the state of Rio de Janeiro. The plan to involve civil society and expand community-oriented policing to other locations in the state was first revealed by the then state governor, Anthony Garotinho, in 2000 as part of his 'State Plan on Public Policies for Security, Justice, and Citizenship' (Garotinho et al., 2000). In this plan, Garotinho stresses the importance of community participation in public security and calls upon the communities to mobilize their members to participate in the production of their own security.

The successful implementation of community-oriented policing, as envisioned by Garotinho, requires a redefinition of what is considered successful police work (Garotinho et al., 2000). Methods of evaluating the police cannot simply focus on quantitative elements such as the number of people arrested and imprisoned, or the amount of arms and drugs apprehended. As an evaluation based entirely on numbers limits creativity, an effort must also be made to evaluate the quality of the police intervention, in terms of resolving the problem that it was faced with. Garotinho was unclear in his plan as to how evaluation based on quality not quantity should be carried out therefore community-oriented policing officers are currently evaluated according to the wishes of their supervisors and the community security councils which will be discussed in detail below.

This change in the way of defining police work and evaluating its successes has to be accompanied by training for community-oriented policing officers. Yet unlike São Paulo, community-oriented policing is not the guiding philosophy of the military police in Rio de Janeiro (Mesquita Neto and Loche, 2003). Community-oriented policing is only practiced in some areas of the state by officers who are chosen and assigned to a particular location or by officers who volunteer to take part in community-oriented policing programs. Therefore in some neighborhoods in Rio de Janeiro, community-oriented policing and traditional policing are being carried out simultaneously by police officers from the same battalion. Along with their regular training as military police officers those officers selected to implement community-oriented policing are also trained in: conflict prevention and mediation, the importance of a positive police image, professional enhancement, professional ethics, discrimination and prejudice, tolerance and acceptance of diversity, domestic violence, procedures to follow with children and teenagers, assistance techniques, and local security planning.

9 Based on daily observations of the cooperation between military police officers and the community, noted in the author's field notes.

Based on Garotinho's plan, community-oriented policing is currently being implemented in the form of four different, co-existing initiatives in Rio de Janeiro. Each of these initiatives will be described in the following pages after which the reality of community-oriented policing in two Rio de Janeiro neighborhoods will be discussed: Community Breakfast (Café da Manhã Comunitário), Community Security Councils (Conselho Comunitário de Segurança), Special Areas Policing Group (Grupamento de Policiamento em Áreas Especiais - GPAE), and Community Policing Patrols (Policiamento Comunitário).

5.4.4 Community Breakfast

Every first Monday of the month, all the military police battalions in the state host a breakfast meeting aimed at increasing contact and communication between the police and the community. Representatives of resident associations, community leaders, representatives of local public power, representatives of local development agencies, representatives of local businesses, schools, churches, clubs, in short all the segments of the population are invited to these meetings. These monthly meetings allow representatives of the community to get to know the military police officers responsible for the safety of the community. During these meetings, the military police officers and the community representatives can discuss the area in which they live and work. The representatives of the various organizations and groups can voice their primary concerns, brainstorm, and exchange ideas and plans through which these problems can be resolved. The law enforcement officers are also able to offer their perspectives on the situation and come to a decision with the community representatives on how both parties can work together to ensure a better, safer, and more peaceful community. By requiring the police to listen to the concerns and ideas of community representatives and cooperate with them to reach a common solution, the community breakfast meetings work to demilitarize the military police. Due to the connections made during these meetings, law enforcement officials and community representatives know each other by name and by face. Therefore the community breakfast events allows community representatives, and the people they represent, to voice their concerns, to be involved in creating a safer community, and it promotes greater police accountability.

Box 1: Breakfast at the 19th

Early one Monday morning I make my way to the 19th military police battalion in Copacabana. I am on my way to attend a Community Breakfast meeting with community-policing officers from the 19th battalion and community representatives. In Copacabana, these meetings are scheduled first thing in the morning so that everyone can attend regardless of their work or social commitments. I arrive at the same time as some of the other community representatives. I recognize some familiar faces, representatives of local businesses and organizations that I have attended other meetings with. We are welcomed by a military police soldier assigned to gate duty, and escorted to the meeting room by another military police soldier. The meeting room is adjacent to the office of the battalion commander. The commander's secretary and a major who is in charge of community-oriented policing in the jurisdiction of the 19th tell us to feel at home and help ourselves to a breakfast of strong coffee and rolls. Everybody seems to know everybody else. The community representatives drink coffee and talk informally about the weekend's football scores and the latest developments in the soap operas. After a few moments, the battalion commander enters the room and the meeting is formally convened. In attendance are: the commander of the 19th military police battalion, a major with the 19th battalion responsible for overseeing the implementation of community-oriented policing, the secretary of the battalion commander, and several community representatives. Several recent developments are discussed and the community representatives are able to voice the opinions and concerns of their organizations, such as drawing the commander's attention to a particularly dark street that makes people feel unsafe or an upcoming community event. The commander's secretary takes notes of the meeting which are later sent to the institute of public security¹⁰ (Instituto Segurança Pública), the research arm of the office of the state secretariat for public security, which formally coordinates these events. The meeting lasts approximately an hour and a half, throughout this time the atmosphere remains social yet serious.

5.4.5 Community Security Councils

The purpose of the community security councils is to enhance the interaction between the two police forces and between the police forces and civil society in each Integrated Area of Public Security (Área Integrada de Segurança Pública – AISP).¹¹ These meetings have a consultative character and involve regular contact between the representatives of local associations, the military police battalions, and the civil police station. The main goal of these meetings is to discuss specific problems and elaborate on an agenda for

10 As mentioned in chapter three, the institute of public security was created in 1999 in order to oversee the implementation of the Garotinho government's public security policies.

11 As mentioned in chapter three, this is a new geographical distinction created in 1999 by the state secretariat for public security in order to better organize the implementation of public security and improve the service provided to the population. Each of the thirty-nine integrated areas of public security in the state of Rio de Janeiro encompass two military police battalions and one civil police station that have jurisdiction over the area. As both state police forces are represented in each public security area, the civil and military police forces are encouraged to work together to improve the implementation of public security in the state.

police work that can also be used as a tool for evaluation. This allows communities to participate in the promotion and enforcement of their own security. Apart from regularly meeting for the purpose of the community security councils, the relationships developed between the representatives of the police forces and the community members enables the maintenance of open channels of communication at all times.

The councils are organized on three different levels. At the state level, representatives of public security authorities, prison system officials, the public prosecutor, judicial authorities, and representatives of civil society associations are invited to attend council meetings. At the municipal level, municipal authorities responsible for the police, criminal justice officials and the public prosecutors, representatives of the mayor, and representatives of civil society participate in council meetings. Finally, meetings at the local (neighborhood, district) level are attended by those responsible for local-level policing, representatives of civil society particularly representatives of residents' associations, business associations, and anyone else who wishes to participate.

Box 2: 'First Forum of the Community Security Councils: Construction of New Paths'

During a weekend in November 2004, the state secretariat for public security organized a seminar of sorts to bring together the police and civilian representatives of the thirty-four functioning community security councils. The purpose of the seminar, which was held on the campus of the state university of Rio de Janeiro, was to encourage the exchange of experiences between the community security councils of different AISP and devise plans for the future of this initiative. The state secretary of public security, the civil police chief, the military police commander, civil and military police officers representing all the AISP in Rio de Janeiro, and community members representing each of the functioning community security councils, attended the meeting. The meeting consisted of presentations by senior police officials and prominent local politicians, followed by an explanation of the services and facilities available by representatives of the institute of public security, which coordinates the community security councils, and a debate on the importance of citizen-police cooperation. In the afternoon, police officers, and community representatives attended two separate programs. The police officers learnt how to incorporate cooperation with the community and respect for individuals in their daily police work while community representatives from neighboring AISP discussed their experiences, frustrations with the current system, and suggestions for the future. Once the various parties came together, the results of the meetings in which the community representatives participated were voiced in front of the entire group. Senior police officials and prominent politicians listened to the community members, answered their questions, and noted down their requests and frustrations. Yet the content and results of the afternoon meeting of the police officers was not shared with the community members.

The meeting was well attended, included something for everyone, was successful in getting the police and community members to socialize, and the various community representatives to exchange ideas. But the unequal sharing of information, in that the community members told the entire group the content of their discussions while the police officers did not share the content of theirs, despite requests from the community members, suggests a one-way relationship and further reinforces the fact that the police and civilians are not equal parties in the community security councils.

The community security councils are essentially autonomous in relation to public power. The state governor sets the specific guidelines of the councils yet the governor does not have any further say in the implementation of this initiative. The guidelines the community security councils have to abide by are: general cooperation with municipal, state, and federal authorities and the construction of a mechanism of external control over the activities of the organizations involved. Additionally, local-level councils are expected to create and organize a community self-protection and a risk management scheme.

So far, community security councils are in operation in thirty-four out of the thirty-nine AISP in the state of Rio de Janeiro. These meetings take place once a month despite other meetings between representatives of the police forces and the community. They take place in locations belonging to the government such as police stations or battalions, or those of the community, such as schools or churches. A representative of the institute of public security attends these meetings in order to oversee the implementation of this initiative, make sure that the meetings are being attended by police officials and community members, and iron out any problems that may arise. Each community security council appoints its own representative, this representative takes notes during the meetings and posts them on the institute of public security website so the progress of each community security council can be monitored.

5.4.6 Special Areas Policing Group (GPAE)

The special areas policing group was created by former undersecretary of research and citizenship within the state secretariat for public security, Luiz Eduardo Soares,¹² and coordinated by Major Carballo of the military police force in cooperation with non-governmental organizations and the church (Justiça Global, 2004). Initially it was implemented in the *Pavão-Pavãozinho-Cantagalo favela* between the neighborhoods of Copacabana and Ipanema in September 2000. The special areas policing group is a section of the Rio de Janeiro military police force, created specifically as a manner through which community-oriented policing can be implemented in areas considered by the state governor to be dominated by the trafficking of illicit drugs, i.e. the *favela* communities. The state governor¹³ decides the locations in which this initiative is to be implemented. Since the positive implementation of this pilot project, the state government has decided to extend its implementation to include three other *favela* communities: *Morro do Cavalão*, *Morros (hill) da Formiga*, *Chácara do Ceu*, and *Casa Branca*, and *Morro da Vila Cruzeiro*.

The GPAE program is organized on three levels. Firstly, it is under the command of the commander general of the Rio de Janeiro military police. The office of the commander general is in charge of the development of the program, its orientational

12 For more information on the former undersecretary of research and citizenship and public security reforms implemented during his tenure, see Soares, 2000.

13 From 2000 to 2002, the governor of the state of Rio de Janeiro was Anthony Garotinho, from 2002 to 2003 the position was filled by Benedita da Silva and since 2003 Rosina Matheus Garotinho (the wife of the former governor Anthony Garotinho) is the state governor.

doctrine, and the strategic, tactical, and operational development needed for its successful implementation. Secondly, the planning, execution, and control of all operational activities fall under the jurisdiction of the Special Operations Unit Command (*Comando de Unidades Operacionais Especiais* – Cmdo UOpE). Lastly, in order to support, coordinate, and control the various GPAE units the special areas policing command (*Comando de Policiamento em Áreas Especiais* – CPAE) was created in 2005.¹⁴ The special areas policing command is responsible for the day-to-day functioning and the administrative matters of the various GPAEs around the state of Rio de Janeiro.

The special areas referred to in the name of this program are a politically correct term for *favela* communities. As explained in chapter three, although *favelas* have existed in Brazil since the late 19th century, they were largely ignored and abandoned by the Brazilian government throughout most of the 20th century (Lowry, 2003). Efforts to police Rio's *favelas* have historically involved the traditional militarized model of policing. This typically consists of targeting the poor and marginalized, entering *favelas* heavily armed and in force, using brutal and repressive tactics against its residents, and engaging in shoot-outs with suspected drug traffickers that often leave many civilians dead or injured (Huguet, 2005; Dowdney, 2003). This model has resulted in a negative image of the police amongst *favela* residents. When asked whom they fear most, the majority of residents cited the police first. One long-time *favela* resident stated; 'I am thirty-eight years old and since I was ten, I have seen the police beat up and kill my neighbors and friends' (Justiça Global, 2004). Among residents who have witnessed police brutality for so long there is a sense of resignation and a belief that the police will never change.

This long-running state repression of the *favela* population of Rio de Janeiro was briefly interrupted during Brizola's tenure as state governor. Brizola attempted to control police excesses and forbade them from entering the *favelas* without judicial permission. As highlighted in chapter three, the lack of police presence in the *favelas* during the Brizola years had its own disastrous consequences. Soares and Carballo intended to find a lasting solution to the high rates of violent crime in the *favelas* and the state's use of violence to repress this crime through the implementation of community-oriented policing. Before the commencement of this program, the police forces of Rio de Janeiro never had a daily presence in the *favelas*.

This policing group is an alternative to the traditional policing practices in the *favelas* in Rio de Janeiro and is based on the notion that all communities in the state have a right to police protection. It establishes the police as a permanent, interactive presence within popular communities for the first time. The officers assigned to the special areas policing group work within the framework of the community-oriented policing philosophy (Olmos, 2002). They attempt to integrate the state services with other agencies, civil society, and the community itself. The basic goals of the GPAE program are an increase in the integration of poor communities, cooperation between the police

14 Interview with the then chief of the Policing Special Areas Command (CPAE – *Comando Policiamento Areas Especiais*), 30 November 2004.

CHAPTER 5

and community residents, and a decrease in violence.¹⁵ Police officers assigned to the GPAE program were trained to be aware of, and to respect the rights of others. The intention was to teach them that it was not just their duty to protect the elite from the masses but that the masses were worthy of protection as well (Soares, 2000). To bring about these changes, and better police-community relations, community-oriented policing in Rio's *favelas* was implemented through the observance of the three basic rules. Under the GPAE program there are supposed to be no armed people in the neighborhood, no children involved in drug trafficking, and no abuse of citizens by the police (Dowdney, 2003; Olmos, 2002; Garotinho et al., 2000). The adherence of police officers to GPAE's rules mean serious implications for human rights and could serve to increase police compliance with the right to life, freedom from torture, arbitrary arrest, equal treatment, and the proportional use of force.

Box 3: Another World

I visited GPAE in the *Pavão-Pavãozinho-Cantagalo favela* for the first time in July 2003. I met the major in charge at the top of the sprawling *favela* where GPAE had established a small office, which included a meeting room where police officials could meet with community representatives. After I spoke to the major about the project, he escorted me around the *favela* so I could see the effects of GPAE and speak to the residents about their experiences. During our tour of the *favela* three other military police officers with the rank of soldier accompanied us. Although incredibly friendly these police officers were heavily armed and wore bulletproof vests. Each had two holstered revolvers, additional ammunition, and a semi-automatic weapon in their hands. This was in contrast to the major who did not wear a bulletproof vest and only carried his normal, military police-issue weapon. According to him, the military police soldiers wore the bulletproof vests not so much for protection but because their many pockets and sections made it easy for them to carry their cell phones and other belongings. During our tour around the *favela* we only encountered a few residents, most of whom seemed to be in a rush to go somewhere. While I spoke with them, I noticed that the three military police soldiers seemed calm yet alert as if the possibility of an attack was not completely unlikely. After my visit I had the distinct feeling that the *Pavão-Pavãozinho-Cantagalo favela* was undergoing a fleeting moment of calm that would soon slip away as will be detailed in the following section.

5.4.7 Community Policing Patrols

Along with the three community-oriented policing practices described above, the Rio de Janeiro military police force also conducts community-policing patrols in certain neighborhoods. These patrols are the closest things to what is internationally regarded as community-oriented policing (Kelling and Coles, 1997; Wycoff, 1995). Initially, when the community-oriented policing philosophy was introduced in Rio de Janeiro, there were those individuals within the military police who believed that they already

15 Interview with the then Community Policing Coordinator, 28 October 2003.

practiced community-oriented policing.¹⁶ According to them, the nature of the preventive policing carried out by the military police includes direct contact with the population. Furthermore, the military police help to orientate those who are lost, rescue the injured, take the ill or wounded to hospital, conduct rounds of schools and tourist locations, and a number of other people-oriented, non crime-fighting activities (Oliveira Muinz, 1999). Yet what differentiates these activities from those involved in the community-oriented policing is the participation of the community members, the permanence of officers in the communities they patrol, and the relative autonomy of the responsible officers.

Interviews with those involved in the planning and the implementation of community-oriented policing in Rio highlight the importance of constructing a solid and constructive relationship between the police and the community.¹⁷ Officers taking part in community-oriented policing activities are taught to have, as their primary preoccupation, the preventive resolution of the problems they encounter in the communities to which they are permanently assigned. This permanence means that community-policing officers get to know, and develop a strong relationship with, the people they are policing. This factor demands a change in the tendency in Rio de Janeiro to constantly change or move officers around as substitutes for those law enforcement officers that are on holiday or absent from duty. The other drastic change to traditional policing practices in Brazil is that under the community-oriented policing philosophy, individual law enforcement officers require more independent decision-making responsibilities. Community policing officers need to be able to evaluate a situation, make decisions, resolve the problem, and prevent future difficulties from taking place. These officers take responsibility for the situation and their actions, effectively making them the 'mini-bosses' of the areas in which they are assigned to work. This requires a degree of decentralization that is rare in the highly centralized and hierarchical military police forces in Brazil.¹⁸

In Rio de Janeiro, community-policing patrols are primarily undertaken in residential neighborhoods with active residents' associations. As is the nature of big cities, neighborhoods in Rio are rather heterogeneous. Therefore the community policing patrols inevitably include some businesses and commercial centers. The neighborhoods patrolled are divided into several areas that are small enough for the community policing officers to patrol on foot.

In this initiative, community-policing officers serve as a direct link between the police organization, public organizations, and the members of the community. Through direct, personal, and daily contact with the communities they serve, community-policing officers have increased communication with, and an understanding of, the

16 *Idem.*

17 Interview with the then director of the military police academy for patrol officers (CEFAP – *Centro de Formação de Praças*) and later the chief of the Policing Special Areas Command (CPAE – *Comando Policiamento Areas Specias*), 24 November 2003. Interview with the then Community Policing Coordinator, 22 January 2004.

18 As mentioned earlier, the military police force has a very steep hierarchical structure and a strict distinction between the ranks. In this system the ideas of lower-rank officers are usually not heard or respected.

population they serve. The intensity and frequency of the contact between the police and the community also makes the police directly responsible to the population. This allows for better relations between the police and the community and also increases the feeling of security in the neighborhood.

Box 4: Just Another Summer Day

The summer season brings with it the influx of thousands of tourists to Rio de Janeiro. The majority of these tourists congregate in the hotels, restaurants, and the beaches of Copacabana and Ipanema. While police presence in these areas is always visible it is now even more so through the initiative of the community policing patrols. Instead of only being seen in police cars driving along the main beach boulevard and parked in the shade of a tree, community policing patrol officers are on foot and pounding the streets. These police officers are spotted day and night, walking along the boulevard, standing outside shops and juice stands, even patrolling the sand on foot or in beach buggies in a special beach uniform of shorts and a t-shirt. The constant presence of such a number of officers in this area certainly increases the general feeling of security of those in this area who fear robberies and other property crime.

As can be gathered by the descriptions of the various community-oriented policing practices in Rio de Janeiro, the main purpose of the initiatives is to decrease the distance between the police and the population and allow people to partake in the process of securing their neighborhood. The community-oriented policing initiatives described above brings law enforcement officials and community members together, allows them to get to know each other, and work towards a common goal. This increases community members' understanding of police work and procedures, and law enforcement officials' understanding of community members' opinions and concerns regarding security and the community they live in. Cooperation, communication, and understanding between the two parties decrease the likelihood of conflict occurring between them and demilitarizes policing in Rio de Janeiro by requiring the police to take the community and its concerns into account. Not only does this mean that police officers and community members get along better, but it also means that community members know and recognize law enforcement officials who indulge in abusive behavior. In this way, members of the community can recognize law enforcement officials who abuse their power. And a good, open relationship between community representatives and high-ranking police officials can ensure that abusive officers are held accountable and problems are resolved. Therefore, if implemented successfully, community-oriented policing can improve police compliance with the right to life, to be free from arbitrary arrest, to equal treatment of citizens, and to the proportional use of force. In this section, I have described the community-oriented policing initiatives that are currently being implemented in Rio de Janeiro. In the following section, I will examine the day-to-day functioning of these initiatives in two neighborhoods in Rio de Janeiro.

5.5 REALITY ON THE GROUND: COMMUNITY-ORIENTED POLICING PRACTICES
IN TWO RIO DE JANEIRO NEIGHBORHOODS

As has been described above, community-oriented policing is implemented through four main initiatives in Rio de Janeiro. The process, experiences, and functioning of these initiatives differs although their main goal is the same: to improve police-community relations. In this section, I will focus on how the community-oriented policing initiatives described above have actually been implemented. While conducting fieldwork in Rio de Janeiro, I focused extensively on two neighborhoods where community-oriented policing practices had been implemented. The two neighborhoods chosen were Copacabana and *Pavão-Pavãozinho-Cantagalo* as they were the sites of the initial community-oriented policing pilot programs. Community-oriented policing was initially implemented in the neighboring areas of Copacabana and Leme in 1991 and later in 1999 and the *Pavão-Pavãozinho-Cantagalo favela* was the location of the pilot GPAE project. The special areas policing group has been implemented in this neighborhood since 2000. Although I accompanied military police officers conducting community policing patrols in downtown Rio de Janeiro and visited the second GPAE location at the *Morro do Cavalão*, in Niteroi, my research, and the information presented in this section, focus predominantly on Copacabana and *Pavão-Pavãozinho-Cantagalo*.

5.5.1 Copacabana

As described above, community-oriented policing initiatives in Rio de Janeiro were initially implemented in the neighborhood of Copacabana in 1991. This pilot project was abolished but community-oriented policing was implemented once again in Copacabana in 1999 and since then it continues to bring law enforcement officers and community members in Copacabana together to discuss their concerns, possible solutions, and practical strategies in order to implement these solutions for greater cooperation between the two parties and increased safety in the neighborhood. There is considerable police presence on the streets of Copacabana. Police officers are visible and available day and night, not just driving in cars but also walking amongst the population, standing on street corners, and in community policing posts that are placed a few meters apart down the length of the main avenue in Copacabana. This enables people to interact with and have access to police officers whenever they wish and increases the general feeling of comfort and security in the neighborhood.

Apart from the community policing patrols, police officers and community members of Copacabana also participate in the community breakfast and community security councils. These meetings are well attended by the representatives of the Copacabana Residents' Association, the Businessmen's Association of Copacabana, and the Friends of Copacabana Association. These groups are vocal, well organized, and committed to participating in the promotion of public security in their neighborhood. They frequently organize meetings amongst themselves and maintain contact with the many apartment complex committees. This enables them to have a better understanding of the problems experienced, and concerns voiced, by community members in various parts of Copacabana. Therefore they are better able to represent their community both

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in meetings with local police commanders and patrol officers and also in front of a broader audience such as that at the 'First Forum of the Community Security Councils: Construction of New Paths' (*1º Fórum dos Conselhos Comunitários de Segurança: Construindo Novos Caminhos*) attended by the police and community representatives of all the community security councils in the city of Rio de Janeiro.

In terms of the police, it is primarily the higher-ranking officials and specialized police officers that attend these meetings. This occurs not just on a statewide or municipal level but also on a local level. Community representatives usually meet with the commander of the local military police battalion or the chief of the local civil police station and some specialized officers assigned to oversee the implementation of community-oriented policing. It is quite common for these individuals to have received training or been briefed on how to interact with the community and resolve conflicts. It is important to have the support and involvement of those responsible for policing in a particular area, especially since it is difficult to accomplish anything in Brazil without the consent of a superior. Yet this alienates regular police officers from the discussion and decision-making process. These officers do not feel as if they are an integral part of the project. They simply follow orders and do not have a say in the project on a deeper level. It is difficult for the lower-rank officers to take community-oriented policing seriously because it does not alter anything for them or for their daily policing duties.

'This community-oriented policing project is just for show. It does not really mean anything. Nothing has changed for us or the way we work. We continue to patrol the streets and do what we have always done. We do not get to voice our opinions or discuss the problems we encounter in doing our jobs. They just tell us what to do.' (Male, 23, Military Police Soldier, 19th battalion).

Another problem with relying primarily on higher-ranking and specialist officers in dealing with the community is that these officers are frequently transferred or choose to take up other positions. Although being transferred is a common occurrence for police officers from all forces and all ranks, the transfer of high-ranking officers can really jeopardize a program such as community-oriented policing. In Brazil, it is common for a large portion of high-ranking civil and military police officials to be transferred or relocated when a new state government is appointed. When a new political party wins the elections for the state government they appoint a new chief of civil police and a general commander to the military police and freely promote and transfer chiefs of civil police stations and commanders of military police battalions. Often this means that a high-ranking military police official who is very involved with the community and actively promoting community-oriented policing in the neighborhood over which his battalion has jurisdiction can be transferred after a few years. This leaves the community to rebuild a relationship with the new commander who may or may not be enthusiastic about community-oriented policing.

This is also the case with specialized police officers, some of whom have received training in human rights, community-oriented policing, and conflict resolution given by international organizations, such as the Red Cross. Much of the process of implementing a community-oriented policing program depends on these specialized officers,

this is also the case with the GPAE program. Yet these officers are often transferred or choose to pursue their career elsewhere for personal or monetary reasons.¹⁹ Not only does this mean a loss of knowledge but also a loss of guidance and enthusiasm that these specialized officers convey. As lower-rank officers are only involved in the practical elements of patrolling the streets and making arrests, this knowledge and enthusiasm has usually not been passed on to them. Therefore when high-ranking or specialist officers relocate, the programs they were in charge of often do not have anyone to guide, or take responsibility for them. This was one of the criticisms most fiercely voiced by community representatives at the 'First Forum of the Community Security Councils: Construction of New Paths'. Community members were frustrated with the frequent changes in military police commanders and civil police chiefs assigned to battalions and stations in their neighborhoods. According to one community representative (Female, 52, Small Business Owner):

'In my community we try so hard to establish good relations with the police. We attend all the meetings, we cooperate, and when you finally feel like you are getting somewhere they go and transfer the commander or the community-oriented policing officer. People who don't know anything or don't care often replace them. Not only do they not ask us about the transfer, they don't even tell us about it. One day the old commander is gone.'

Despite changes and transfers community-oriented policing continues to be implemented in Copacabana. The programs, and the authorities involved in implementing them, have been successful in incorporating the community members, getting the police and the community to communicate with each other, and to work together to secure the neighborhood and improve their quality of life. Police officers are increasingly on the streets and are accessible to the population. Although law enforcement officers and community members have a good relationship and are often seen conversing with each other, due to the size of the neighborhood and the non-involvement of lower-rank patrol officers in the meetings with community members, the community members do not know all the police officers responsible for patrolling their neighborhood by name (Oliveira Muniz, 1999). Cooperation between the police and the community has also ensured that the streets and squares of Copacabana are better lit and that the doormen of apartment complexes in Copacabana are offered courses in crime prevention and self-defense tactics to decrease the number of burglaries carried out.

These successes may have improved the relationship between police officers and community members and allowed them to work together towards some common goals. Yet they have not decreased the community members' feelings of insecurity. Whereas studies suggest that the actual rates of crime have decreased since their peak in the 1990s and are now leveling out, feelings of insecurity have actually been increasing (Mesquita

19 For example, the major who created the GPAE program left his job in Rio de Janeiro to take a position at the Ministry of Justice in the capital, Brasilia, whereas another major, the latest in the line of community-oriented policing experts within the military police in Rio de Janeiro, resigned from the police to take a better paying job within the Public Prosecutor's Office in Rio de Janeiro.

Neto, 2002; Rotker, 2000; Cano 1998). Constant news reports and discussion programs dealing with the rise in crime in Copacabana do not improve these feelings.²⁰ Although the neighborhood of Copacabana has one of the lowest rates of homicide in the city and state of Rio de Janeiro, the rates of property crimes that occur there are significant. A recent study revealed that crimes against the property of tourists have tripled in the past ten years (O Globo, 2004). In order to counteract these feelings of insecurity and to respond to the media focus on crime, the state government has launched other programs, such as operation maximum pressure²¹ and operation secure tourism,²² which are implemented at the same time as, and compete with, community-oriented policing as it is not the guiding philosophy of the military police in Rio de Janeiro.

The rampant feelings of insecurity are only amplified by reports that military police officers patrolling on foot or manning the community-oriented policing posts dotted around the main avenue in Copacabana are actually more likely to be at risk than to be able to provide protection to the population (Globo Reporter, 2004). According to these reports, these police officers are attacked themselves as they are usually patrolling or working in the posts alone and often do not have access to necessary resources such as telephones or radios. Therefore if an incident were to occur they would not be able to call for backup or assistance and since a solitary police officer would be unable to defend him or herself against a gang or armed group they are, in a sense, only providing a false sense of security to the citizens of Copacabana. Therefore despite their efforts to work together, promote security in the community, and improve the quality of life, the police and community members of Copacabana were not successful in increasing feelings of security in the community. This is primarily due to the increased concern about crime, especially property crime, and the continued perception that the police are unable to do anything about it.

5.5.2 *Pavão-Pavãozinho-Cantagalo*

The *Pavão-Pavãozinho-Cantagalo favela* is located in the south zone (*zona sul*) of Rio de Janeiro and is situated on a hill above the middle to upper-class neighborhoods of Copacabana and Ipanema. It is estimated to have a population of between 17,000–20,000 inhabitants (Justiça Global, 2004). Like the majority of *favelas* in Rio de Janeiro, it is a poor neighborhood marked by the absence of public services, and the dominance of criminal gangs. This particular *favela* was controlled by a branch of a prominent gang known as the Red Command (*Comando Vermelho – CV*).²³ As mentioned earlier, policing the *favelas* has generally taken the form of periodic repressive police invasions

20 Noted in the researcher's field notes on the basis of daily observations.

21 Implemented in November 2003 to crack down on criminal gangs especially those involved in the trafficking of arms and drugs.

22 Implemented in October 2004, this program involved patrolling the streets in search of homeless people, especially youths, who were thought to be robbing tourists. If found, the homeless were arrested and investigated, and if no outstanding warrant for their arrest was found then they were directed to a homeless shelter.

23 For more on the history and functioning of drug gangs in Rio de Janeiro, see chapter three or see Huguet, 2005, Barcellos, 2004, Peralva, 2000, and Lima, 1991.

IN WAR, THOSE WHO DIE ARE NOT INNOCENT

designed to combat the trafficking in illicit drugs. These actions often involve acts of indiscriminate aggression against *favela* residents (Justiça Global, 2004; Dowdney, 2003), thereby putting the residents in a difficult position between the repression of the police and state agents, and the violence practiced by the drug gangs, who take their revenge on anyone seen talking to or helping the police, once the police have conducted their searches and arrests and left the *favela* (Veenstra, 2006; Huguet, 2005).



Photo 13: *Pavão-Pavãozinho-Cantagalo favela*

In May 2000, a police operation against members of the Red Command that resulted in the execution of five youths by the police led to the mobilization of the community. The residents of *Pavão-Pavãozinho-Cantagalo* descended upon the streets of Copacabana in the thousands to protest against the violent, repressive behavior of the police (Dowdney, 2003; Olmos, 2002). This led the then undersecretary of research and citizenship, Luiz Eduardo Soares, and Major Carballo of the Rio de Janeiro military police, to form the special areas policing group (GPAE) with the intention of implementing community-oriented policing in the city's *favelas*. In September 2000, Major Carballo was assigned a hundred officers in order to implement the pilot project in the *Pavão-Pavãozinho-Cantagalo favela*.

Before the GPAE officers could enter the *favela* to implement community-oriented policing, the violent, criminal elements present in the *favela* had to be removed. In order to do this the Special Operations Battalion (*Batalhão de Operações Policiais Especiais* – BOPE), a specialized unit of the military police similar to the American SWAT, was sent in to occupy the *favela* and flush out the drug gangs. Prolonged police presence in the *favelas* causes violent shoot-outs and tense situations between the police officers and

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members of the drug gangs. But prolonged police presence is also detrimental to the drug trade practiced by these gangs, as drug shipments cannot be brought into the *favela*, repackaged, and sold while the police are around (Huguet, 2005; Dowdney, 2003). As the presence of the police negatively affects their trade and the money they earn from it, the drug gangs vehemently fight against the police occupation of their areas of trade. When they cannot do this, however, the drug gangs prefer to leave as the location is no longer profitable for them, and this is what happened in the case of the *Pavão-Pavãozinho-Cantagalo favela*. Once the BOPE had occupied the location and successfully driven the Red Command out, the community-oriented policing project and its officers could move in and begin to build a solid and positive relationship with the community members.

In the initial months of the GPAE project, Carballo transferred or fired over a third of his officers for bribery, extortion, violence, and mistreating citizens²⁴ (Dowdney, 2003; Olmos, 2002). These initial months were difficult as both the police and the community were wary of each other and were not completely open to working together and trusting each other. As is the case with the implementation of community-oriented policing in the neighborhood of Copacabana, implementation in the *Pavão-Pavãozinho-Cantagalo favela* is based on the police working together with the residents' association, local schools, churches, and other civil society groups. These parties met frequently to get to know each other, discuss the concerns of the community in relation to public security, and find ways to work together. Over time, the Rio de Janeiro neighborhood became nearly drug trafficking and violence free. For the first time in history, officers have a constant presence in the *Pavão-Pavãozinho-Cantagalo* neighborhood. According to Carballo, his officers have established a good relationship with the community and a mutual respect exists between the two parties (Olmos, 2002: 2). Since the implementation of community policing, the number of violent deaths per month in the *favela* are reported to have dropped significantly (Dowdney, 2003). The implementation of this program has improved the quality of life of the *favela* residents who are no longer constantly subjected to random acts of violence, have access to public services that were not available to them before, such as electricity, running water, and garbage removal because those agencies that provide these services were too afraid to enter the *favelas* prior to the implementation of this program, and enjoy increased feelings of security.

Although this is a promising evaluation of the implementation of a community-oriented policing program in one of Rio de Janeiro's crime-ridden *favelas*, recent reports suggest that violence and the killing of civilians by the police continue to occur (Amnesty International, 2005). In March 2002, a year and a half after the community-oriented policing program had been implemented, a man from the neighborhood was killed in a reported gun battle with the military police (Justiça Global, 2004; Viva Favela web bulletin, 2002). According to officers, the man was a drug trafficker who was shot in the neck by non-community policing officers and so the incident has nothing to do

24 Hinton (2006) suggests that this is because the worst police officers were initially assigned to GPAE as a deliberate attempt by the state government and the military police organization to undermine this program.

with the program. There has not been an investigation into this man's death or the actions of the police. In March 2004, GPAE officers in *Pavão-Pavãozinho-Cantagalo* shot and killed three young men in the neighborhood (Justiça Global, 2004). According to the officers, the victims were drug traffickers who were shot in a shoot-out with the police. The families of the victims and other community members believe that the three young men were innocent. They believe the crime was covered up by the GPAE officers who transported the bodies of the three victims to a nearby hospital, even though they were already dead, so as to destroy forensic evidence for any future investigation. In August 2004, GPAE officers were involved in the shooting of another young man in the *Pavão-Pavãozinho-Cantagalo* neighborhood (Justiça Global, 2004). This case is similar to the one above in that the police believe they shot a drug trafficker while the community believes that the police executed an innocent man and tried to cover up the evidence. After these and other similar incidents in *Pavão-Pavãozinho-Cantagalo*, the community members conducted numerous demonstrations against police violence and demanded justice in their neighborhood and also in the surrounding neighborhoods of Copacabana and Ipanema. Instead of listening to the complaints of the community members and investigating the above mentioned cases, the then state secretary of public security, Anthony Garotinho, stated that anyone found demonstrating and interfering with public order would be charged with association with trafficking and considered a criminal²⁵ (Justiça Global, 2004; Folha de São Paulo, 2004).

Since these incidents a new high-ranking military police officer has been assigned to lead the GPAE program in the *Pavão-Pavãozinho-Cantagalo* neighborhood and violence in the neighborhood is down again. Yet these incidents suggest that violence continues to be a daily problem for Rio de Janeiro's poor citizens. This is because although the GPAE officers are a permanent police presence in the *favela*, other police units, including the specialized BOPE, continue to conduct operations into the *favela*. These operations are similar to the repressive military police operations described earlier. This causes problems not just between the police and the community but also between the GPAE officers and the BOPE officers.

'We experience a lot of difficult in the community-oriented policing areas where the BOPE unit enters. They do not know the population and therefore distrust them, which causes all sorts of problems. The BOPE, they shoot first and occupy the location and think about talking later. They enter the *favela* with fear and this creates many difficulties for us.' (Male, 40, Major, GPAE).

While the BOPE unit conducts its operations, the GPAE officers must take a back seat. They are powerless to do anything. After the BOPE operation ends and the specialized unit officers leave the *favela*, relations between the police and the community remain rather tense for some time. It takes time for the two parties to trust each other again and for things to return to normal but eventually they do because the community members realize that it is better to work within the GPAE program, even though it is not perfect, than to go back to what they had before. With the GPAE program the community

25 Through a broader interpretation of Law 6368/76, which criminalizes drug trafficking.

members know and recognize the GPAE officers because they are permanently placed within the neighborhood. Therefore if a GPAE officer commits a crime or abuses his/her authority he/she can be held responsible. This is not the case for the BOPE officers who are not placed in any particular community and therefore do not have any personal relations with the community and can also not be recognized and held accountable by them.

The GPAE project has been applied to other *favelas* in Rio de Janeiro (Justiça Global, 2004; Garotinho et al., 2000). The general idea behind the project is to install a regular police presence in the *favelas* and win the cooperation and respect of the locals. In the *Vila Cruzeiro favela*, community-oriented policing is implemented in the form of heavily armed police officers making their way through the zigzagging streets of the *favela* with their weapons drawn, peering around each corner for snipers (Justiça Global, 2004). The local community continues to live in fear of both the police and the drug gangs. Locals suspect that the project will not last, and when the community-oriented police officers withdraw from the *favela* the gang leaders will take revenge on anyone who cooperated with the police. Other reports suggest that the reason why crime and violence have decreased in some of the *favelas* is that GPAE officers allow the gangs to continue selling drugs.²⁶ In some cases, these GPAE officers are involved with the drug gangs and are receiving a share of the profits from the drug trade and in other cases they simply do not have enough manpower or guns to take on the drug gangs. The police are unable to fight and defeat the drug gangs as they have access to more sophisticated and powerful weaponry than the police. Therefore they have to find a way to coexist peacefully in the same location and this is by the police allowing the drug trade to continue as long as the drug gangs agree to put an end to the violence. In some *favelas*, it is common for the GPAE officers to become involved in criminal activities.²⁷ In order to prevent this, the authorities have decided to transfer them frequently to other units so that they do not become corrupt. Although this may achieve the goal of keeping the police officers from indulging in crime, it goes against one of the basic tenants of community-oriented policing.

Five years after it was implemented in the neighborhood of *Pavão-Pavãozinho-Cantagalo*, the GPAE project still seems to be in its initial stages. So far, it has only been implemented in four of Rio de Janeiro's more than 600 *favelas*.²⁸ Of all the GPAEs, the pilot project and the second project in *Morro do Cavalão* seem to have had the most success. The GPAE officers have a good relationship with the community members in *Pavão-Pavãozinho-Cantagalo* and *Morro do Cavalão* and the two groups have been able to overcome their differences and work together to improve the quality of life of the residents.²⁹ Yet the successes of this project are dampened by the continuation of

26 Anonymous interview, 28 October 2004.

27 Interview with the then Community Policing Coordinator, 22 January 2004.

28 Interview with the chief of the Policing Special Areas Command (CPAE – *Comando Policiamento Areas Specias*), 30 November 2004.

29 Based on the researcher's observations and interviews with the captain in charge of GPAE at the *Pavão-Pavãozinho-Cantagalo favela* and the major in charge of GPAE at the *Morro do Cavalão favela*, 5 July 2006.

repressive, violent operations carried out by other military police units. As demonstrated by the case of *Pavão-Pavãozinho-Cantagalo*, the reality of the GPAE programs is also dependent on the military police officials in charge of each individual location. Therefore the outcome of this program fluctuates with the commitment of the high-ranking official assigned to oversee the implementation of the program. The other GPAE projects have not yet taken off in the sense that the police and the community have not yet learnt to trust each other and work together towards a common goal. This process is hampered by the long history of police violence against the poor, black residents of Rio de Janeiro and the long-running belief amongst the police that all *favela* residents are involved in crime and drug trafficking (Justiça Global, 2004; Dowdney, 2003). Garotinho's recent broader interpretation of the law against trafficking, through which residents of *favelas* who demonstrate against police actions or otherwise disrupt public order can be charged with association with trafficking, further aggravates this problem. In order to adhere to the true nature of the project, the military police authorities will have to find a way to increase the level of confidence between the police officers and the citizens.

Yet during her term in office, Governor Rosina Garotinho planned to expand the GPAE project to include other *favela* communities, some of which have previously expressed an interest in the project. In order to facilitate this, the governor, along with the commander general of the military police, created the Policing Special Areas Command (Comando Policiamento Áreas Especias – CPAE). CPAE was created in November 2004 to coordinate the activities of the GPAE units around the city. According to the first Commander of the CPAE unit (Male, 55, Military Police Colonel):³⁰

‘The individual GPAEs have the same philosophy, and a common focus but they do not function in the same way as the locations where they are implemented are different. The idea of CPAE is to bring the individual units together, coordinate their activities, learn from each example to be able to reproduce the program in different communities.’

The commander of CPAE is to act as the middleman between the commander general of the military police and each GPAE unit. He has organized seminars so that each unit can meet and discuss their progress with him and each other and a conference in which each GPAE community presented what the project entails in their neighborhood. By presenting and discussing what is working well and what is not, the individual units can learn from each other's experiences and improve their own work. The commander appointed in 2004 has been moved to another position and has been replaced by another military police colonel who is enthusiastic about the task that lies before him. It remains to be seen whether he is able to pick up where the first commander left off, coordinate the activities of the existing GPAE units, increase their successes, and oversee the inclusion of new locations into the program.

30 Interview with the chief of the Policing Special Areas Command (CPAE – *Comando Policiamento Areas Especias*), 30 November 2004.



Photo 14: A view of the inequality in Rio de Janeiro, with the affluent Ipanema neighborhood to the right and Cantagalo *favela* to the left

In this section, I have focused on community-oriented policing in two neighborhoods in Rio de Janeiro: Copacabana and *Pavão-Pavãozinho-Cantagalo*. I described in detail the content, process, and method through which community-oriented policing is implemented in these two neighborhoods. Due to the divergent nature of their histories and the type of programs implemented, the reality of community-oriented policing in these two neighborhoods is rather different as well. Yet community-oriented policing initiatives in both neighborhoods have faced similar challenges. These have included the population's general distrust of the police, a lack of consistency in the programs and those who are responsible for them, the continuation of high levels of crime and even higher levels of insecurity, and the conflict of community-oriented policing initiatives with traditional policing practices or special operations. In the following section, I will describe how the citizens of Rio de Janeiro perceive community-oriented policing.

5.6 PERCEPTIONS OF COMMUNITY-ORIENTED POLICING AMONGST CITIZENS OF RIO DE JANEIRO

Considering that community-oriented policing programs require a degree of community cooperation and aim to improve citizen perception of the police, increase citizen involvement in the security of their neighborhood, and enhance citizen feelings of security, it is important to explore how community members experience these pro-

grams. Therefore, I conducted a survey³¹ amongst the citizens of the city of Rio de Janeiro in order to gauge citizens' feelings of security, perceptions of the civil and military police forces, and experiences with key public security reform strategies, such as community-oriented policing. Although citizens' perceptions of the strategies, the police, and security in general are reserved for chapter eight, I will discuss some preliminary perceptions in this chapter as they are relevant for the analysis of community-oriented policing. Some of the findings of the survey will be discussed in this section.

Firstly, it is important to identify how widely the four community-oriented policing programs are known in Rio de Janeiro. Have the citizens of the city of Rio de Janeiro heard about these programs and what they entail? When asked whether they had heard of the community-oriented policing initiatives, the majority of the survey respondents said that they had not. The table below summarizes the responses.

Table 4: Citizen Knowledge of the Community-Oriented Policing Programs

Have you heard of the community-oriented policing programs?	Percentage (%)
Yes	34.8
No	64.3
No response	1.0
Total	100

As can be seen from the table above, the majority of the respondents in this survey had not heard of the existence of community-oriented policing programs in Rio de Janeiro. This means that those involved in the implementation of community-oriented policing in Rio de Janeiro still have their work cut out. As the experiences of other cities and countries with community-oriented policing suggest, informing the population about the program and getting them involved is one of the most important elements of the programs (Mesquita Neto, 2004; Trojanowicz and Bucqueroux, 1998). Therefore, it is imperative that community-oriented policing in Rio de Janeiro be given more publicity. A focus on informing and involving the population would likely raise the percentage of respondents who had heard of the programs from the current level.

Following this, it is valuable to question how citizens of Rio de Janeiro perceive the community-oriented policing programs they have heard of. Therefore the 34.8 percent of the respondents who had heard of the community-oriented policing programs were then asked how they would classify the program, to which a majority of the respondents answered 'good'. The table below summarizes the responses.

31 The survey consisted of both open and closed questions and was directed towards 800 respondents in various neighborhoods in the city of Rio de Janeiro in December 2004 and January 2005 by a team of fourteen researchers. The total non-response was 12.8 percent. For methodological details see chapter one and appendix one, for more survey findings see chapter eight.

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Table 5: Citizen Evaluation of the Community-Oriented Policing Programs

In a general sense, how would you classify the community-oriented policing programs?	Percentage (%)
Excellent	24.5
Good	53.6
Not positive, nor negative ³²	5.8
Bad	3.6
Poor	6.4
No response	6.1
Total	100

The table above demonstrates that although only approximately thirty-five percent of the respondents had heard of the community-oriented policing programs, a majority of them considered the programs to be of a good or an excellent nature. This suggests that although community-oriented policing programs are not widely known amongst the population of the city of Rio de Janeiro, they are well regarded by those who have heard of them. When questioned why they had classified the community-oriented policing programs as they had, those who were positive about the programs said it was because the programs encouraged police-citizen cooperation, allowed the community to get to know the law enforcement officials in their midst, could resolve people's problems, and brought more security to the neighborhoods. On the other hand, those who were not satisfied with the programs stated that it was because of continuing police violence, corruption, and the community's lack of confidence in the police.

The respondents in the survey were also questioned how, in their opinion, it would be possible to improve the community-oriented policing programs in Rio de Janeiro. The suggestions they offered were as follows: increase the number of police officers involved, increase the amount of cooperation between the police and the community, increase the amount of information provided to the community, and expand the programs to include other neighborhoods as well. Community members also voiced these opinions during community security council meetings. People, like the community member quoted below, want to be more informed and involved in the implementation of the program.³³

‘Listen, I come to these meetings and give my time for community-oriented policing because I think it’s a good idea. It’s a good idea, you know. And sure it’s nice to sit here, talk, and get to know all of you better. But is that all we want to do? Is that all

32 One of the terms provided to survey respondents in the question ‘how would you classify the model police station program?’ was *regular*. This Portuguese term is difficult to translate in one word but it essentially designates something that is neither good nor bad.

33 Author interview, 5 November 2004.

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we are supposed to do? Shouldn't we be more involved in the day to day running of this program? Don't you want more information? I do!! I want to know what is happening in my neighborhood. I want to have a say in the decision making. I want to be more involved.' (Male, 28, student).

Despite the continuing problems with the community-oriented policing programs and the work that needs to be done in the future to improve the program, the citizens of the city of Rio de Janeiro seem to be generally positive about the influence of the programs in the city. This is further demonstrated in the following table, which shows that approximately eighty percent of the population of the city of Rio de Janeiro thinks community-oriented policing programs could help diminish the level of violence in their city.

Table 6: Citizen Perception of the Ability of the Community-Oriented Policing Programs to Decrease Violence

Do you think that community-oriented policing programs could help decrease violence in the city of Rio de Janeiro? ³⁴	Percentage (%)
Yes	79.3
No	19.3
No response	1.5
Total	100

The findings displayed in the table above clarify that the majority of respondents to which this survey was directed did think that community-oriented policing programs could contribute to a reduction in the violence in the city of Rio de Janeiro. If they have the ability to decrease violence in Rio de Janeiro then they could also enhance citizens' feelings of security. This suggests that the citizens of Rio de Janeiro do have a certain amount of faith in the potential and future of the community-oriented policing programs in their city. Community members also echoed this perception of the community-oriented policing programs during interviews and local meetings. Though as the quote below suggests, this is often because community-oriented policing is perceived to offer more than traditional policing.³⁵

'You must be wondering why we continue to support and participate in this program? Well let me tell you, because there is simply nothing else. I have lived in Rio for over 40 years and this is the first program that has included us people – the community. The first one that encouraged cooperation between the community and the police and was not only focused on guns, power, and violence. I support it

34 This question was posed to all survey respondents, those who had heard of community-oriented policing in Rio de Janeiro and also those who had not but were informed about the basics of the programs before the final questions were posed to them.

35 Author interview, 25 November 2004.

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because it is better than nothing, better than what we had before.’ (Male, 47, teacher).

Through the use of survey and interview data this section has shed some light on how the citizens of Rio de Janeiro perceive the community-oriented policing programs currently being implemented in their city. The data have shown that a majority of respondents had not heard of community-oriented policing programs. The minority who had heard of the existence of community-oriented policing were largely positive thereover. In addition, the respondents gave reasons as to why they perceived the programs as positive or negative and suggestions on how to improve the project. Despite the problems associated with the programs and their implementation, an overwhelming majority of survey respondents thought that community-oriented policing could help decrease violence in Rio de Janeiro. This suggests that there are still a large number of people that believe in the potential of community-oriented policing.

How are these community-oriented policing programs perceived by the military police officers involved in them? In the following section, I will highlight the experiences of high and low-ranking police officers with community-oriented policing in Rio de Janeiro.

5.7 HOW LAW ENFORCEMENT OFFICERS EXPERIENCE THE PROGRAMS

The perceptions of law enforcement officers about community-oriented policing programs are about as divergent and diverse as the programs themselves. As mentioned earlier, community-oriented policing programs in Rio de Janeiro are predominantly the domains of the military police. Within the military police it is typically the lower-rank patrol officers, known as *praças*, who can be seen on the street.³⁶ The higher-ranking officers, known as *oficiais*, normally hold office jobs as battalion or unit commanders, plan operations, communicate with the military police central command, cooperate with community members, and maintain responsibility for those they command. There is a great distinction between the experiences of lower-ranking patrol officers and higher-ranking officials. In this section, I will examine how both high and low-rank military police officers perceive the community-oriented policing programs currently being implemented in Rio de Janeiro.

5.7.1 The View From the Top

The higher-rank officials I interviewed were considerably more positive about the community-oriented policing initiatives than the lower-rank officers. This may be because the higher-rank officials have a broader, more idealized vision of the programs, what they can achieve, and what these achievements might mean for the status of the Rio de Janeiro military police in Brazil and around the world. It is unclear whether these higher-rank officials are truly optimistic about community-oriented policing

36 For details on the military police ranks and hierarchy, see chapter three.

initiatives in Rio de Janeiro or whether they are pressured to maintain a positive demeanor for the sake of public relations. The community-oriented policing initiatives currently being implemented in the state of Rio de Janeiro have the support of the state governor and the state secretary of public security. These two individuals have a great influence on the status and assignments of the higher-ranking military police officers. Therefore high-ranking military police officials may be promoting community-oriented policing initiatives in Rio de Janeiro in order to secure their own futures.

Regardless of their motivation, the higher-ranking officials seemed to believe that community-oriented policing initiatives could improve the relations between the military police and the community. They believed that the police officers involved in these projects would learn skills that would improve their way of policing and interacting with the community. All this would lead to better policed neighborhoods and less critical, more appreciative citizens. A military police colonel involved in training officers to engage in community-oriented policing had the following to say about the influence of the officers' newly acquired skills:³⁷

‘Community-oriented policing teaches officers to think first in order to resolve the situation. They do not have to reach for their guns immediately, which is often the first instinct of police officers encountering a new situation. They will learn to think and evaluate the situation first. Once they read the situation they are in they will be able to deliver the best and most appropriate response. And that is what community-oriented policing is about: assisting people to the best of your ability.’ (Male, 55, Military Police Colonel, Military Police Academy).

Along with learning to think and evaluate their actions and their possible consequences before acting, the higher-ranking officials believe that community-oriented policing initiatives improve patrol officers' abilities to create and maintain interpersonal relationships. According to these officials, working in the community-oriented policing programs encourages patrol officers to communicate with, and understand the community they are policing, as voiced below by a military police colonel involved in community-oriented policing initiatives in Copacabana. This means that they have better insight into why certain problems occur, why people behave the way they do, and how best to respond to them. Knowing this will allow them to deal with problems more effectively and even to stop certain situations becoming problems.

‘Working closely with a community forces law enforcement officials to disregard the notion of us and them, that they are different, or better than the population. Their interpersonal relationships with the community members allow them to better understand them. By understanding what is going on around them, these patrol officers are better able to do their jobs and handle the situations they are faced with.’ (Male, 45, Military Police Major, 19th battalion).³⁸

37 Author interview, 3 March 2004.

38 Author interview, 12 December 2003.

Lastly, positive perceptions about the community-oriented policing programs were related to the fact that police involvement in projects with the community would allow them to tap into information and knowledge available in the community that would help them with other police operations and investigations. These officials believed that by communicating and cooperating with the community they would, in essence, be privy to invaluable information that could be used for other police objectives. Although this is understandable and a common perception of police forces around the world, community-oriented policing should involve working together and is not intended to be a way for the police to use the community for their own needs (Mesquita Neto and Loche, 2003; Bayley and Rosenbaum, 1994). Especially if the information received may endanger the life or well-being of the informant as is the case in the Rio de Janeiro *favelas*.

5.7.2 The View From the Bottom

The lower-rank officers, on the other hand, were not so positive about the community-oriented policing programs or their involvement therein. Many patrol officers believed their jobs and daily experiences were the same after the implementation of community-oriented policing as they had been before. They continued just as they had done before. According to these officers nothing had changed, not even the way they interacted with the population. A deep class divide continues to exist within society and the police organization. This means that people are policed and treated differently depending on who they are and whom they know. A soldier with the military police summed up the history of this gulf and its significance in terms of policing:³⁹

‘The system within the police and society in general, is very hierarchical. This system of subordination of the poor to the rich goes back to the time of the Portuguese colonization. When the Portuguese royal court and the nobles moved to Rio a system was created which judged the worth of people based on what their position in society was, who they were, and who they knew. In those times people excelled because they were friends of the king or one of the nobles. That is how the country and our policing system developed – unequally. And that remains to this day, people with connections are treated differently than people without. Nothing has changed.’ (Female, 26, Military Police Soldier, 19th battalion).

This historical inequality is so entrenched in society and within the police that nothing remains untouched or uncorrupted by it, not even community-oriented policing (DaMatta, 1981). The police treat people differently depending on who they are, what they look and dress like, and where they live. This behavior is only encouraged by the higher classes who frequently ask, ‘Do you know who I am?’ to deter a search when stopped by the police. Police officers who value their careers learn not to bother or disturb the upper classes and those people with important political connections (Ramos and Musumeci, 2004). Therefore policing actions inevitably turn to the lower classes.

39 Author interview, 15 December 2003.

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Police officers tend to have a strong image of who they consider to be a criminal suspect. This person is inevitably a young, poor, black male (Ramos and Musumeci, 2004; Oliveira Muniz, 1999; Cano, 1998).⁴⁰ Even though these are the characteristics of the majority of lower-rank military police officers as well. The presence of this clear image of what a criminal suspect looks like in the minds and dialogue of lower-rank patrol officers means that poor, young, black men are frequently stopped and searched or arrested without any evidence of criminal activity (Ramos and Musumeci, 2004). This continues to occur despite the implementation of community-oriented policing programs and the improved relations with the community that it brings. Below a military police sergeant comments on the continuation of discriminatory practices against the poor, black population of Rio de Janeiro, even in community-oriented policing areas.

‘The military police in Rio arrest approximately four people an hour. That is almost a hundred people a day. There is not even any room for them in the jails and prisons. Many, up to 80%, are not even criminals, they are simply arrested because my colleagues think their most important duty is to fight crime and they see someone who looks like a criminal. We arrest someone simply because they fit a profile of what we view as a criminal, someone who is poor and black.’ (Male, 38, Military Police Sergeant, 19th battalion).⁴¹

Other lower-rank military police officers interviewed were negative about the community-oriented policing programs because they believed the programs were not effective against the high incidents of violence and drug trafficking in Rio de Janeiro. According to some officers, valuable military police resources were being directed towards programs that have no tactical or operational value. Not only were these community-oriented programs considered to be unsuccessful in the war against crime and drugs, but they were also thought to embolden the drug gangs and criminal elements. The corporal quoted below explains this on the basis of his own experiences with the GPAE program in the *Pavão-Pavãozinho-Cantagalo favela*. Many officers voiced their support for more repressive programs and operations that they believed would eradicate crime and make the city safer. These officers are certainly not on their own; many of Rio de Janeiro’s citizens and also the right-wing news media support repressive, vindictive policies, as long as they are not used against them of course (Cabral Gontijo, 2004; Mesquita Neto, 2002; Rotker, 2000). The support for these policies becomes more forceful as the drug gangs become bigger, stronger, and better equipped.

‘These community-oriented policing programs serve no purpose other than opening up dialogue between the police and the community. But what is the point of this dialogue when all the communities tell us to do is be tougher on crime and we cannot do that because we are too busy talking to people. If someone points a gun at you, or shoots at you, you cannot try to talk to that person, or give them flowers,

40 For more information on racial profiling and discrimination in military police stop and search tactics, see Ramos and Musumeci, 2004.

41 Author interview, 8 November 2004.

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you have to be tough. Up here on the hill⁴² we cannot afford all these fluffy things, otherwise the criminals will laugh at you. Up here we have to come down hard on the criminals and anyone who sympathizes with them, and show them who is boss.’ (Male, 34, Military Police Corporal, GPAE).⁴³

Lastly the lower-rank patrol officers complained about the segregation the community-oriented policing initiatives created between community policing and non-community policing officers. As mentioned above, community-oriented policing in Rio de Janeiro has only been implemented in some locations, using some of the militarized officers available. It is not a statewide strategy that has been incorporated as the primary philosophy of the military police as is the case in São Paulo. This means that in the same city, neighborhood, and even in the same battalion there are law enforcement officers who take part in community-oriented policing and those who are involved in other policing operations and actions. This creates a sense of division and distrust between the two sets of officers. Generally, the non-community policing officers do not take community-oriented policing and those that are involved in it seriously. They do not consider community-oriented policing to be real police work and make fun of the officers involved in it. The community-oriented policing officers are considered to be lazy workers who take it easy by simply talking to people and sitting around having coffee and cake with them. This perspective of community-oriented policing initiatives is common the world over. Community-oriented policing officers are widely considered to be sissies who do not conduct real police work (Skogan, 2003).

This criticism does not apply to GPAE officers as all the military police officers know that working on the top of a *favela* all day and keeping it from returning to the hands of the drug traffickers is no joke. Unlike regular community-oriented policing officers, the GPAE officers are respected for what they do. Yet these officers have the BOPE operations into the *favelas* to contend with. Their attempts at controlling the *favela* and maintaining the peace are often jeopardized by the rash decisions and aggressive behavior of the specialized unit. The BOPE operations must be allowed to continue because they are seen as invaluable to winning the war against crime and drugs. Therefore although the GPAE officers are respected in their own right, they still must see their hard work brushed aside during the BOPE operations and return to building a trustworthy, fruitful relationship with the community once life in the *favela* returns to normal.

Therefore, as we can see above, the higher-ranking military police officers that I interviewed were predominantly positive about community-oriented policing and its influence on police work. These officers believe that community-oriented policing teaches extra skills thereby allowing officers working with the community to better understand people and their concerns. This understanding in turn allows them to prevent problems from occurring in the first place, and dealing more effectively with problems when they do occur. Not only does this help them with their work but also keeps the community satisfied, further improving the relations between the police and

42 Slang term for a *favela*, due to the fact that they are predominantly located on hillsides.

43 Author interview, 16 December 2004.

the community. Lower-ranking military police officers, on the other hand, were not enthusiastic about community-oriented policing. They believe that community-oriented policing programs do not change the reality of police work and therefore are simply there for show. Whereas others think the programs should be scrapped because they make police work more difficult or interfere with the main task of the military police, which is winning the war against crime and drugs. This distinction between the perceptions of the higher ranks and the lower ranks further highlights the steep hierarchy within the military police that makes it possible for the higher ranks to have completely different experiences and perceptions from the lower ranks.

5.8 FACILITATORS AND IMPEDIMENTS

Community-oriented policing aims to improve the relationship between citizens and the police by encouraging the two parties to work together to solve problems proactively and ensure the better provision of security. As it is created by politicians with these own motives, implemented within the military police organization which has its own distinct culture, and requires the cooperation of the population, community-oriented policing, like other strategies covered in this book, is influenced by institutional and societal factors that either facilitate or impede its implementation. I will now examine the factors that either act as facilitators in assisting the successful implementation of community-oriented policing in Rio de Janeiro, or as impediments in opposing it.

5.8.1 Facilitators

The factors that facilitate the implementation of community-oriented policing in Rio de Janeiro are as follows:

5.8.1.1 *Political Backing*

The initial attempts to implemented community-oriented policing in Rio de Janeiro were interrupted due to a change in the state government from a governor and state secretary of public security who believed in community involvement in policing and wanted to curtail police abuses to a governor and state secretary of public security who supported repressive, tough-on-crime policies. Following this initial attempt, community-oriented policing was reintroduced by the Garotinho government in 1999 and carried on during his tenure and that of his wife's as well. Anthony Garotinho supported the implementation of community-oriented policing as a way for citizens to get involved in the provision of their own security as a means to decrease feelings of insecurity in Rio de Janeiro. Considering the importance of the support of the state government in the success of a strategy, the fact that the community-oriented policing initiatives described in this chapter were created and implemented by the state government means that political backing is a facilitator in the implementation of community-oriented policing.

5.8.1.2 *Well-educated chiefs*

The other factor that facilitates the implementation of community-oriented policing in Rio de Janeiro is the presence of well-trained high-ranking police officers who are given the responsibility to oversee the implementation of community-oriented policing and act as examples for the low-ranking police officers. The majority of these high-ranking police officers are specially trained in community-oriented policing and interaction with the population. Therefore they are able to liaise with community representatives, provide a good face to a new program, and motivate the low-ranking police officers under their command. Considering the hierarchical nature of the military police organization and the influence that high-ranking officials have on implemented initiatives it is imperative that the higher ranks are well-versed in the details of community-oriented policing and are able to monitor those under them to ensure that the theory of community-oriented policing is implemented in practice.

5.8.1.3 *Police Known and Recognized by the Community and Vice Versa*

As part of the implementation of community-oriented policing, the police increasingly conduct patrols on foot, meet with neighborhood representatives, and work together with the people in the area under their jurisdiction to solve problems and find common ground. Due to these activities and increased contact with the population, the police are increasingly known and recognized by the people they police and they also get to know the people they police better. This is likely to break down stereotypes that both groups hold of each other as research on ethnic minorities and profiling suggests that police officers who patrol minority neighborhoods are less likely to believe stereotypes about the minority group (Open Society Justice Initiative, 2006). An improved relationship between the police and the community, based on a better understanding of each other, is likely to ensure the continuation of the project therefore police officers being known and recognized by the community and vice versa is a facilitator of community-oriented policing.

5.8.2 **Impediments**

The factors that impede the implementation of community-oriented policing in Rio de Janeiro are as follows:

5.8.2.1 *Population's Mistrust of the Police*

One of the biggest impediments to the successful implementation of community-oriented policing in Rio de Janeiro is the population's mistrust of the police in general. This mistrust is rooted in years of police misconduct and police actions for the benefit of the state and the elite and not in the service of society. Due to their mistrust of the police, many people are not willing to work together with the police and give the community-oriented policing program a chance. As police cooperation with citizens forms the basis of community-oriented policing, the population's mistrust of the police

and people's unwillingness to work with the police certainly presents an impediment to community-oriented policing.

5.8.2.2 *Crime and Violence*

Another big impediment which has also dogged community-oriented policing in the past is the pervasiveness of crime and violence in Rio de Janeiro. As detailed in chapter three, General Cerqueira scrapped the community-oriented policing project in 1995 because he considered it unsuitable for Brazilian reality. There are many people who agree with him, who consider the violent context of Rio de Janeiro to be no place to implement an essentially North American and European philosophy. As highlighted in the sections on the perceptions of citizens and military police officers concerning community-oriented policing, these people consider community-oriented policing to be a waste of resources and support the implementation of repressive measures to counteract the rise in crime. Additionally, the peculiarities of crime and violence in Rio de Janeiro and the strength of the drug trade in the city lead to concessions being made in the implementation of community-oriented policing that go against the theory of community-oriented policing. For example, as mentioned earlier, community-oriented policing officers in certain areas of Rio de Janeiro patrol with machine guns and in other areas police officers are frequently transferred so that they do not become involved in criminal activities. Both these compromises complicate the basic intention of community-oriented policing, the establishment of a close working relationship with the population.

5.8.2.3 *Locations indicated by politicians not the police or the community*

The fact that the locations where the community-oriented policing initiatives are implemented are chosen by the state governor and not the police or the community or by the groups in cooperation with each other is another impediment to the success of this program. This means that the decision regarding where to implement community-oriented policing is based on political considerations and not on information on local problems provided by the police or the openness of the community to the program. For example, a few *favela* communities have expressed interest in the GPAE program, yet despite the enthusiasm of the communities, for whatever reason the governor has decided not to implement community-oriented policing in these communities yet.

5.8.2.4 *Frequent changes in police chiefs*

Lastly, as mentioned in this chapter, the high-ranking police officers responsible for implementing community-oriented policing in a particular neighborhood are frequently transferred depending on the needs of the police organization and the tendency for successful police officers to be offered better positions either within the police organization or within the larger criminal justice system. This means that the contact established between the chief and the community is lost, and the community is left to build up contact with the new chief. Not only is this disruptive for the community, it is also

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problematic for lower-ranking police officers who have to adjust to the preferences and focus of the new chief after every change. As highlighted in the case of GPAE, a change in the high-ranking police officer in charge of implementation can drastically alter the outcome of the initiative. Therefore consistency in police chiefs is important and frequent changes in those responsible for overseeing the implementation of community-oriented policing initiatives act as an impediment to the successful implementation of community-oriented policing.

5.9 ASSESSMENT OF COMMUNITY-ORIENTED POLICING FROM A HUMAN RIGHTS PERSPECTIVE

The implementation of community-oriented policing in Rio de Janeiro, especially in the low-income neighborhoods, is a drastic move for the military police as it requires police officers to step away from traditional, repressive policing tactics and embrace a new philosophy of policing that involves communication and cooperation with the community. Community-oriented policing calls for police officers to listen to community members and work with them to find solutions. This shift from eliminating the enemy and obeying orders coming from above, to serving the population necessitates the demilitarization of the military police. In general, community-oriented policing aims to increase contact and trust between the police and the community and involve citizens actively in guaranteeing their security. The increase in communication and cooperation envisioned by community-oriented policing decreases the likelihood of police abuse, has the potential to improve a law enforcement official's adherence to the rule of law, and increases the probability of police officers being held accountable for their actions. In this sense, community-oriented policing can be seen as a police human rights strategy that has the potential to improve police compliance with the right to life, liberty, and security, the right to be free from arbitrary arrest, detention, or exile, equal treatment under the law, and the proportional use of force.

The implementation of community-oriented policing has increased police presence and visibility in neighborhoods. In areas where community-oriented policing programs have been implemented, community-oriented policing officers are now a permanent feature in neighborhoods that they previously only used to enter heavily armed and with the intention to conduct drug sweeps or arrests. They are also seen conducting patrols on foot and conversing with citizens more frequently. This has increased the contact, communication, and cooperation between the police and the population. Yet the majority of patrol officers interviewed believed that nothing had changed and the community-oriented policing programs were only for show. This is probable because although there is increased contact between the police and the population, the majority of this contact involves high-ranking military police officials and not low-rank patrol officers. The patrol officers are still expected to follow orders and do as they are told so for them the content and day-to-day realities of their jobs have not changed.

In addition, citizens involved in the community-oriented policing programs do not feel part of the decision-making behind the programs and their implementation. The citizens are able to establish ties with law enforcement officials, offer their suggestions,

and work together though they do not have any say in the practicalities of the programs. They can cooperate with the police but they have no control over the actions of the police. This distance from the programs means that although the community has better relations with the police there has been no increase in feelings of security among the residents of Rio de Janeiro. In fact, with the high rates of crime and violence and the media focus on them, feelings of insecurity are higher than ever. Yet the citizens of Rio de Janeiro do acknowledge that despite its problems, community-oriented policing provides them with a level of contact and communication with the police that they have never had before. The community-oriented policing program obliges the police and the citizens to cooperate in order to ensure a safer society and a better standard of life, thereby making community-oriented policing better than traditional policing in the eyes of the citizens.

Finally, community-oriented policing continues to be dogged by some of the same social problems that influence traditional policing. As the interviewed police officers explained, the military police continues to be a conservative organization geared towards its traditional role of serving the elite and controlling the poor (Amnesty International, 2005; Justiça Global, 2004; Cano, 1998), a feature of historical inequality that has seeped its way so deep into Brazilian society that it influences everything (DaMatta, 1981). It also influences community-oriented policing because military police officers know they are not supposed to disturb people from the high classes or those with connections. These military police officers also have a distinct image of what a criminal looks like – a poor, young, black male (Ramos and Musumeci, 2004). The military police's tendency to act on this stereotype and concentrate on the activities of people who fit their image of criminals essentially criminalizes poverty and results in an unequal application of the law (Justiça Global, 2004). In addition to this, high rates of crime and violence related to drug trafficking and the persistence of the military police in wanting to fight and win the war against crime and drugs also have negative consequences for community-oriented policing in Rio de Janeiro. Community policing officers are seen to be soft on crime and are not taken seriously by the rest of the police organization. Furthermore, community-oriented policing activities often conflict with other police goals or the activities of a special unit of the military police. Operations by police units with differing philosophies and goals confuse community members and jeopardize their trust in the police organization as a whole.

It remains to be seen whether community-oriented policing in Rio de Janeiro will overcome the impediments currently restricting it and expand into a statewide military police policy to equally benefit all the citizens of the state of Rio de Janeiro. Therefore, despite the fact that implementing community-oriented policing is a revolutionary move for the military police of Rio de Janeiro and that community-oriented policing has the potential to improve police compliance with human rights standards, the impediments detailed above make sure that community-oriented policing cannot reach its full potential in terms of its implication for human rights.

CHAPTER 5

5.10 CONCLUDING REMARKS

Community-oriented policing initiatives implemented around the world have had both advantages and disadvantages and this is also the case for community-oriented policing programs in Brazil. In Brazil, community-oriented policing was implemented not only to make the police more effective in terms of crime control and maintaining order but also to make it more responsive to the citizens and accountable to the community (Mesquita Neto and Loche, 2003). In reality, the philosophy of community-oriented policing has been implemented in a variety of ways in the different Brazilian states. In Rio de Janeiro, community-oriented policing has not been implemented as an overarching, statewide strategy as is the case in the state of São Paulo. In Rio de Janeiro, the military police organization is conducting community-oriented policing at the same time and frequently in the same neighborhoods as traditional military policing. The two forms of policing are implemented hand in hand, yet they do not always cooperate or work together as the experiences of the special areas policing group (GPAAE) in the *Pavão-Pavãozinho-Cantagalo* neighborhood have demonstrated.

Community-oriented policing in Rio de Janeiro is currently being implemented in the form of four programs. These programs are: Community Breakfast, Community Security Councils, the Special Areas Policing Group, and Community Policing Patrols. The main goals of these programs are increased communication, understanding, and cooperation between the police and the citizens, enhanced police presence in communities and an improved sense of public security. Although as discussed throughout this chapter, despite its successes and the opening up of dialogue between the police and the public, community-oriented policing initiatives in Rio de Janeiro have not been successful in demilitarizing policing and increasing feelings of security amongst the residents of Rio de Janeiro. As the initiatives continue to be implemented and expanded across the state of Rio de Janeiro, it remains to be seen whether they will be able to better live up to their intentions.

6 Professionalizing the Civil Police One Station at a Time: The *Delegacia Legal* Program

'The game is so large that one sees but a little at a time.'

Rudyard Kipling

6.1 INTRODUCTION

In 1999, the then state governor Anthony Garotinho created the model police station program (*Programa Delegacia Legal*¹ in order to augment the productivity and quality of the service of the civil police in the state of Rio de Janeiro. The model police station program uses continuous training for law enforcement officials, modern station surroundings, access to technology, and a restructuring of the process of police work in order to make the civil police more professional, accessible, and better able to attend to the population.² This program signifies the largest and most expensive shift in the *fluminense*³ civil police, its mentality, and procedures since the changes made during the beginning of the 20th century.⁴ Over the past seven years, more than 223 million Brazilian reais (R\$), approximately US\$ 89,655,448, have been invested in constructing and converting ninety-five model police stations across the state of Rio de Janeiro, supplying them with the technological equipment required, constructing eleven custodial homes in which to house criminal suspects, and employing the needed technical and administrative staff, a move that has created over a thousand jobs in the area of public security.⁵

In order to ensure the success of the program, Garotinho created the Executive Group (*Grupo Executivo*) to manage the model police station program. This is a body of civil police officers and civilians charged with overseeing the day-to-day functioning of the program, making the expertise of the creators accessible to the numerous police stations around the state where this program has been implemented, offering technical back-up, and ensuring that the program goals are realized.⁶ Although it is referred to as a monotonous body under the command of the civil police chief and the state secretary

1 A literal translation of this would be the Cool Station, as the Portuguese term *legal* is a popular term for something cool and hip. The creators of the project chose this name, as they wanted it to appeal to the masses, but also because the term means lawful. Therefore these stations are advertised as being cool, modern, and lawful at the same time.

2 In this way extending the philosophy of community-oriented policing to the civil, investigative police.

3 The Portuguese word for native or inhabitant of the state of Rio de Janeiro.

4 Interview with the then state secretary for public security, 27 November 2004. Interview with the then president of the institute of public security, 3 November 2004. Interview with the then coordinator of the Executive Group, 12 November 2004.

5 <http://www.delegacialegal.rj.gov.br/> Last accessed 15 November 2006. Interview with a representative of the Executive Group, 8 December 2004.

6 Interview with the then coordinator of the Executive Group, 12 November 2004.

of public security, the Executive Group employs civil police officers of different ranks, computer technicians, psychologists, social scientists, and management personnel who are committed to monitoring the cases registered within each station, offering advice, developing programs to better serve the needs of the police officers and to protect the data available on the model police station program computer network, and conducting research on crime and violence in Rio de Janeiro.

The first station to be converted, the 5th DP (*Delegacia Policial* – police station) near the downtown business district, was inaugurated in March 1999. Seven years later, there are ninety-five model police stations in the state of Rio de Janeiro, eight more are in the process of being converted, and Garotinho's successor, governor Rosina Matheus Garotinho, promised to continue with what her husband began.⁷ She intended to convert all 159 police stations in the state into model police stations by the end of her term in office in 2006 but this proved to be an unachievable goal (*Jornal da Polícia*, 2005).

In this chapter I will discuss the goals and physical layout of the model police stations, describe their day-to-day functioning, and highlight the key differences in comparison to the conventional police stations. I will then describe the differences between the model police stations themselves in the various neighborhoods of the city of Rio de Janeiro, explore why these differences occur, and discuss the perceptions of the key actors involved in the program. Following this, I will discuss what the program has achieved thus far, and highlight the factors that facilitate or impede the implementation of this program. Lastly, I will analyze the human rights implications of this program and its outcomes.⁸

6.2 KEY CHANGES: CONVENTIONAL POLICE STATIONS VS. MODEL POLICE STATIONS

The goals of the model police station program are to improve the productivity and quality of the service offered by the civil police in Rio de Janeiro, by training them to be more professional, to focus more on the various methods of investigation, and

7 When the governor in charge of implementing the program, Anthony Garotinho, resigned from his position in 2001 to run for president of the republic. He was replaced by Benedita da Silva from a different political party (PT) and although she did not inaugurate any new model police stations she did not abandon the program either. In 2003, da Silva was replaced as governor by the PMDB's candidate for governor, Garotinho's wife, Rosina Matheus Garotinho. After her husband lost the election for president, she promptly named him the state secretary for public security and they continued inaugurating new model police stations.

8 The model police station program has been mentioned briefly in reports by several Brazilian and international organizations, such as the Atlas Global Alliance, yet the only detailed study thereof has been done as part of an undergraduate thesis by Vivian Ferreira Paes at the Northern Fluminense State University in the town of Campos in the state of Rio de Janeiro. Therefore the majority of the information in this chapter is based upon my own fieldwork in the city of Rio de Janeiro.

successfully resolve more cases. By doing this it will increase the population's trust in the capacity of this police organization, trust that has been jeopardized by years of inefficiency and the widespread use of torture both during the years of the military dictatorship and after the return to democracy.⁹ The creators of the program aimed to re-establish the image of the police and diminish the distrust and fear that kept the population from entering the police stations. As part of the program, the existing police stations in the state of Rio de Janeiro were to be reformed on two levels, resulting in structural and cultural change, described in detail below. Keeping in mind the objectives of the model police station program and the substantial financial investments made, I will now discuss what sets the model police stations apart from conventional ones.

6.2.1 A Look inside a Conventional Police Station

Conventional police stations in Rio de Janeiro, and in much of Brazil, are so run-down and outdated that they are referred to as illegal by law enforcement officers. Officers assigned to both conventional and reformed police stations complained about the uncomfortable working conditions and difficulties encountered while working at the conventional police stations and welcomed the structural and technological changes involved in the model police station program.

'The conditions in a conventional station, or should I say illegal station, are really very different. Often there is no electricity and water, and sometimes the phones do not even work. I do not know how any police work gets done there. It is a very unpleasant experience.' (Inspector, 21st DP).

'There are many problems with conventional stations that need to be changed. We refer to them as illegal stations because the name really fits. It is difficult to work due to the lack of resources but the most serious problem is the presence of the criminal suspects. Their presence makes the station smelly, noisy, and chaotic, and makes everyone tense.' (Shift Chief, Police Station for the Repression of Organized Crime – DRACO).

'Our main disadvantage is that we do not have access to information and technology. We do not have computers nor are we connected to other stations via a network. There are piles of paper like this everywhere in the station, it is difficult to be organized, and even the smallest tasks take a very long time.' (Inspector, 4th DP).

The differences between the converted and conventional police stations became obvious to me even before I entered them. Take, for example, the 4th DP that is housed within Rio de Janeiro's central station – a hub of bus, train, and pedestrian activity in the heart of downtown Rio. Despite its central location, the 4th police station has yet to be converted into a model police station. This means that when I walk up to the dark, dilapidated building I am unable to see what is going on inside. Upon entering

9 For more information see Huggins, et al., 2002; Archdiocese of São Paulo, 1986.

the station I come face-to-face with a civil police officer, wearing jeans and a button-down shirt with the buttons open halfway down to his chest, sitting behind a typewriter. If I wanted to ask for directions, enquire about a shelter or another social assistance program, or register a crime I would have to wait in line for this police officer. Once I was attended to and decided to register a crime in a police report (*Bulletim* or *Registro de Occurência - BO*), I would have to stand in front of the reception desk and describe the sequence of events in front of everyone while the civil police officer typed. I would receive one of the five copies of the police report and another copy would be filed at the station for future reference. Since there are no computers at conventional police stations like the 4th DP, my paperwork would be added to the already full room of case files. If a suspect was arrested in my case he would be brought in through the same reception area where I would be waiting to register or registering the crime. He would be locked up along with the rest of the suspects and convicts in the building, perhaps for the entirety of his sentence contributing to the noise and tension in the air of the station. The conventional police stations are not air-conditioned nor are there telephones or drinking fountains available for the citizens to use. On a few of the occasions when I conducted research within the conventional police stations, there was no water and therefore the bathrooms were out of use. Despite the state of most of the conventional police stations there was always one room that was an exception: the office of the station chief (*delegado(a) titular*), a civil police officer with a law degree who is responsible for all the shifts and employees within a station. The office of the station chief in conventional police stations has an air conditioner, a computer, comfortable chairs and couches, a television, and bookshelves filled with books. The hierarchy within the civil police is clearly visible in this situation.

6.2.2 A Look inside a Model Police Station

In contrast, the nearby 5th DP, which is the pilot station of the model police station program, is rather inviting. There are a few plants and places to sit outside the station. The transparent glass entrance door allows the employees and their actions to be completely visible both to citizens seeking assistance and those passing by. This decreases the mystery surrounding police actions and makes the law enforcement officials more accessible to the population. The 5th DP is well lit, air-conditioned, and its bathrooms, telephones, and drinking fountain are accessible to everyone. These seemingly small changes seem to lead to a big difference in that the more vulnerable members of the homeless population, who used to fear the police, have begun spending the night next to the station where they know they will be safe and can have access to toilets and water. Civil police officers working in a model police station are required to wear jeans or trousers with shirts and ties to work in order to give them a more professional image. The station chiefs (*delegado(a) titular*)¹⁰ and shift chiefs (*delegado(a)s*) set an example by wearing suits, but there seemed to be some resistance amongst the rest of the staff and not everyone adhered to this rule as I will discuss later in this chapter.

10 For details on the civil police organization and structure, see chapter three or Mingardi, 1992.

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Photo 15: Entrance of a *delegacia legal*

Upon approaching the reception desk in a model police station one is greeted by a social assistant or an intern. The social assistant is a civilian employee with a degree and work experience in the field of social science, psychology, social work, or communication. The interns are university students within the same fields who volunteer at the stations for a six-month period. From hereon, social assistants and interns will be jointly referred to as social attendants. Although the social attendants cannot dispense legal advice since they are not law enforcement officers and do not have legal training, they are able to help the population in a variety of other ways depending on the type of assistance needed. In the case of lost documentation, the social attendants would register the types and numbers of the lost documents into the model police station program computer network and the individual seeking assistance would receive a form stating that his or her documents had been lost and giving him or her permission to request another copy of the documents to be issued. In the case of a legal, but not criminal matter, the social attendants would search for an agency or lawyer that could better assist the client. In the case of individuals requiring social assistance the social attendants would refer the client to various agencies and programs specializing in the matter. Lastly, in the case of a crime, the victim(s) and/or witness(es) details would be entered into the model police station program computer network and then the case would be passed on to a law enforcement official who would enquire about the details of the incident and take the statement of all the parties concerned in order to fill out a police report and register the crime. Along with the process of registering a crime and beginning an investigation, which is conducted by civil police officers, the social attendants

are also able to offer social support to victims of certain violent crimes. This support is available for all victims if they ask for it but for victims of sexual abuse, rape, domestic violence, and attempted murder, the social attendants always take the victim(s) to a private room to discuss the incident and the various possibilities the victim(s) have.¹¹

6.3 DAILY FUNCTIONING OF A MODEL POLICE STATION

The changes brought about by the implementation of the model police station program encompass various aspects of the physical structure of the station, the division and assignment of work amongst employees, the day-to-day realities of police work, the officers' manner of behaving and working, and the supervision and control of individual officers. The essential characteristics of the model police station program that are implemented in the converted stations throughout the state of Rio de Janeiro, and set them apart from the conventional police stations, are:

6.3.1 Culture

The primary difference is the importance and continuity of training. Before civil police officers can begin working within a model police station they are required to attend initial training sessions¹² on the idea behind the program, the importance of investigation, investigation methods, the Brazilian code of penal procedural, human rights, equality, notions of psychology, computers and the software used, and firearms training among other things.¹³ After the successful completion of this course the officers are entitled to an increase of R\$ 500 (US\$ 200) in their monthly salary as long as they continue their training by logging in at least twelve hours of training per month within the police station, at the police academy, or via internet distance learning. This is the first time there has been such an emphasis on studying and training within the civil police in Rio de Janeiro.

In addition, as mentioned above, in model police stations, a citizen's initial interaction is not with a law enforcement official but with social attendants who work at the reception desk. The social attendants are trained to attend to the population, direct people who do not wish to report a crime to other relevant agencies, and pass on the crimes to be registered to the police officers. Removing police officers from the reception desk allows them to focus on registering and investigating crimes, and delegates the responsibility of attending to the population's social needs to those trained for the job. In order to keep police officers involved in their own activities, administrative matters, maintenance, the stocking of needed materials, and the functioning of equipment is also managed by a non-law enforcement official. This civilian office

11 For example, access to psychological counseling or safe houses.

12 These sessions are in addition to the six-month training period attended by all civil police officers, for more information on training see chapter four.

13 Interview with the then coordinator of the Executive Group, 12 November 2004. Interview with the then *delegado titular* of the 5th DP, 28 November 2003.

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manager is basically charged with matters relating to the day-to-day functioning of the station.

Police officers working in model police stations are individually responsible for investigating each of the crimes that they register regardless of the type of crime. In the conventional police stations, all crimes are registered by the civil police officer manning the reception desk and then the chief of the station assigns a police officer to investigate each registered case. Often one officer is made responsible for similar cases, such as drug-related crimes or kidnapping, which increases the officer's risk of becoming involved in crime and corruption but also prevents the officers from learning different methods of investigation. This is not the case in the model police stations. With the assistance of computer programs that form part of the model police station program, station chiefs and shift chiefs are able to better coordinate investigations and closely supervise each law enforcement officer.



Photo 16: Public telephones inside a *delegacia legal*

6.3.2 Structure

Furthermore, the model police stations have a more welcoming environment and better access to technology. The model police stations are equipped with glass entry doors, air-conditioning, an open layout, new furniture, bright lighting, clean and functioning bathrooms, public telephones, and a drinking fountain thereby making the stations modern, functional, and more accessible, providing comfort to the citizens, and better working conditions for the law enforcement officers. The noisy, old typewriters used in the conventional police stations have been replaced by computers, printers, scanners,

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digital cameras, internet, intranet, and links to other model police stations via a network, access to other databanks, new cars, and better firearms.

In the model police stations a back door is provided through which criminal suspects arrested red-handed are brought in so as to avoid contact with the victim(s) and/or witness(es) who are waiting in the reception area of the station in order to register the crime. During this process of registering a crime, the suspect is digitally photographed, and his/her image is loaded onto the computer and into the model police station program network. The suspect is fingerprinted in the old-fashioned way but digital fingerprinting is currently being introduced in the model police stations. In cases where no suspect is arrested, victims who saw the perpetrator are given the opportunity to browse the digital photographs available in the entire network. Suspects can be searched for on the basis of age, sex, race, height and weight, distinguishing physical characteristics, address, location of the crime, modus operandi, known accomplices, aliases etc.

Arrested suspects can be identified by victim(s) and/or witness(es) in an identification room, which has two entrances and is divided by a one-way mirror. During their time within a model police station suspects are housed in custodial rooms. There are two such rooms in each model police station, one for male and one for female suspects. The rooms are 4m², have an open toilet for the suspect's use, and a window through which the suspect can converse with his or her lawyer, and be provided with food. The suspects are only housed in these rooms temporarily, usually for about three to four hours but always less than twenty-four hours, before they are transferred to a custodial house. By eliminating the longer-term holding cells within the police stations, the creators of the model police station program have improved the environment of the police stations, reduced the stress experienced by the police officers, reduced the opportunity to abuse prisoners, and eliminated activities such as feeding, guarding, and transporting prisoners that interfere with the civil police officer's primary tasks of registering and investigating crimes. In addition to this, the governor has opened eleven custodial houses around the state to which over six thousand suspects, awaiting trial, have been transferred. Five more custodial houses are being constructed and more penitentiary guards are being hired in order to incorporate the suspects being sent by the model police stations.

In addition, each model police station includes an auditorium equipped with chairs, a dry-erase board, and a television set and video which may be used for training sessions, meetings between a particular shift and their respective shift chief, and debates with the community concerning public security. The model police stations are also equipped with a wheelchair-accessible ramp, handicap bathrooms, and telephones to make the police stations accessible to the handicapped population. Each civil police officer has access to the same software and follows a uniform procedure for entering the needed information; this information is secure, may be accessed by the police officer at a later date, and becomes part of the statistics about the station and reported crimes in Rio de Janeiro accessible by the Executive Group and other model police stations. Finally, each converted station is connected to the central database and is therefore able to access information about crimes that have occurred within the jurisdiction of other model police stations.



Photo 17: Average desk inside a *delegacia legal*

6.3.3 Layout

Although model police stations have an open plan, with the offices of the station chief and the shift chief being the only ones with doors, they are divided into various different sections. The reception desk, also known as the social assistance desk, is immediately in front of the entrance doors. The other sections of the model police station are: the preliminary investigation area, which is composed of the desks immediately behind the reception desk where police officers initially register a crime in the form of a police report. The desks of the complementary investigation area are placed further back in the model police station, or on a separate floor. They are usually occupied by police officers continuing their investigation, reviewing the case, receiving witness, and writing reports etc. The three other sections of a model police station include the complementary investigation group (GIC - *Grupo Investigação Complementar*), the operational support section (SESOP - *Setor Apoio Operacional*), the police intelligence section (SIP - *Setor Inteligência Policial*), and the employees' area. These sections occupy different locations in the layout of the various model police stations. The complementary investigation group is a section occupied by a group of officers, usually assigned on the basis of their seniority, skills, or experience, who investigate the most serious crimes registered within a police station. They function much like a special case squad. The operational support section is manned by civil police officers responsible for administrative matters relating to investigations and operations. The police intelligence section is often located at the back of the model police station, an area which is only accessible

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to employees. This is where the custodial rooms are located, where the suspects are brought in to be searched, fingerprinted, photographed, and detained. The computers in this section are connected to the internet and can also be used to access all existing databases on crimes and criminal suspects. Each converted police station also includes a personal area for the law enforcement officials and other employees. This area comprises a kitchen equipped with a fridge, water cooler, microwave, coffee maker, and a small television, individual lockers for the employees' personal items, toilets and showers, and a male and female dorm room with bunk-beds for the officers to rest during night shifts.

Although Rio de Janeiro's model police stations may not seem revolutionary by European or North American standards, they are an immense step forward for the Brazilian civil police. The main objectives of this program are to improve the image of the civil police, decrease the population's fear of the police, and enhance the productivity and quality of the work of the civil police, especially in relation to their investigation techniques. This program can be seen as a way to professionalize the police due to its objectives and the manner in which it attempts to achieve them. Civil police officers are obliged to attend additional training before working in a model police station, they must continue to take courses while employed at a converted station, these civil police officers enjoy better working conditions, they have access to technology, are trained to focus on investigating crimes, and are closely supervised in their work. These changes mean that the population has access to clean stations and professionally dressed police officers, that they are received and assisted by social attendants; their cases are investigated by specially trained police officers who are not distracted by other tasks and who are better controlled by their superiors. In addition, the removal of jails from the civil police stations ensures that civil police officers no longer have the opportunity to indulge in the torture or abuse of suspects. By providing the public with a better quality, more professional, and less violent police force the model police station program functions as a police human rights strategy. The proper functioning of this program is likely to improve police compliance with people's right to the right to life, liberty, and security, to be free from torture, and other forms of cruel, inhuman, or degrading punishment, arbitrary arrest, detention, or exile, and their right to equal treatment under the law.

6.4 ARE ALL MODEL POLICE STATIONS CREATED EQUAL?: THE REALITY OF THE MODEL POLICE STATION PROGRAM IN DIFFERENT NEIGHBORHOODS

In theory, the model police station program remains the same regardless of the neighborhood it is implemented in. According to one senior civil police official, the program is implemented in the same manner around the state of Rio de Janeiro and is provided with the same resources, and although the chief of each station has discretion as to how to use the resources, technology, and intelligence available to deal with the problems and crimes specific to the area under his or her jurisdiction, the program itself remains

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equal.¹⁴ Despite being told this by several civil police officials, I decided I had to see for myself. I could not bring myself to believe that the model police station program was immune to the problems that plagued the rest of this unequal city, in a country that ranks as the 4th most unequal nation in the world.¹⁵

To begin with, I conducted research within the 5th district police station. The 5th DP was the first station to be inaugurated within the model police station program in March 1999. It is housed next to the Executive Group, and around the corner from civil police headquarters in the central, historical district of Lapa/Lavrado. A large portion of Rio de Janeiro's downtown business district falls within the jurisdiction of the 5th DP. The 5th DP is seen as the ideal example of what the model police station program can accomplish for several reasons. Its central location, proximity to two key organizations responsible for the successful implementation of the program, its status as the station that started it all, and the fact that many of the civil police officers who work there are highly experienced and also serve as instructors at the civil police academy are all contributing factors. It has been profiled in the police journal, a monthly newsletter released by the state secretariat for public security, as an example for all other model police stations to follow (*Jornal da Polícia*, 2004). As the 5th DP was the first police station to be converted as part of the model police station program and it was highly regarded by most senior civil police officials thereby allowing me to have easier access to the station, I decided it would be an appropriate location to observe how the theory of the model police station program is put into action. Therefore I made frequent visits to the 5th DP, attended follow-up training sessions with the police officers assigned to this station, conducted observations within the station, learnt how the model police station program computer network worked, accompanied the process of registering and investigating a crime, and interviewed the employees.

From my time at the 5th DP, I gained an understanding of what the program entails and how it should function, I was curious to understand how the same program was being implemented in other parts of the city. This curiosity was further heightened by conversations with civil police officers who made it obvious that there was more to the model police station program than what I was observing at the 5th DP.

'The 5th is the 5th; there is no other place like it.' (Station Chief, 5th DP).

'The 5th was the first (to be converted), it is a model, an example, but it is also an anomaly.' (Inspector, 5th DP).

I wanted to investigate whether the reality of the program was different depending on the economic status and social class of the area where it was implemented and over which it has jurisdiction. In order to do so, I chose to conduct in-depth research in two

14 Interview with the then assistant chief of the civil police, 5 November 2004.

15 Brazil scores 60.7 on the Gini index, a measure of income equality within a country. The poorest 20% of Brazil's population receive 2.2% of its income while the richest 20% receive 64.1% (World Development Index, 2002).

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Photo 18: The 5th DP in downtown Rio de Janeiro

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more model police stations within the city of Rio de Janeiro. I chose the 13th DP in Ipanema, an upper-class, residential neighborhood in the south zone (*zona sul*) and the 21st DP in Bonsucesso, a working-class, residential neighborhood in the north zone (*zona norte*).

The 13th DP was inaugurated on 28 December 2001. In the past five years it has gone from being a dark building that instilled fear into passers-by to a point of reference for community residents. The 13th DP has jurisdiction over part of the famous Copacabana beachfront neighborhood, and part of the less internationally renowned, yet more exclusive Ipanema beachfront neighborhood. High-rise apartments, beachfront restaurants, chic shops, and cafes characterize Ipanema. The majority of the neighborhoods in the city of Rio de Janeiro are not clearly divided on the basis of economic status and it is common to see expensive high-rise residential complexes next to *favelas*. The Copacabana and Ipanema neighborhoods are no different. There are a couple of shanty-towns within the jurisdiction of the 13th DP but it is nothing compared to the jurisdiction of the 21st DP.

The 21st DP was inaugurated on 24 April 2001 in a poor, violent neighborhood. The police station is immediately surrounded by forty-three *favelas*, and has over seventy *favelas* within its jurisdiction, some of which are considered the most violent and dangerous in the city.¹⁶ But there is more to Bonsucesso than just *favelas*, it is a regular residential neighborhood with a thriving commercial center, and is home to several universities. There are poorer neighborhoods in Rio de Janeiro than Bonsucesso, especially in the less-developed west zone (*zona oeste*), but I chose the 21st DP because there I would be able to observe something I could not at other model police stations: the interaction between the new, more professional civil police mentality and the illegal drug trade. According to numerous law enforcement officials, the jurisdiction of the 21st DP and the greater north zone is considered to be where real police work takes place and they recommended that I should carry out research there before attempting to write anything about the model police station program.

‘You should conduct your research at the police station in Bonsucesso. This is nothing. That is the location where real police work takes place. You will observe many differences there. Even the police officers will be different.’ (GIC chief, 5th DP).

‘The 21st DP, now that’s the site of real, tough police work. They say it is like hell on earth.’ (Civil Police Official, Executive Group).

Although they were clearly part of the same program, the three model police stations where I conducted in-depth research were different in various ways. The differences,

16 In Rio de Janeiro, and several other Brazilian cities, hillside shanty-towns, or *favelas*, have come under the control of armed gangs. These gangs take advantage of the gaps left by the state in providing for the population of these shanty-towns, and the difficulty the police experience in navigating the narrow, steep streets, so that they can sell illegal drugs from strategic points within the shanty-towns. For more information see chapter three, Veenstra, 2006, Huguet, 2005, Barcellos, 2004, or Dowdney, 2003.

which I will discuss below, ranged from the demeanor of the law enforcement officials towards the population, what the law enforcement officials considered to be their main purpose, the type of supervision offered by the station chiefs and the amount and kinds of crimes commonly registered and investigated at the station.

6.4.1 First Impressions

All law enforcement officials assigned to a model police station are expected to wear a shirt and tie to work. This rule was put into place in order to make them appear more presentable and professional looking.¹⁷ Yet while the station chiefs of each of the three stations wore suits, the rest of the law enforcement officials did not always follow. The shift chiefs and the officers at the 5th DP all wore shirts and ties though not always happily. Some officers complained that instead of spending the extra R\$500 they earned, working at the model police stations, on their families they had to spend part of it on clothes for work which they considered to be a waste. Despite their discomfort and their resistance to change, the law enforcement officials assigned to the 5th DP maintained their professional appearance until the end of their shift or the end of the day¹⁸ when shirts began to be untucked and ties began to be loosened. This was not the case in the 13th and 21st DPs. Most officers in the 13th DP wore jeans and t-shirts to work. Some of them began the day in shirts and ties but the shirts soon became untucked, the ties discarded, and the buttons opened and soon the officers began looking just like those in conventional stations. At the 21st DP not even the shift chiefs were professionally dressed (unless they were expecting a visitor or had an important meeting to attend) so there was not much of an example for the other law enforcement officials to follow. The typical dress code at the 21st DP was t-shirt, jeans, and sneakers, though some officers continued to stick to the traditional ‘button-down shirts open to the chest’ look that is common amongst the rest of the civil police.¹⁹

17 Before the implementation of the model police station program, civil police officers were able to wear whatever they wanted. This usually meant that they wore jeans and t-shirts or half-sleeved, button-down shirts open to the mid-chest region.

18 When I began my research in October 2003, police officers in Rio de Janeiro were working twelve-hour shifts from 8am to 8pm or from 8pm to 8am. In February 2004, the state secretary for public security decided to reintroduce the twenty-four hour shift that had been in place before stating that this gave the officers more time in which to fight crime. The officers then began to work from 8am on one day until 8am on the following day, and then they have three days off.

19 The differences in the dress code between stations may also be a reflection of the norms of the neighborhood in which these stations are located. Button-down shirts and ties are common in the downtown, business district over which the 5th has jurisdiction but would be considered out of place in the lower-class neighborhood of Bonsucesso over which the 21st DP has jurisdiction. In this neighborhood, jeans and t-shirts are much more common so police officers wearing them blend into the crowd better than those wearing more formal attire.

6.4.2 Communication Skills

Another immediately observable difference between the three model police stations researched is the way in which law enforcement officials communicate with the citizens. At the 5th DP, all the desks were occupied by police officers attending to the population. This does not mean that every case was handled immediately, in fact there was often a long waiting line (the workload will be discussed later in this chapter), but the officers made sure that they attend to each citizen as soon as they completed registering the previous case. The officers went to lunch alone or in pairs and made sure that their breaks were staggered²⁰ instead of leaving the station at the same time so that there were always officers in the station registering and investigating cases and the process did not come to a standstill.²¹ During my time at the 5th DP, victims, witnesses, and citizens seeking assistance were always treated with respect. This does not mean that every case was taken seriously and registered in a police report, however. Instead, every citizen was attended to as soon as possible, his or her statement and concerns were listened to, the civil police officer then explained the situation to him or her patiently, and dispensed the relevant advice.²² At the 13th DP, usually only one of the three preliminary investigation desks was occupied by a civil police officer. If the case being registered by this police officer was complicated and required an extensive amount of time then this created a backlog at the attendance desk. Yet this backlog was not attended to by other officers resulting in a line of unsatisfied citizens. This was a cause for concern for the social attendants working at the 13th DP.

The social attendance coordinator at the Executive Group conducts frequent meetings with the social attendants of each model police station to discuss problems encountered, offer advice, reinforce the regulations, and make sure social attendance operates up to the standard expected. In several meetings with the social attendants of the 13th DP, the social attendance coordinator emphasized the importance of attending well to the citizens, especially as members of the Executive Group and their friends resided in and around the jurisdiction of the 13th DP. The social attendants were advised to take care as it was not always obvious who in this upper-class area had contacts at the Executive Group and who did not and it was important not to allow them the opportunity to give a bad report about the service offered at the 13th DP. According to a social assistant at the 13th DP, this put them in an awkward position as they promptly attended to the citizens but if the citizens wished to register a crime they had to wait for the law enforcement officials. While the social attendants informed the

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- 20 The law enforcement officers informed each other and the social attendants before they went to lunch or left the station for any other reason.
- 21 With the exception of the GIC who went to lunch as a unit, usually with the station chief.
- 22 With the exception of one inspector who was often very vocal about not registering crimes committed under the jurisdiction of other stations as it drastically increased the workload of the 5th DP. According to him, 13% of the 5th DP's workload was created by cases outside its jurisdiction. Though this concern is understandable and needs to be voiced, it sometimes took the form of yelling at already distressed victims. The station which has jurisdiction over a particular area can change from one end of a street to another, yet this information is not common, public knowledge. So people often report crimes to the 'wrong' police stations.

IN WAR, THOSE WHO DIE ARE NOT INNOCENT

police officers when there was a long line forming, or when someone was waiting to meet them, and they tried to reassure the waiting citizens, they did not think it was their place to tell the officers what to do. So they would inform them but then it was up to the police officers what they wanted to do with the information. This structure puts the social attendants in a tough position as they are the primary point of interaction with the population and often bear the criticisms of the population who are unsatisfied with the slowness of the registration process, yet the attendants do not have the power to change it.

This feeling was echoed by the social attendants at the 21st DP where the law enforcement officers did not seem keen on interacting with, and attending to, the population. Yet since rich and connected people do not live in the area covered by the 21st DP, the social attendants there were not frequently visited and advised by the social attendant coordinator. It was a common sight to see only one or two civil police officers registering crimes at the 21st DP even though it has a high intake rate. Some of the officers at the 21st DP preferred to investigate crimes and attend to their paperwork during the day instead of attending to citizens. Of course, crimes need to be investigated as well but this can also be done at night when there is much less movement within the station. According to a social attendant:

‘They have all morning and all night to do their paperwork and receive testimonies about past crimes. Why do they need to set aside the afternoon to do this? The afternoon is always the busiest time of the day. They do it on purpose so they do not have to attend to the population. They do not want to attend.’ (Social attendant, 21st DP).²³

Officers at the 13th and 21st DPs came and went as they pleased, attending to chores, catching up with their friends etc., with little regard for the timing of their shift. The officers at the 21st DP did not stagger their breaks so attendance often came to a standstill during the lunch hours. I do not mean to imply that no one at the 21st took attending to citizens seriously. There were a few officers (always the same ones in each shift) who dutifully attended to the population, were respectful and thorough. On the other hand, there were officers that attended to the population but did not take this part of their job seriously or treat the citizens with respect. Regardless of whether they were dealing with a victim, a witness, or a perpetrator these officers took it upon themselves to chastise the individual for creating more work for them. One of these officers regularly asked the citizens why they were bothering to register a particular crime. And then answered the question himself by stating they were probably registering the crime ‘because it is a free service offered by the state and since they did not have anything better to do that day they decided to go and bother the police.’²⁴ Although the 5th, the 13th, and the 21st are all part of the same program, the examples presented above

23 To avoid this problem, the station chief of the 5th DP designated set hours during which the officers under his command attended to the population, conducted investigations, and took part in external operations.

24 Noted in the researcher’s field notes based on observations within the 21st DP.

highlight the differences in how police officers treat the population in each of these stations.

6.4.3 *Raison d'être*

The attitude exhibited by the police officer quoted above goes against the purpose of the model police station program, to make the police more professional, accessible, productive, and to revive the population's faith in civil police officers and the organization as a whole. But it does shed light on the mentality of some civil police officers. It is clear from the above example that some civil police officers do not consider attending to citizens their main priority. But then what is their highest priority? What do civil police officers consider to be the most important aspect of their job? The answer can be divided into four categories:²⁵ fighting crime, putting an end to drug trafficking, investigating crime, and maintaining the status quo.

6.4.3.1 *Fighting Crime*

The largest response I received was from civil police officers who considered fighting crime and catching the 'bad' guys the most important aspect of their job. This obviously involves a variety of different activities but during the fieldwork periods this was inevitably linked to operation maximum pressure (*Operação Pressão Máxima*).²⁶ The goal of the operation, which includes civil, military, and federal police officers from various battalions and stations, is to crack down on criminal gangs especially those involved in the trafficking of arms and drugs. The pursuit of this goal concerned gathering intelligence on the activities of criminal groups, forming informed strategies, intensifying police presence in *favelas* and other 'no-go' locations considered to be the haven of criminal elements, and conducting planned operations into these areas to serve warrants and search for known criminals. This operation was originally intended to last for only 30 days (with the possibility of an extension), almost three years later it is still going strong and involves so many police officers that it is no longer seen as a special operation but rather as standard operating procedure. Civil police officers at each of the three model police stations where I conducted in-depth research were involved in this operation, which often kept them out of the station as they patrolled the streets and asserted police presence in certain areas in cooperation with the military and federal police forces. These officers were extremely proud of the people they helped to arrest and the drugs and arms they confiscated. They believed their actions would help the police to win the war against crime, that if they waited long enough and inflicted enough casualties the criminal elements would give up the fight.

25 Based on interviews with civil police officers at the 5th, 13th, and 21st district police stations and high-ranking civil police officials.

26 It was launched on 7 November 2003 as the 2nd phase of operation suffocate (*Operação Asfixia*), which was later renamed security and peace (*Segurança e Paz*).

6.4.3.2 *Ending Drug Trafficking*

Some civil police officers, especially those at the 21st DP, considered decreasing and eventually putting an end to the drug trade to be their primary purpose despite the costs. The ‘war against drugs and drug gangs’ mentality is much more prevalent amongst the military police who frequently confront the ‘soldiers’ of the drug gangs on their patrols (Huguet, 2005; Dowdney, 2003; Oliveira Muniz, 1999). But it is also alive and kicking within the civil police especially in some areas, such as the 21st DP, which are surrounded by drug-gang controlled *favelas*. This mentality translates into frequent raids on homes and businesses within the shanty towns in search of a suspect to arrest or question or simply patrolling particular areas looking for drug-related activities. While the specialized GIC at the 5th DP used their skills, experience, and the technology available to them to solve crimes and arrest suspects using the minimum amount of force,²⁷ members of the GIC at the 21st DP were consistently on the streets asserting their power. At the 21st DP, a minimum of four GIC officers went on patrol together, sometimes in plain clothes but mostly in apparel similar to the specialized unit of the civil police, CORE (*Coordenadoria de Recursos Especiais*). This typically includes black jeans or trousers, with black t-shirts, a baseball cap, wrap-around sunglasses, bulletproof vests, thigh-straps for pistols, and sub-machine guns.

6.4.3.3 *Investigating Crime*

A third response was from those civil police officers who considered investigating crime the focus of their jobs. According to these police officers investigation is what set them apart from the military police officers who patrolled the streets. They seemed to think that patrolling was below them and were not in favor of operation maximum pressure, which required all police officers to be present on the streets of Rio de Janeiro. In the words of one civil police officer:

‘I don’t mind going out onto the streets to arrest someone after conducting an investigation but I do not understand why we are often sent out to patrol at night. I prefer to spend the night-time hours investigating but the chief always approaches us in the middle of the night, tells us to stop our work, put away the files, and go out on patrol. We drive around the streets for hours like idiots when we should be investigating. No one is motivated to do anything during those operations. It is the job of the military police to patrol the streets. If they do not have enough military police officers then they should begin another application process and train more officers. Just let the civil police do their job otherwise investigations will not take place and crimes will not be solved.’(Inspector, 5th DP).

27 The GIC at the 5th DP had conducted over 130 arrests without firing a single bullet (Jornal da Polícia, 2004)

6.4.3.4 *Maintaining the Status Quo*

Lastly, some civil police officers believed their main function was to protect one group in society from another. This outlook was common at the 13th DP in Ipanema. The model police station program's goals to make the police more accessible to everyone and to offer better service to the population regardless of gender, race, or social class are compromised by the mentality of some police officers and public security programs such as secure tourism (*Turismo Seguro*).²⁸ The implementation of this program, as far as police actions were concerned, involved patrolling the streets in search of homeless people, especially youths. Once they were located they were brought into the police stations in regular police cars or in buses borrowed from the military police, even if there was no evidence against them.²⁹ Although people cannot be arrested simply for being homeless, day after day they were handcuffed and brought into the police stations, searched, and locked up while their background was being investigated. In the few instances where it was discovered that there was an outstanding warrant for the arrest of one of these people, they were arrested, and processed in the manner described earlier. In the majority of the cases, though, the people had clean records and therefore had to be let go. In this case, they were given a letter signed by the social attendants directing them to a shelter. Military police officers drove the youths to the shelters but the adults were expected to make their own way. Often these shelters were quite a distance from the police station and even if they wanted to go, the homeless people did not have enough money for their bus fare to the shelter. According to news reports, eighty percent of those who were escorted to, or went on their own, to the shelter were back on the streets within twenty-four hours making the entire enterprise a waste of time and effort (O GLOBO, 2004).

This program was relatively short-lived as it received a lot of negative publicity. I was conducting research within the 13th DP in the heart of Rio de Janeiro's tourist district while it was being implemented. I observed large numbers of homeless people being brought into the station, handled roughly, and locked up for a few hours simply because they were poor and the upper-class residents and visitors in the neighborhood were afraid of them. One inspector was more intent than the others to clean up the streets and protect the upper classes from crime and criminal elements. This inspector believed that every homeless person he brought in was a wanted criminal. In one particular case, he believed that the man he had arrested was wanted for assault and trafficking in the states of Rio de Janeiro and Minas Gerais. This officer proceeded to comment very loudly that in the paperwork the occupation of this individual should

28 As mentioned in chapter five, the program was implemented on 17 October 2004 after some highly publicized attacks on tourists on Rio's beaches and after several reports were published stating that attacks against tourists in Rio de Janeiro had tripled in the past ten years. The attacks were blamed on the homeless population especially homeless children and adolescents who are often seen together in Rio's south zone.

29 Adults were taken to the police station that had jurisdiction over the area where they were located while minors were taken to the Police Station for the Protection of Children and Adolescents (DPCA – *Delegacia de Proteção à Criança e ao Adolescente*) according to Law number 8.069: *Estatuto da Criança e do Adolescente e dá outras providências*.

be listed as *'vagabundo'* (tramp, vagrant) and that the suspect's day had finally come because he (the inspector) was going to make sure he was jailed for a very long time. Upon further investigation, it was discovered that it was a case of mistaken identity and the homeless man was actually innocent. The dejected officer then left it to the social attendants to give the homeless man information about a shelter where he could stay and release him.

It is worth noting that none of the more than fifty police officers I interviewed considered attending to, or working with the population, their top priority. Yet it is this interaction with the population that is one of the primary objectives of the model police station program. As is highlighted in the section above, what civil police officers consider to be their main duty can affect the way they view their work and therefore the way in which they interact with the population. The station chief, the Executive Group, and finally the policies of the state secretariat for public security further influence a civil police officer's belief.

6.4.4 Pressures from the Leadership

The previous examples from the 13th DP and the 21st DP highlight how pressures from the Executive Group and the changes in the policies of the state secretariat for public security affect the behavior of civil police officers within the framework of the model police station program. I would now like to focus on the role that station chiefs play in the stations and how individual officers live up to the standards required by the program.

There is one station chief (*delegado(a) titular*) assigned to each police station. Since they are present in the stations on a daily basis, they work regular business hours³⁰ instead of twenty-four hour shifts like the civil police officers and shift chiefs (*delegado(a)s*). The station chief oversees all registrations, coordinates all investigations and external operations, supervises all the officers in the station, can implement additional regulations (as long as they do not contradict the civil police code or the model police station program guidelines), and is ultimately responsible for the officers under his or her command and the functioning of his or her station.

Although the civil police is a less hierarchical organization than the militarized police, the station chiefs still command the respect of the officers working underneath them.³¹ Regardless of their experience or years of service, civil police officers have to have a law degree and pass a public exam (*concurso*) in order to become a shift chief (*delegado(a)*) and supervise other civil police officers.³² The public exam for shift chief

30 Most station chiefs come into the station at 10am and work until 7-8pm, with a one-hour lunch break.

31 In general, higher-ranking civil police officers eat and socialize with lower-ranking civil police officers and occasionally ask for their opinion and input on policing matters whereas higher-ranking military police officers are trained in a separate academy, take their meals in a separate mess hall, do not usually socialize with the lower ranks and tend to issue orders without consulting those who have to carry out the orders. For more information see chapters three and four.

32 Not all *delegado(a)s* work within the police stations, some are assigned to administrative functions within civil police headquarters and the civil police academy.

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is an open one so that means a civilian with no operational experience could pass the exam and become a shift chief. There are three classes of shift chiefs, after passing the public exam one can become a shift chief of the third class and to become a station chief one must be a shift chief of the 1st class. Even though candidates become shift chiefs based on their merit they are assigned and reassigned to locations based on favoritism, clientalism, and some strategic planning on behalf of the civil police chief and the state secretariat for public security.³³

The role of the station chiefs within the model police stations is important especially since representatives of the Executive Group cannot always be present and the station chief is the only form of daily (top-down) supervision of civil police officers that is available. Not only do station chiefs have the ultimate say in what is acceptable police behavior but they are also answerable to the Executive Group, civil police headquarters, and the state secretariat for public security for the actions of the law enforcement officers under their command and the accomplishments of the station as a whole. The demeanor of the station chief can have quite an effect on the station as a whole. The chief assigned to the 5th DP was another factor that set the 5th apart from other model police stations in Rio de Janeiro.

The then 5th DP station chief is considered by many in the state secretariat for public security and the civil police headquarters to be the best police chief in Rio de Janeiro. Until 1 December 2004 when he was assigned to head a specialized police station, the Division for the Robbery and Theft of Automobiles (Divisão de Roubos e Furtos de Automóveis - DRFA), this chief had won numerous prizes for the 5th DP by being involved in all the activity within the station, making sure the law enforcement officers under his command always dressed and behaved professionally, encouraging the use of new technologies, and holding frequent meetings with the law enforcement officers to stress the importance of being attentive to the population, conducting thorough investigations, and efficient police work.³⁴ After bringing the 5th DP up to a high standard, he was transferred to the DRFA so that he could use his organizational and management skills to make the investigation of car theft and robberies in the state of Rio de Janeiro more efficient.³⁵ When the station chief moved to the DRFA he took with him what he described as his 'men of confidence'. The group of men he had trained, whom he could trust, and who he wanted working with him when he took over the large 200 law enforcement officer-strong DRFA, included all but a few of the officers and shift chiefs from the 5th DP.

It was immediately obvious that not all station chiefs were as involved and hands-on as the former 5th DP chief. The layout of the 13th DP in Ipanema meant that the station

33 The chief of the civil police and the general commander of the military police are appointed by the governor. As political appointees they have no job stability and can change at any time. This means that station chiefs and commanders of battalions can also change at any time.

34 The importance of the presence of such a station chief was highlighted when he was away on holiday. Under the temporary chief, the police officers at the 5th DP began working more slowly and talking amongst themselves more than attending to the population.

35 Since his transfer, the DRFA has also been included in the model police station program.

chief was on a different floor from the main areas of the station. This created a distance between him and the law enforcement officers assigned to the 13th DP and it was easy to see that he did not have the same rapport with his officers that was observable between the station chief and the officers at the 5th DP. At the 21st DP, the office of the station chief was directly across from where the registration and investigation of crimes took place. By leaving his door open and making frequent rounds of the station, the 21st DP station chief kept connected with the officers under his command and their activities. Yet due to his other commitments he was frequently away from the station and none of the other employees seemed to know where he was. During both his presence and his absence, this chief delegated most direct supervisory activities to the chiefs for each shift and the head of the GIC. The 21st DP station chief frequently held meetings with these shift chiefs, yet meetings were not held with the rest of the employees in order to motivate them and bring them up to par.³⁶

6.4.5 Unequal Workload

The last factor that set these three model police stations apart from each other was the difference in workload that they dealt with.³⁷ The amount of cases and the intensity of crimes commonly registered at each police station varied considerably, and affected the feel of the station and the demeanor of the officers. In the period from September to November 2004, 1891 cases were registered at the 5th DP. The most frequently registered crime at the 5th DP was robbery in transit (of a pedestrian on the street). This accounted for 8.2% of the cases registered while cell-phone theft was the next most common crime accounting for 7.7% of all registered cases. At the 13th DP, during the same period, 931 cases were registered. The most frequent registration was that of people turning in their gun(s).³⁸ Even though this is not a crime, it accounted for 10.3% of the cases registered. Threats were at the number two spot accounting for 6.2% of all registrations. During this same period, 2967 cases were registered at the 21st DP. Car theft was the most common case registered at this station.³⁹ It accounted for 13.7% of

36 With the exception of the GIC officers who met frequently with the head of their unit.

37 The data presented in this section was provided by the Executive Group.

38 As part of anti-gun legislation and a disarmament campaign created following the efforts of the prominent NGO Viva Rio. The legislation makes it incredibly difficult to purchase guns legally and provides cash rewards (the amount differs based on the type of gun) to citizens and police officers who turn in guns. The disarmament program really caught on, especially in areas with a large elderly population with old guns such as Copacabana and Ipanema, and the federal government ended up giving out many more rewards than they initially anticipated. The disarmament program is covered in detail in chapter seven.

39 When asked what was the most common crime registered at the 21st DP law enforcement officers, social attendants, and senior civil police officials both at the 21st DP and elsewhere answered that it was homicide and physical assault. Yet this was not the case, in fact homicide did not even appear in the top ten of the most commonly registered cases. This interesting contradiction may be explained by the fact that people have a certain image of the 21st DP because of the area over which it exercises its jurisdiction – a dangerous, *favela*-filled area. Or by the fact that a homicide is likely to make more of an impact on people's minds than a robbery and is therefore more likely to be remembered.

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all the cases and the recuperation of stolen cars accounted for the 2nd most frequent registration at 12.5%.

The three model police stations researched differed due to the types of crimes that were commonly registered at them and the length of the registration process for different crimes (complicated crimes with a large amount of evidence or many witnesses take longer to register). On top of this, the three stations have different rates of registration. This difference is easily observable on an average day. While the 13th DP has a rather relaxed pace of registration, the 5th and 21st DPs are usually very crowded and there is usually a long line of people waiting to register their cases. The law enforcement officers who work there jokingly refer to the 5th DP as the 5th from hell (*'5° de inferno'*) because of the amount of cases they have to deal with and the high standards they have to keep because of the pressure from their station chief and their proximity to the Executive Group and civil police headquarters. At the 21st DP it is not immediately obvious whether the long lines are caused by higher rates of incidents and registrations or by the slower pace of the officers. Yet data gathered from the Executive Group database, for the three-month period from September to November 2004, makes it clear that the three police stations experience different rates of registrations (see the table below). Even though the busier stations have more working officers they still register more cases per officer than the quieter stations. The percentage of registered cases that were processed (the amount of registered cases that are investigated and processed) is lower for the 13th and the 21st stations than for the 5th DP.

Table 7: Workload of the 5th, 13th, and 21st District Police Stations

Police Station	# of cases registered	# of cases processed	% processed	# of officers ⁴⁰	Registrations per officer	Processes per officer
5 th Police Station	1891	1767	93.44	33	57.3	53.5
13 th Police Station	931	788	84.6	19	49	41.5
21 st Police Station	2967	2490	83.9	42	70.6	58.6

Note: comparisons cannot be made with the workload of the conventional police stations as no such data are kept.

40 The number of law enforcement officers involved in the registration and investigation of cases, not the total number of officers assigned to a particular station.

As has been demonstrated above, though the three stations where in-depth research was conducted were all part of the model police station program and had many things in common such as physical structure and the process of registering a crime, there were also several fundamental differences between them. Differences ranged from the way law enforcement officers dressed, the way they communicated with and acted around the population, what they considered to be the most important aspect of their jobs, the amount of supervision exercised by the station chiefs, the types of incidents most commonly registered, and the amount of cases registered. These differences meant that each station had a different atmosphere and internal culture. Though the researched stations were chosen because of the neighborhoods over which they had jurisdiction, the everyday realities of the stations ran deeper than simply a matter of location.

6.4.6 Short Summary per Station

The first police station to be converted, the 5th, is situated in the central business district. With its status as the first model police station, and due to its location next to the Executive Group and around the corner from civil police headquarters, the 5th DP is viewed as the ideal station, an example for others to follow. Crime, theft during the day and physical assaults at night, is a frequent occurrence in the jurisdiction of the 5th DP. Despite their own workload and often having to pull up the slack of surrounding conventional stations, the 5th DP has managed to maintain the standards that are expected of it. This was due in large part to the presence of a competent and involved station chief who closely supervised and motivated his equally competent staff who viewed solving crimes as a priority. With the transfer of the chief and the majority of the staff, it remains to be seen whether the 5th DP can maintain its high standards.

The 13th DP is located in a privileged beachfront neighborhood that has a high concentration of people but not of crimes. Yet it was at this station where the least amount of progress seems to have been made. Instead of attending well to everyone, the officers at the 13th often ignored poorer, darker citizens or attended to the seemingly better-off citizens first. Due to the great fear of crime in this area and the policies of the state secretariat for public security, policing at the 13th DP involved focusing on, and being suspicious of, the poverty-ridden, homeless population. The 13th DP has a higher standard to maintain as some citizens living within its jurisdictions are members of, or have connections with the Executive Group and senior civil police officials yet the station chief is not sufficiently connected with his officers in order to motivate them to increase the standard of the work performed and the services offered by the 13th DP.

The 21st DP is located in a troubled neighborhood, surrounded by shanty towns occupied by drug gangs. The crime rate in the area of the 21st DP is high and so are the numbers of cases registered at the station. In order to deal with the heavy workload, the 21st DP also employs more officers than the other model police stations, yet the number of cases per officer remains high. The workload is also not evenly distributed. Despite the fact that the station and shift chiefs are present and accessible, the majority of officers at the 21st DP do not attend to the population and register cases. The officers do not necessarily lack motivation because, although they are slow in attending to the popula-

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tion, they can spring into action if an external operation needs to be performed.⁴¹ It becomes obvious at the 21st DP that the state secretariat for public security and the civil police headquarters are not concerned with attending to the population in all neighborhoods. Areas like that under the jurisdiction of the 21st DP are important because they are the front line in the war against drugs and drug gangs. The importance of winning this war has been internalized by officers to the detriment of the rest of the population.

6.5 HOW LAW ENFORCEMENT OFFICERS EXPERIENCE THE PROGRAM⁴²

Since its creation, the civil police force of the state of Rio de Janeiro has not undergone such an extensive shift as it is currently undergoing under the model police station program. More than half of the stations and civil police officers within the state have been included in the program and this number is constantly increasing. Most of the officers involved in the program choose to be part of it because it entails better working conditions and an extra R\$ 500 (US\$ 200) per month on top of their monthly salary though not all of them welcome the professionalism and increased contact with the population that come along with this. The police stations differ on many different levels but the law enforcement officers who work within them also differ in terms of their opinion of the model police station program and what it means for them as civil police officers. Whereas some officers thought the program was an important change, others believed it was only the first of many steps that needed to be taken to improve the quality of their lives and the effectiveness of their work. While many officers made it clear that they loved their jobs, others cited the numerous negative aspects associated with their chosen profession especially the instances which overwhelmed them. In this section, I will highlight the diverse perceptions voiced by the law enforcement officers about the model police station program and their jobs as civil police officers.

The majority of police officers involved in the model police station program were positive about the program and the change it brought for them as civil police officers. They cited the improved surroundings in the police stations, the increased resources provided for them, which made it easier for them to do their work, and also contributed to their self-esteem and pride in their work.

‘The model police station program is the best thing to happen to the police. It provides us (the officers) with a better environment and offers better services to the population. They provide us with a nice office, better surroundings, a personal place to put our things, and technological advances to help us with our work.’ (Inspector, 5th DP).

41 The officers and chiefs at the 21st DP would often have to spring into action to respond to a call of distress in their jurisdiction that came over the civil police radio.

42 Based on the author’s interviews with law enforcement officials at the 5th, 13th, and 21st model police stations.

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‘We work in much better surroundings, and we have all learnt to be proficient on the computer. I have never worked on a computer before but now I can do the same things as the young people, as much as my children. It feels good. We often receive visitors here at the station from other police forces but also from all around the world and they really admire the changes. I feel proud to work here.’ (Inspector, 5th DP).

‘I like the model police stations much more than the conventional ones. The working conditions are good, the surroundings are better, and the desks and chairs are not falling apart like they do at the conventional stations.’ (Inspector, 13th DP).

‘I think the model police stations are a good change, they offer a better, more comfortable atmosphere. The police officers and the space are more open so the population feels at ease when entering. We dress more professionally and are better organized. I believe we have really benefited from the computers and the system – this way if you make a mistake you can always go back and change it.’ (Inspector, 21st DP).

This positive outlook stretched to much more than just the surroundings and the technological advances that accompany the model police station program. Other civil police officers cited changes that they viewed as positive supplements to the program.

‘In the program there is no hierarchy except for the chief. All inspectors are essentially equal except for their experience, which is immediately observable. The program has helped to break down the hierarchy within the civil police and involve us in the decision-making process.’ (Inspector, 21st DP).

‘The set-up of the program necessitates cooperation between officers. In the conventional stations we each had our own cases, we kept them to ourselves, there was no dialogue but now we work together, we help each other, and share the information through the database.’ (Inspector, 5th DP).

The model police station program did not only receive positive reviews from the law enforcement officers interviewed. In fact, numerous officers who praised the program also cited its deficiencies. The former station chief of the 5th DP, which is known as the ideal example of the program, himself insisted that despite its fame, the 5th still had a lot to accomplish. The shortcoming all the interviewees agreed upon was the lack of investment made in the human capital of policing: the officers themselves.

‘The government is investing in machines and infrastructure but not in the individuals who use them. This job requires a lot of mental work. The government needs to invest in us (the officers) as well, to make our lives and circumstances better so we can do our jobs better.’ (Inspector, 5th DP).

‘There are two negative points about the program: low salaries and a lack of career opportunities. To progress to the next rank as a civil police officer, I have to take a state exam, there is no other way to be promoted. But I do not have time to take classes and prepare for the exam, nor do I have money to take the exam. I work hard

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yet I cannot rise in the ranks. But some rich kid who is supported by his parents can study and pass the exam and become my boss without a single day of practical experience. That is just not right.’ (Inspector, 13th DP).

‘The program is certainly a good start but other things must be changed as well to really make an impact on policing and public security. For one thing, the state also needs to invest in the police officers so they can give their best. But our salaries are low and we have to obtain 2nd or 3rd jobs in order to provide for our families. We work hard and risk our lives every day, in the end we might live well but we never have time for our families.’ (Inspector, 21st DP).

‘It is the police officers who solve crimes, right? Yet the state does not invest in us and the population does not trust us. We constantly have to prove that we are not criminals.’ (Inspector, 5th DP).

Not all the criticism revolved around the lack of investment in the officers. The other shortcomings of the program as voiced by the officers were:

‘The program is very good in theory but we sometimes run into problems in practice. Changing the traditions of the civil police and the nature of investigations is not as easy as it seems. But eventually we will progress and improve more.’ (Station Chief, 5th DP).

‘These forms on the computer are really troublesome. There are so many forms, you cannot memorize them all. They require so much detail, and you cannot just skip over a section because the computer does not let you. You have to do everything in just the right way otherwise you get stuck and it will not let you progress to the next page. It is very complicated, I preferred the old typewriters, they were easy.’ (Inspector, 21st DP).

‘I didn’t know anything about attending to the public when I first started working here. In the specialized station where I used to work we were less preoccupied with things. We were used to working on our own investigations, in our own time. But it is different now with the contact with the public and people constantly being on my head. It does not stop all day long.’ (Inspector, 5th DP).

Despite the deficiencies of the program and the frustrations the police officers felt because of it, there was a large group of interviewees who spoke very passionately about their jobs.

‘There are some people who join the police simply for a stable paycheck, they often ignore a crime in progress or people in need because they are not ‘on duty’ at that time. But I love my job; I am committed to helping others and getting rid of the bad guys.’ (Inspector, 5th DP).

‘I love my job. I believe you have to. It is not always easy, the job is hard, you see a lot of disturbing crimes and they stay with you. They take a toll on you mentally.

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But I love what I do. People think only doctors save lives but police officers save lives too.’ (Inspector, 21st DP).

‘I love being a police officer though I am hoping to work and study more and hopefully get promoted. For me working as an inspector is a rite of passage, it is not my final destination though I want to continue to work within the civil police.’ (Inspector, 5th DP).

For many police officers, their job came laden with several negative aspects as well.

‘Due to a few immoral people, the entire police force has a bad reputation. People call us criminals but then these are the same people that come to us for help when something goes wrong.’ (Inspector, 13th DP).

‘As police officers we often have to take part in operations where we arrest or shoot someone. Like this one time we conducted an operation in a *favela* and shot a drug trafficker. The population was very angry with us because the man had given monetary assistance to the community and its children. The community did not care that this guy was a criminal because he supported them. As police officers we often have to do such things but it does not make us very popular.’ (Inspector, 21st DP).

‘We are unable to provide for our families on our police salaries so everyone has a second job. I work as a security guard. So I put in a twenty-four hour shift here in the station and then I work another eight hours as a security guard. I earn enough now so my family can live peacefully but I never get to see them because I am always working. It is a very tough job, you see horrible crimes, encounter criminals, sometimes you get shot at, and it is difficult. But they do not provide psychological assistance for us. Your friends are your psychologists. Often you go home and your children want to play with you but you just cannot. You cannot. Your family doesn’t understand, they don’t know what you have been through. That is why many officers turn to drugs or alcohol, to forget, but some end up being aggressive and abusing their families. The same families they worked so hard to provide for. I have seen many families fall apart this way. (Inspector, 5th DP).

The low pay, long hours, heavy workload, and the lack of organizational or societal support cited leads to the law enforcement officers feeling overwhelmed. Some of them stated that they simply could not solve every small problem that people brought to them, that they often found it hard to place people with the right help, and to equally fulfill their two roles. For example, the officers were expected to dress professionally for their duty within the stations and attend to the population, yet they were often interrupted in their attendance and investigation duties in order to take part in an external operation, something that was not advisable for them to do in their professional dress. I once observed an inspector who had come to work in light khaki pants and a cream shirt and tie walk around the police station searching for someone of his size with darker, heavier clothing so he could switch clothes and go on an operation. Not only did they find solving every problem difficult but also some officers stayed on the alert and believed they had to protect themselves from the population and also from their

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colleagues within the organization. They constantly told me to ‘trust no one’ and took their official stamp with them everywhere for fear that someone would use it and create trouble for them.

As is evident in this section, although the model police station program has many positive aspects and is received by many police officers as a welcome change, which has improved the conditions of their job and the efficiency of their investigations, the program has not yet managed to improve all aspects of a civil police officer’s life and work. The program offers better attendance to the population, offers the police officers a more agreeable office environment in which the furniture is not on its last legs, allows them to work together as equals and use technological advances to help them in their investigations. Yet the officers continue to be paid low salaries, which require them to obtain additional employment in order to support their families, continue to work long hours, be exposed to dangerous environments and heavy caseloads without receiving any encouragement from the state or the people. The model police station program is certainly a start but it will need to alter other aspects of police work before it can truly function at its optimum potential.

6.6 FACILITATORS AND IMPEDIMENTS

Policies, such as the model police station program, that aim to improve a police force and its interactions with the population cannot exist in a bubble. They are implemented into a previously existing organization with its own specific culture, made up of individuals with their own characteristic way of doing their job, and within a society with its own peculiar demands and expectations. A program is therefore influenced by several societal and institutional factors that either facilitate or impede its implementation. I will now examine the factors that act either as facilitators in assisting the successful implementation of the model police station program, or as impediments in opposing it.

6.6.1 Facilitators

The model police station program as it is implemented in Rio de Janeiro includes certain factors and policies that inherently facilitate its chances of being realized successfully. These facilitators are detailed below:

6.6.1.1 *Executive Group*

The first of these factors is the existence of the Executive Group. A body created exclusively to oversee the day-to-day functioning of the program, make the expertise of the creators accessible to the numerous police stations around the state where this program has been implemented, coordinate the activities of the various model police stations, offer technical back-up, supervise the employees (police and civilians) of the stations in order to maintain the standards expected of the model police stations and to ensure that the program goals are achieved. The employees of the Executive Group are committed to monitoring the cases registered within each station, offering advice,

developing programs to better serve the needs of the police officers and to protect the data available on the model police station program network, and conducting research on crime and violence in Rio de Janeiro. Their entire reason for being is to coordinate the model police station program and ensure its success. The Executive Group is currently working on expanding this program to include the forensic investigation department, thereby improving all aspects of police work. Therefore, the Executive Group is not only a part of the model police station program but also a facilitator thereof as its very existence increases the program's chances of achieving its goals.

6.6.1.2 The Model Police Station Program Computer Network

Another factor that facilitates the implementation of the model police station program is the computerized network that forms part of the program. Requiring the civil police officers to work on computers and save all case files with information on the type, the scene, and the details of a crime, along with the details on the victims, witnesses, and suspected perpetrators increases the transparency of police work and investigations and also allows for greater supervision of the police officers. Cases previously registered can later be accessed by the chiefs, the officer who registered the crime, police officers investigating a case with a similar modus operandi, or by the same perpetrator, and social attendants in instances when, for example, the victim has misplaced his or her copy of the police report. Although the cases can be viewed by several parties thereby making the work of police officers transparent, they cannot be changed or altered in any way without the permission of a shift chief,⁴³ a policy that would seem to counter police corruption and decrease the ability of civil police officers to alter statements and the description of the case to suit them or the needs of the investigation. As this example demonstrates, the model police station program's computerized network and the policies that accompany it have allowed for transparency and supervision to increase hand in hand both within stations and between the stations and the Executive Group. Using the computer network the station and shift chiefs are able to closely oversee the officers working under their authority. This includes, amongst other things, having access to the number of cases registered by an officer, their details, the follow-up on the cases (if there was any), and the time spent on each of these activities. If used properly the supervisory system allows station and shift chiefs to catch and discipline chronic mistakes, laziness, inefficiency, rule breaking, and criminal activity. But as was highlighted above, not all chiefs use this system to its full potential.

6.6.1.3 Individual Responsibility for Cases

Another factor that facilitates this program by making corruption and involvement in criminal activity increasingly difficult is the policy that put an end to the hierarchy amongst inspectors and made each one responsible for his/her cases from start to finish. Initially, civil police officers were only assigned to certain duties such as registration or

43 Even then, only the supervising chief of the particular shift that the registering police officer belongs to.

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investigation and some only investigated certain crimes. This created divisions between police officers, kept them from working together on cases, and prevented them from accepting full responsibility for their cases. This is because, in a conventional station, all cases are registered by the police officer in charge of the reception desk and are then assigned to another officer for investigation. Due to this division of tasks, police officers used to pass on responsibility for unsolved cases to other officers, saying that they had not registered the case properly, had failed to provide certain information, or misplaced the paperwork. The previous system also increased civil police officers' chances of partaking in criminal activity or being corrupt because there were some officers who only dealt with drug-related crimes and others who only dealt with robberies and had no one overseeing their conduct so they could run their own illegal rackets. The policy inherent in the model police station program does not guarantee the complete eradication of corruption but it does make it much more difficult for police officers to indulge in this and other criminal behavior as police officers randomly take on different types of cases and their work can be monitored more closely.

6.6.1.4 Removal of Holding Cells from the Stations

Another factor that acts as a facilitator of the model police station program is the removal of the holding cells from within the police stations. The fact that criminal suspects are no longer housed within the stations allows the police officers to focus on their primary task, which is to register and investigate cases. Equally importantly, it decreases the possibility of civil police officers engaging in the torture or abuse of suspects as they are only under their control for a very short period of time. The open layout of the model police stations also diminishes the likelihood of physical abuse, as there is very little space where the officers could hide and beat a suspect.

6.6.1.5 Continuation of State Government

The final factor that facilitates the implementation of the model police station program is that the same political party (PMDB) that implemented the program still holds the office of the state government. This guarantees the program a certain amount of certainty. As discussed in chapter three, there is a tendency in Brazil, and other Latin American countries, for a new government to scrap the policies and programs implemented by the preceding government. Even if the programs and policies seem to be working, they are disposed of as unnecessary or ineffective and replaced by new programs created and promoted by the current government. As this takes place with each successive change of government, implemented programs do not have an opportunity to succeed or yield their long-term effects. This is not the case with the model police station program. Although the model police station program is currently benefiting from the continuation of the state government it is by its very nature a very difficult program to get rid of altogether. Unlike most programs implemented in Rio de Janeiro, the model police station program involves the investment of large sums of money. Entire buildings have been converted and machinery has been purchased. Even if a future government chooses not to inaugurate any more model police stations, stops

offering extra training to the civil police officers, or fires all the social attendants there are some parts of the program that will remain. The model police station program has brought with it some changes that cannot be reversed.

6.6.2 Impediments

Just as there are factors that facilitate the successful implementation of the model police station program, there are also factors that impede its implementation. Whereas some of these factors, or the actors that carry them out, are explicitly opposed to the program, other factors have existed for a very long time but nevertheless adversely influence the program.

6.6.2.1 *Low Salary and the Risks of the Job*

One of the greater impediments to the program, as stressed above by the police officers interviewed, is the low salary given to civil police officers and their frustration in that respect. Civil police inspectors in Rio de Janeiro receive between R\$1200 (US\$ 500) and R\$1800 (US\$ 750) per month.⁴⁴ This amount, which includes the additional R\$ 500 (US\$ 200) received for participation in the model police station program, is not enough to raise a family. Civil police officers are currently very frustrated because they believe the monetary compensation they receive for their job as police officers does not justify the risks they take in doing their job. According to an inspector with seventeen years experience:

‘We are paid low salaries. I do not think the salary is worth the risk, it is a very dangerous job. When I initially joined the civil police seventeen years ago it was not so bad. We did not have face-to-face interactions with the drug traffickers and when we did they were not as well armed as they are now. It is different now.’ (Inspector, 5th DP).

In addition to this, health insurance is not included in a civil police officer’s salary; therefore they have to pay for it themselves. Most police officers chose to buy coverage for their children and if there is money left over they insure themselves but not all of them can afford it and then they remain uninsured. The low salaries offered to police officers and that fact that many of them are uninsured compromises their motivation to do their jobs.

6.6.2.2 *Additional Employment*

In order to provide for their families and to offer them some sort of long-term financial security, civil police officers also work in second or third jobs (and their families work too). It used to be illegal for police officers (both civil and military) to hold second jobs

⁴⁴ In Brazil, police salaries vary by state with the police forces in the poorer northern states being the lowest paid, and those in Brasilia, the Federal District, being the highest paid.

(known as *bicos*) but the state recently legalized them stating that since it was unable to meet the police officers' monetary demands they would be allowed to earn a supplementary income elsewhere.⁴⁵ Making the *bicos* legal or illegal does not make a difference, as they are a normal, accepted part of the police. Having police officers working several jobs is justified by senior police officials and society at large because 'it is better that they earn an honest living through their jobs than to take part in corruption and extortion' (Garotinho et al., 2000). Most police officers have second jobs as private security guards (at firms that are usually owned by high-ranking police officers), though those with more experience teach courses at the police academies or offer private tuition to prepare those who wish to sit the state exam to become a police officer. The obvious consequence of police officers who also work elsewhere is that it is hard to gauge where an officer's loyalty lies. Will the officer be loyal to the police organization (and by extension the state), the private firm that employs him or her and often pays more than the state, or the individual he or she has been hired to protect? But there are other consequences as well such as police officers consistently being tired, feeling frustrated because they are always working and never get to spend time with their family and friends, which as some of the officers revealed above can lead to a host of other problems. As detailed in chapter four, many instructors at the civil police academy are active police officers, including within the model police stations, who abandon their duties within the stations to take classes which negatively impacts the registration and investigation process in the police stations.

6.6.2.3 *Heavy Caseload*

Another impediment to the model police station program is the extremely heavy caseload most officers are exposed to. Although the caseload differs by station and the neighborhood over which it has jurisdiction, the amount of cases registered in Rio de Janeiro is very high. In order to investigate and solve each of these cases, the current number of civil police officers would have to work more hours than exist in a day. Since they simply cannot do that, especially on a low salary and with the demands of their other jobs, many police officers cut corners, conduct sloppy investigations, and simply choose to ignore certain cases. This also leads to police officers who do not think about individual cases. They know they cannot possibly help every individual victim, so they begin to think generally and believe that they will be able to apprehend criminals once all the pieces of data they collect come together in the computer network.

6.6.2.4 *Internal Opposition to Change*

An impediment that has existed for some time within the civil police organization but is also directed towards the model police station program is the internal police opposi-

45 This could also be the reason for the state's support of 24-hour shifts for police officers as it gives them more uninterrupted time to devote to their second and third jobs in the three days which they have free between shifts.

tion to change. As is common in many organizations, while some police officers support modernization and change, others view it as unnecessary or even as a threat to themselves or the values that they hold dear. Within the civil police, there are those who oppose the model police station program because they believe that the civil police force does not need to be reformed and improved or because they do not agree that this program is the way to go about reforming the organization. Some officers feel that this program puts them under attack by expecting them to change many aspects of their own appearance, behavior, and method of doing their job without contributing to a broader change within the criminal justice system and society at large. They do not agree with the proposed improvements to their wardrobe, refuse to wear button-down shirts and ties and continue to dress as they always have done. Other officers do not give importance to the increased contact with and attending to the population that the program calls for, and if not motivated by their supervisors, they refuse to attend to the population or only choose to register the simple cases that do not place too many demands on their time. Some officers oppose the program because it places full responsibility for a case with them and decreases opportunities to indulge in corruption and violence, which may diminish the 'efficiency' of their police work or lessen their personal gain. Many of these officers are also aware of the trend in Brazilian politics for policies and programs to change from one government to the next. They believe that governments and their policies will come and go; they will not stick around for long whereas the police organization itself will be around for a long time. Therefore they do not see any point in altering themselves. In this way, internal police culture can see to it that programs implemented to improve the police are impeded.

6.6.2.5 *Conflict with other Programs, Policies, and Operations*

Another organizational factor that obstructs the successful implementation of the model police station program is its conflict with other programs or operations, such as operation maximum repression and operation secure tourism, carried out by the police under the orders of the state secretariat for public security. Whereas internal police opposition to change is a somewhat informal resistance to the program, conflicting programs are usually planned out and involve the cooperation of other groups and forces as well. This is not to suggest that the conflicting programs are created explicitly to cause the model police station program to fail. But rather that programs with different, often incompatible, goals and methods are launched at the same time by the same organization, either due to a lack of coordination between two departments of the same organization or due to the belief that the two programs will not affect each other and can exist at the same time.

I do not believe that this is possible, which is why I classify the programs as impediments to the success of the model police station program. Operation maximum pressure, for example, which is so widespread and has lasted for so long that it has become standard operating procedure involves heavily armed police officers, intensifying their presence in the shanty towns, raiding homes, and searching for suspected drug traffickers. This operation's repressive tint goes against the aim of the model police station program: to re-establish the image of the police and diminish the distrust and

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fear that kept the population from entering the stations. In my opinion, heavily armed officers raiding homes and terrorizing entire communities would not help to reduce the population's mistrust and fear of the police. The only way that operation maximum pressure and the model police station program would not be incompatible with each other is if they were intended for two different groups, or levels of citizens. Is the model police station program meant to appease the upper and middle-class citizens while going hand in hand with operation maximum pressure, which represses lower, working-class ones? Another way in which the two conflict with each other is that civil police officers registering and investigating crimes are frequently pulled away from their desks to patrol the streets or to take part in an operation thereby sacrificing the quality of investigation and police productivity in terms of cases resolved, which is called for in the model police station program, for the sake of increased police presence on the streets.

6.6.2.6 *Societal Fear of Crime*

A final but crucial factor is society's demand for tougher policies on crime and the expectation of a quicker resolution of cases. As a result of the growing feeling of insecurity which is further heightened by the media, these demands and expectations hinder strategies such as the model police station program from succeeding. The citizens of Rio de Janeiro often cite the fear of crime and the government's inability to do anything to combat crime as their number one concern (Mesquita Neto, 2002; Rotker, 2000). This fear of crime is not entirely imagined. The city of Rio de Janeiro does suffer from high incidents of crime yet the rates are not evenly distributed; the probability of being a victim of a crime is higher for some sections of the population than others. So although crime and violence are widespread in Rio de Janeiro and a considerable number of people in the city have been victimized by crime, the general fear of crime is still much greater than the actual incidents of crime, as detailed in chapter three. The fear of crime and frustration with the police for not making the city safer is amplified by the constant stream of media coverage of crime and support for repressive policies. The misrepresentation of facts in the news gives people the wrong idea about the reality in Rio de Janeiro. It also does not give strategies like the model police station program a chance as insecure citizens call for greater police presence on the streets and tough policies to fight crime. Citizens' perceptions of security and their suggestions to improve the security situation in Rio de Janeiro will be examined in detail in chapter eight.

6.7 ASSESSMENT OF THE MODEL POLICE STATION PROGRAM FROM A HUMAN RIGHTS PERSPECTIVE

The reality of the model police station program is different in each neighborhood, in each station because the extent to which the program is implemented in each neighborhood is different. Observations of, and interviews with, the law enforcement officers who work within the model police stations revealed that their experiences of the

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program differed considerably depending, amongst other things, on the location where they were employed, the availability of the chief they worked under, and the workload they were exposed to. In general, the police officers were optimistic about the changes accompanying the model police station program such as improved working conditions, technological advances, and an increased focus on investigations. The program has increased the interaction between civil police officers and the population and, to a certain extent, made a positive impact on the civil police officers' lives. Yet there are several factors that keep the police officers and the population from embracing this program wholeheartedly, without reservations.

As stated in chapter three, the implementation of the model police station program had the potential to improve police compliance with people's right to the right to life, liberty, and security, to be free from torture, and other forms of cruel, inhuman, or degrading punishment, arbitrary arrest, detention, or exile, and their right to equal treatment under the law. The achievements of the 5th DP suggest that the model police station program is capable of living up to its potential as a strategy to increase police compliance with human rights, yet due to its proximity to the Executive Group and the civil police headquarters and the standard of the police officers working there the 5th DP is an exception amongst the police stations in Rio de Janeiro and within this program. Despite its potential, the model police station program has been unable to improve civil police compliance with human rights standards throughout Rio de Janeiro.

6.8 CONCLUDING REMARKS

Perhaps as it is described here, the essence of the model police station program is not anything new by Western standards but it is a breakthrough for the civil police as far as Rio de Janeiro is concerned. Not since the beginning of the 20th century has there been such a concrete, thought-out plan to professionalize the civil police and never has so much been invested in the realization of the plan. In the past six years over R\$ 223 million (US\$ 89,655,448) have been invested in the model police station program. This investment has been channeled towards training officers, hiring and training social assistants, renovating existing police stations, furnishing them with new furniture, computers, and other technology, and linking them to a centralized network. These changes have been put into place in order to improve the productivity and quality of the police service, thereby increasing the population's trust in the capacity of the civil police organization.

The model police station program aims to improve several aspects of police work. One of the most drastic changes brought about by the program is the improvement of the working conditions and the physical space of the police stations. The model police stations are a far cry from the conventional stations that are dark, dirty, hot, lacking in resources, with equipment that is on its last legs, and the presence of long-term holding cells for suspects and convicts. The program also involves hiring social attendants to give the police stations a more friendly face and to offer numerous other services to the population than just the registration of crimes. Law enforcement officers are offered a

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monthly monetary bonus for partaking in the program, and for the first time in the state of Rio de Janeiro there is a profound concentration on training the officers with an in-depth focus on conducting investigations above anything else.

On the basis of these changes it has already been adopted by a few other Brazilian states that wish to professionalize their state civil police forces with the help of this program. Yet it has not even been implemented to its full potential in the state where it was created. Over the past seven years, more than half of the police stations within the state of Rio de Janeiro have been incorporated into the model police station program. Despite the promises of the state governor, Rosina Garotinho, she was not successful in incorporating the remaining sixty-four stations into the program by the end of her term in 2006. Having some conventional and some converted stations in the same state, city, and even neighborhoods creates an immense amount of confusion amongst the population and discontent amongst the law enforcement officials who do not all have access to the same service, resources, and technology.

Even within those stations that have been modernized, the model police station program has not been incorporated in its entirety. Some rules and changes have been adopted yet not internalized, whereas others have been ignored. In order to fully professionalize the civil police, the changes introduced by the model police station program need to be internalized and other programs need to be commenced along with it to target those aspects of policing and the criminal justice system that are not targeted by this program.

7 Affecting Change from the Outside: NGO-Driven Public Security Reform

'Whatcha go and do? Go and give a boy a gun, now there ain't no place to run to, ain't no place to run. When he holds it in his hand, he feel mighty, he feel strong, now there ain't no place to run to. Ain't no place to run.'

Tracy Chapman, Bang Bang Bang.

7.1 INTRODUCTION

The previous three chapters in this book have focused on police human rights strategies implemented from within the civil and military police organizations. These strategies are aimed at increasing police compliance with human rights standards, improving police-public relations, and professionalizing the police. Although these strategies differ in their methods and focus, the thing they have in common is that they are all created, funded, and supported by the police and public security organizations (Garotinho et al., 2000).¹ Having the support of the state governor, the office of the state secretary of public security, and some of the police high command means that the previously discussed programs such as the training of law enforcement officials, community-oriented policing initiatives, and the *delegacia legal* program, have substantial budgets and are implemented on a large scale throughout the state of Rio de Janeiro. The outcomes of these strategies are more visible and reach a larger number of people due to the support of the police organizations and funding from the state. Yet they are not the complete picture of police human rights strategies that are currently being implemented in Rio de Janeiro.

Along with these large-scale programs implemented from within the police, there are also projects to increase police compliance with human rights standards in Rio de Janeiro created and implemented from the outside, that is police human rights strategies that do not originate from within the state or the police forces (IANSAs, 2005a; Galeria, 2004; Logan, 2003b). Unlike the police human rights strategies examined in chapters four, five, and six, the strategies created and implemented from the outside usually have smaller budgets, function on a smaller scale, and are led by non-governmental organizations (NGOs) in coordination with other organizations (Logan, 2003b). In this chapter, I will concentrate on one such external project: the disarmament (*desarmamento*) program created by Viva Rio in cooperation with the International Action Network on Small Arms (IANSAs) and Amnesty International and implemented by Viva Rio and the state civil and military police forces. The disarmament program aims to raise awareness about the problem of gun proliferation and gun-related violence in Rio de

¹ With the exception of the Citizen-Police Practice Improvement course, which was developed by a military police colonel in collaboration with a prominent NGO in Rio de Janeiro. For more information, see chapter four.

Janeiro, lobby for tighter gun control, decrease the amount of weapons in circulation, increase police knowledge and oversight about the weapons they seize in their daily work, and improve controls on, and eventually destroy, weapons stockpiled by the police to ensure that police officers cannot resell these weapons to criminals. After briefly reviewing the problem of gun-related violence in Brazil and Rio de Janeiro and examining gun-related violence from a human rights perspective, I will describe the disarmament program in detail, discuss the perceptions of the actors involved therein, examine the factors that either facilitate or impede the implementation of this program, and assess the outcomes of this strategy from a human rights perspective.

7.2 THE PROBLEM OF GUN-RELATED VIOLENCE IN BRAZIL

The program to disarm the population of Rio de Janeiro and to increase controls on the stockpile of weapons collected is motivated by the high rates of gun ownership and gun-related violence in Brazil in general, and more specifically in Rio de Janeiro.² Over the years, guns have been increasingly used in the perpetration of crime and violence in Brazil and South America in general (IANSA, 2005b; ISER, 2002; Rotker, 2000). In this section, I will briefly overview the growth and prevalence of gun ownership and gun-related violence in Brazil and examine the consequences of this development.

Gun violence in Latin America rose sharply following internal armed struggles and the growth of drug trafficking in the late 1970s and 1980s (Dreyfus, 2002; Mesquita Neto, 2002; Zalar, 1998). Today, it is one of the most dramatic threats to public safety in the region, thwarting development efforts and seriously undermining democratic reforms and the implementation of basic human rights (IANSA, 2005b). While Colombia remains the only country engaged in a declared conflict, the distinction between war and peace is blurred elsewhere in the Latin American region (Mesquita Neto, 2002). Socio-economic inequalities, corrupt and violent security forces, and the easy availability of small arms and light weapons have set the stage for some of the worst rates of violent crime and murder in the world, especially in large cities (Bailey and Damert, 2006; Lindholt et al., 2003; Rotker, 2000).

Forty years ago, purchasing a pistol, automatic weapon, or grenade was inconvenient and unnecessary in Brazil (Logan, 2003a). But over the course of time the growing drug trade, the increase of gangs, and the area under their control produced a need for arms (Veenstra, 2006; Huguet, 2005; Dowdney, 2003). This has created the situation whereby handguns are easily available and cheaper than ever. R\$ (Brazilian reais) 50, or US\$ 23, is enough to buy a .38 caliber revolver (Galeria, 2004; Logan, 2003a). While small arms end up in the hands of small-time criminals, military assault weapons like AK-47s, M-16s, and grenades are sold to drug traffickers due to the poor regulation and control of surplus military weaponry (Foek, 2005; Logan, 2003a; Roberts, 1995). As the drug gangs become increasingly well-armed and violent, the police, who are often involved in shoot-outs with them, respond in kind (Cano, 1998), leading to a kind of arms race in which there is no winner.

2 www.vivario.org.br Last accessed on 23 September 2006.

The low cost of firearms mixed with a lack of trust in the police and their ability to provide security results in the proliferation of weapons amongst the general population as well (Bailey and Dammert, 2006; Foek, 2005; Logan, 2003a). As public security continues to deteriorate, especially in large and medium-sized cities, the demand for weapons seems to be on the rise (CNN, 2005b; IANSA, 2005b). The consequence of this is that there are approximately 17 million guns circulating in Brazil at the moment (BBC, 2005; CNN, 2005b; IANSA, 2005b). Ninety percent of these weapons are in civilian hands and half of them are unregistered (BBC, 2005). Apart from being involved in the arms race with the drug gangs, corrupt law enforcement officials in Brazil have also been implicated in selling guns in police custody to criminals (Dreyfus, 2002; Cano, 1998). Therefore firearms that are seized in police operations often end up back in the hands of criminals where they are likely to kill or injure someone again (Galeria, 2004; Dowdney, 2003). In this way, corrupt police officers are not only violating the rule of law but they are also contributing to the increase in crime, violence, and human rights violations.

Brazil has a startlingly high rate of gun-related deaths (Cavallaro, 1996). In 2000, there were 46,000 homicides in Brazil, and seventy percent of those, or 34,755 deaths, were firearms related (Dreyfus, 2002; ISER, 2002). That amounts to about a hundred firearms-related deaths per day. Other research shows that as well as being used in the majority of crimes such as kidnapping and robbery, firearms are involved in more than 80 percent of all homicides in Brazil (IANSA, 2005b; Mesquita Neto, 2002). As mentioned in Chapter three, according to the Pan-American Health Organization (1999) there are 25 gun-related deaths per 100,000 every year in Brazil with these rates rising progressively to 250 per 100,000 for poor, young, black men in the shanty towns of Rio de Janeiro.

These statistics suggest that the problem of gun violence in Brazil is a serious issue of public security that should not be sidelined. Yet before this can happen, some myths surrounding gun violence and the proliferation of small arms in Brazil have to be tackled. One of the myths surrounding this problem is that the guns present in Brazil are foreign manufactured and therefore the problem of the proliferation of small arms is one created outside the country's borders (BBC, 2005; CNN, 2005b; ISER, 2002). This opinion is voiced by several police officers and shifts the blame for the problem and the responsibility for its consequences and resolution to North America, some European nations, and Brazil's Latin American neighbors (Notícias de Uma Guerra Particular, 1999). By accusing other countries of the production and proliferation of firearms, Brazilian politicians and high-ranking police officials wipe their hands of any responsibility for what is occurring within their borders. In fact, research suggests that the opposite is true (Foek, 2005; Dreyfus, 2002; ISER, 2002). Seventy-four percent of the guns seized by the police in Brazil are manufactured in Brazil, predominantly by the southern manufacturer Taurus³ (Dreyfus, 2002; ISER, 2002). Contrary to popular belief, Brazil is the 2nd largest producer of guns in the Americas (Foek, 2005; Galeria,

3 Taurus is a Brazilian arms manufacturer based in the state of Rio Grande do Sul. Taurus employs 20,000 people and frequently lobbies against stricter gun control. For more information, see www.taurus.com.br or Foek, 2005.

2004). It is the 5th largest exporter of firearms worldwide while at the same time being a leading importer of military weaponry (IANSA, 2005a; Galeria, 2004). The Brazilian state's manufacturing of, and legal trade in, firearms implicates it in the proliferation of weapons within its borders. Yet these statistics only take into account the legal market in Brazil, but there is also a large illegal market of weapons transported both between countries and within the country (Fock, 2005; IANSA, 2005a). The trafficking of small arms and light weapons is facilitated by the poor implementation of small arms control legislation, little to no communication between civilian and police arms control agencies and the military, corruption, and the poor regulation of the local arms production market (IANSA, 2005a; Logan, 2003a). The laws to control the illegal trafficking of weapons do exist in Brazil, but extensive corruption and poor communication contribute to their poor implementation (IANSA, 2005a; Logan, 2003a; Dreyfus, 2002).

Another myth surrounding this problem is the widespread belief that only criminals own guns and engage in violent acts using their guns (Veja, 2005; ISER, 2004). This increases the fear and frustration amongst the population and compels them to buy weapons to protect themselves against armed criminals (CNN, 2005b; Dines, 2005). These fears are further heightened by the media's portrayal of crime and violence in Brazil and the population's lack of trust in the state and the police (Bailey and Dammert, 2006; Veja, 2005, Galeria, 2004). Regardless of the prevalence of these myths and the fear felt by Brazilian citizens, the fact of the matter is that the majority of the small arms seized by law enforcement officers every year in Brazil were originally legally owned (Dines, 2005; ISER, 2004; Dreyfus, 2002). These arms are usually stolen from their legal owners during break-ins or robberies. In these robberies, the legal owners of guns are often injured or killed trying to defend themselves from the intruder and their legally owned weapon ends up on the streets in the hands of criminals.

So far I have considered the issue of gun ownership and gun-related violence by briefly highlighting the consequences of this form of violence, and reviewing the factors that further exacerbate this problem. In the next section, I will discuss the problem of gun-related violence in Brazil from a human rights perspective.

7.3 GUN-RELATED VIOLENCE IN BRAZIL: A HUMAN RIGHTS PERSPECTIVE

The issues and statistics highlighted above make it clear that weapons have increasingly been used as instruments of violence in conflicts and crime and are currently responsible for a large number of deaths. According to the NGO committee on disarmament, peace, and security (2004), the excessive and destabilizing accumulation of small arms and light weapons is closely related to the increased incidence of conflicts and high levels of crime and violence. The accumulation of weapons, by itself, does not cause the conflicts in which the weapons are used. The availability of these weapons, however, does contribute to the exacerbation of conflicts by increasing the lethal nature and duration of violence, encouraging a violent rather than peaceful resolution of differences, and generating a vicious circle of the need for a greater sense of security which in turn leads to a greater demand for, and use of, such weapons (Dean, 2005; NGO

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Committee on Disarmament, Peace, and Security, 2004; Glebbeek, 2003; Institute of International Studies, 2002).

This is further elaborated by Meek (1998). According to her the majority of casualties, abuses of authority, and indiscriminate killings are caused by the availability and use of weapons. The resolution of internal conflicts, such as those being played out in the *favelas* of Rio de Janeiro, depends in part on socio-economic development, effective democracy, and security, yet these remedies require time and stability to be implemented successfully (Lindholt et al., 2003). If the indiscriminate access to violence and weapons continues, stability will be harder to achieve. Weapons are currently being used in an increasing number of situations, with longer lasting, and deadlier results. The consequence of this is that large cities, such as Rio de Janeiro, suffer from high rates of crime and violence. Programs, which incorporate disarming the population and improving and professionalizing policing, such as those discussed in this book, are being jeopardized by violence as people feel the need for self-defense and continue to arm themselves, thus creating a vicious cycle of violence and insecurity (Glebbeek, 2003; Mesquita Neto, 2002; Faltas and Anders, 2000).

As mentioned above, the proliferation of weapons increases the likelihood that people will resort to a violent resolution to their problems and that existing conflicts will be exacerbated (Institute of International Studies, 2000; Meek, 1998). The growth and prevalence of gun ownership and use in Brazil and the inability of the Brazilian state or its agents to do anything to control or improve the situation can be implicated in the violation of the right to life, liberty, and security of the person, and the right to health. These human rights violations affect the implementation of the rule of law in two ways. On the one hand, high rates of violence and insecurity decrease the legitimacy of the government, increase its instability, and increase the likelihood that the armed population will attempt to resolve its own problems without the assistance of the state (Glebbeek, 2003; Logan, 2003a; Rotker, 2000). On the other hand, a violent, instable society also encourages those law enforcement officials who violate the rule of law and fail in their duty to protect the population (Hinton, 2006; Cano, 1998). This leads to problems, such as those described above, of corrupt, violent law enforcement officials who take part in illegal activities such as the selling of confiscated weapons in police custody to criminals.

Lastly, gun violence can also be seen as a health problem. Like other health issues, weapons are a preventable cause of widespread death, injury, and suffering (BICC, 2005). If gun violence can be a health problem then it can also be resolved or diminished in a manner similar to other health problems. Therefore the prevention of gun violence involves reducing people's exposure to the agent of injury, in this case, their exposure to guns (ISER, 2002). This means restricting and reducing access to guns, and reducing the lethal nature of guns (Dines, 2005; IANSA, 2005a). Research in Australia and Canada has shown that when controls on gun ownership are increased, the rate of gun-related deaths decreases (BICC, 2005; Faltas and Anders, 2000). Following this example, Viva Rio and several other NGOs are currently working together with the police in Rio de Janeiro in order to restrict and reduce the population's access to guns in the hopes of decreasing the high rates of gun-related deaths and violence. These efforts will be described in more detail in the following section.

7.4 'RIO SEM ARMAS' (RIO WITHOUT ARMS): DISARMING THE POPULATION



'Finish with your firearm, before it finishes with you.'
Publicity for Viva Rio's disarmament campaign.

So far in this chapter, I have presented the problem of the proliferation of weapons, highlighted the extent and prevalence of gun-related violence in Brazil, and discussed the proliferation of weapons and the resulting increase in gun-related violence from a human rights perspective. Considering the extent of the proliferation of weapons in Brazil, especially in Rio de Janeiro, and the deadly consequences this has for the population of Rio, efforts have to be made to diminish the high rates of gun ownership and gun-related violence in Rio de Janeiro.

Viva Rio's disarmament program, like other attempts to disarm the population voluntarily, involves raising awareness about the dangers and consequences of gun ownership, lobbying for the creation and implementation of stricter legislation on the possession and use of firearms, motivating those who own guns to turn them in usually on condition of anonymity and for a monetary reward, and destroying the weapons collected so that they cannot be reintroduced into society (Viva Rio website, IANSA, 2005a; Galeria, 2004). Unlike the police human rights strategies described in previous chapters, the disarmament program is only partly directed at increasing police compliance with human rights. Part of this project involves the police working with Viva Rio and the state government to get weapons off the streets and part of it is aimed at controlling and diminishing police corruption, thereby increasing police compliance with the rule of law and human rights. The disarmament program can be viewed as a police human rights strategy because it attempts to change people's attitudes towards the possession and use of weapons, decrease the amount of weapons in circulation, increase controls on, and destroy stockpiled weapons thereby increasing the likelihood that people can fully enjoy their human right to life, liberty, and security of person and their right to health, and decrease the possibility of law enforcement officials violating the rule of law and indulging in illegal activities thereby attempting to increase police compliance with human rights standards. In this section, I will briefly outline the theory behind disarmament programs, describe the activities involved in the disarmament program currently being implemented in Rio de Janeiro, and discuss the achievements of the program to date.

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Traditionally, actions to curb the prevalence of weapons have either focused on gun control, at a national level, or arms control, in the international context (Institute of International Studies, 2002; Roberts, 1995). Each tend to focus on measures to limit or restrict the supply of weapons by implementing legislation, limiting imports and exports, or enforcing regulations to ensure the safe use, storage, and carrying of weapons by individuals (Meek, 1998). The focus of the old measures was to control the proliferation of weapons but to a large extent proliferation has already occurred, a fact which also has to be dealt with. These programs also tended to be more concerned with heavy weaponry as it had long been assumed that small arms were inconsequential but it is becoming increasingly evident that they are the most dangerous of all (Institute of International Studies, 2002; Karp, 1997).

Recently the deadliness of small weapons and the extent of the proliferation of these weapons have been acknowledged and the focus has shifted to the collection of these small arms (Faltas and Anders, 2000). Programs to reduce gun ownership or decrease the demand for weapons tend to either focus on education, changing the population's attitudes towards weapons, improving awareness on handling firearms safely, teaching conflict resolution techniques to calm tense situations before they become violent, and collecting the weapons already present in a society (Dean, 2005). Yet due to the complexity of collecting weapons, the options for weapons collection programs are limited; the majority of buy-back programs operate on the basis of a 'no questions asked' policy, combined with amnesty from prosecution (NGO Committee on Disarmament, Peace, and Security, 2004).

The basic premise of weapons collection programs is that the community, organization, or government involved decides that weapons should be collected because of the dangers and instability inherent in allowing them to remain in circulation (Meek, 1998). Collection points are then identified, cooperation with local law enforcement agencies is agreed upon, a compensation scheme is devised generally based on the type of firearm, a duration period is set, and a publicity campaign launched (Faltas and Anders, 2000; Meek, 1998). Organizers in similar schemes around the world have found that the number of weapons turned in is influenced by the prices offered for the weapons, the amount of publicity used by the program, and the collection site used (IANSA, 2005a; Meek, 1998).

This suggests that the successes of disarmament programs depend not only on their planning and implementation but also on the social, political and economic situation in the region when the program is initiated (Faltas and Anders, 2000). Generally, there is little belief that disarmament programs can by themselves reduce the number of weapons in circulation or prevent crime (Dean, 2005; NGO Committee on Disarmament, Peace, and Security, 2004). Yet they continue to be popular; there are three main reasons for this. These programs are an important way in which to increase community cohesiveness and improve relations between people and the local law enforcement agencies, they bring attention to weapons and gun-related violence issues and can possibly lead to a change in behavior, and they may draw enough attention to other types of controls as well, such as violence prevention and conflict resolution, that may be able to reduce gun violence (Dean, 2005; Meek, 1998).

There are positive and negative aspects to disarmament programs. The positive aspects cited in the literature include: the ability of these programs to promote gun control, to reduce the number of available guns, the fact that they do not require the commitment of significant manpower or money, and allow organizers and supporters to feel good as they are doing something to tackle the problem of gun ownership and gun-related violence in their communities (NGO Committee on Disarmament, Peace, and Security, 2004; Institute of International Studies, 2002; Faltas and Anders, 2000; Meek, 1998). The negative aspects cited include: the inability of the programs to reach the target population or diminish the demand for weapons, the possibility that firearms dealers use the cash incentives offered to them during these programs as an opportunity to get rid of their old stock and buy new weapons from the money received, and that the money invested in these programs could be better used to improve detection methods or to hire more law enforcement officers (Dean, 2005; Institute of International Studies, 2002; Meek, 1998; Karp, 1997).

Despite the problems inherent therein, disarmament programs continue to be popular worldwide because they raise awareness about gun violence, serve as a safe way for people to dispose of unwanted firearms, are a way for communities to be involved in finding solutions to the problems they face, serve as a manner in which to pressurize the government to tighten legislation regarding gun ownership and use, and can also allow for norms to develop against the use of firearms that can work to change attitudes about the possession and use of these weapons.

7.4.1 Background of the Program

Since its creation in 1993, following the Candelária and Vigário Geral massacres, Viva Rio has worked to combat the increase of urban violence in Brazilian cities.⁴ Since then it has grown to become one of the biggest, most well-known and well-respected NGOs in Rio de Janeiro. Along with the campaigns for peace and a reduction of armed violence that they are well known for, Viva Rio has also launched a program against the proliferation of small arms (IANSA, 2005a; Galeria, 2004; Logan, 2003). This program was launched in response to the devastatingly high rates of gun-related violence and crime in Rio de Janeiro, and their widespread consequences. The disarmament program was begun on a local basis by Viva Rio with police cooperation but since then has grown tremendously into a cooperative effort between Viva Rio, IANSA, and Amnesty International that aims to counter the proliferation of arms across Brazil. The program also forms part of activities by a network of NGOs that work on disarmament in the MERCOSUR region, encompassing Argentina, Brazil, Chile, Paraguay, and Uruguay.⁵

4 For more information on the massacres, see chapter three, for more on Viva Rio see chapter four or access www.vivario.org.br

5 www.desarme.org Last accessed on 22 February 2006.

7.4.2 What it Involves⁶

The disarmament program created by Viva Rio and currently being implemented by Viva Rio and the Rio de Janeiro state police forces has three main objectives: to reduce the demands for guns through actions carried out to sensitize civil society to the risks involved in using or carrying firearms and to respond to the gun industry lobby, to reduce the supply of guns by curbing illicit arms trafficking and controlling the production, sales, exports, and imports of small arms and ammunition, and to improve the controls on stockpiled weapons through the destruction of excess guns and the improvement of secure storage facilities.⁷ Viva Rio attempts to achieve these objectives in a variety of ways. The different activities involved in the disarmament programs are described below. They are all implemented on a local, national, and international level in order to achieve the most influence. The activities that the disarmament program entails are:

7.4.2.1 Research

As part of the disarmament program, Viva Rio develops and conducts research along with the *Instituto dos Estudos da Religião* (ISER – Institute of Religious Studies) in Rio de Janeiro in order to produce reliable information on the consequences of the use and proliferation of firearms as well as ways to reduce the number of gun-related deaths (ISER, 2004; Dreyfus, 2002). The research conducted to date includes: the impact of gun use on public health, victimization surveys of who is most likely to become a victim of armed violence and under which circumstances, legislation, illicit arms trafficking, and the involvement of children in organized armed violence.

7.4.2.2 Police Involvement

In addition to conducting research on the proliferation of firearms, the program also involves reforming the arms classification method of the Civil Police of Rio de Janeiro and the conditions under which small arms are stored. The aim of this activity is to create a standard that can be applied to civil police forces across Brazil through which seized weapons can be traced and stockpiled weapons can be made more secure (ISER, 2002). A classification manual for the data collected on seized weapons is currently being put together by Viva Rio for the state secretariat for public security of Rio de Janeiro.

Furthermore, the program also involves the creation of a database by Viva Rio in partnership with the *Divisão de Fiscalização de Armas e Explosivos* (Arms and Explosives Control Division – DFAE) of the Civil Police of Rio de Janeiro. So far this database holds information on 750,000 firearms registered and/or seized in the state of Rio de

6 All the information presented in this section has been gathered from the Viva Rio website and a series of interviews with Viva Rio employees.

7 www.vivario.org.br Last accessed on 23 September 2006.

Janeiro.⁸ Additionally, the police play a secondary role in the collection and destruction of weapons. Not only can the population voluntarily turn in their weapons to the police at civil police stations across the state for a monetary reward from the federal government but weapons confiscated during police operations are also collected and destroyed by the state under the watchful eye of the civil and military police forces, and the armed forces as I will describe later. In order to promote the seizure of weapons from criminals and the removal of weapons from the streets of Rio de Janeiro, the state government has set up a system through which the state secretariat for public security gives a monetary reward for every weapon seized by police officers, with the rewards increasing with the grade of the weapon (Jornal da Polícia, 2006).

7.4.2.3 *Legislation*

The disarmament program also involves collaboration between various organizations in order to pressure state and federal governments to take more effective measures to combat small arms proliferation. Viva Rio is involved in lobbying the state government of Rio de Janeiro and the federal government of Brazil to increase restrictions on the carrying of firearms, restrict the purchase of firearms or ban them outright, and implement stricter penalties for the use of firearms as will be discussed later in this chapter (IANSA, 2005a; Galeria, 2004).

7.4.2.4 *Public awareness campaigns regarding disarmament*

One of the most visible elements of the disarmament program is the various public awareness campaigns (IANSA, 2005a; Galeria, 2004). These campaigns are launched with tremendous publicity and aim to increase knowledge about the dangers of guns and to convince the population of the need for civil disarmament so that more people do not fall victim to their own guns in accidents or at the hands of an assailant while trying to defend themselves (ISER, 2004).

7.4.2.5 *Events in support of civil disarmament*

The disarmament program also involves the organization of numerous popular activities such as marches, shows, concerts, and murals that seek to reduce the demands for and use of guns, and discourage youth involvement in criminal gangs (Dowdney, 2003). Viva Rio organizes these activities and also supports the activities organized by other organizations.

8 *Idem.*



Photo 19: The police and armed forces guarding arms to be destroyed during a gun destruction ceremony in Rio de Janeiro

7.4.2.6 *Voluntary Weapons Collection*

One of the primary activities of the disarmament program is the campaign to encourage the population to turn in the weapons they own for a monetary incentive (IANSA, 2005a). This campaign was initially launched by Viva Rio in cooperation with some local churches in Rio. People were able to safely turn in their weapons without having to answer any questions or face legal penalties. In 2004, due to its popularity in Rio de Janeiro, this campaign was adopted by the federal Brazilian government and implemented across Brazil (Galeria, 2004; Logan, 2003b). Guns can be turned in at churches and civil police stations. People who do not have a permit to carry a weapon have to apply at their local police stations for permission to carry the weapon from their home to the collection site.

7.4.2.7 *Arms destruction*

Since 2001, the disarmament program has included public gun destruction events. These events are organized in order to destroy guns that are turned in by the population or apprehended by the police (Logan, 2003b). The destroyed guns are therefore removed from circulation so that they cannot be resold to criminals and claim other victims. These arms destruction events are organized by Viva Rio in cooperation with

the government of the state of Rio de Janeiro. I will describe the arms destruction events in more detail in the next section.

7.4.2.8 *MERCOSUR network and regional training*

As stated earlier, the disarmament program also forms part of the activities of a network of NGOs from the MERCOSUR region (Argentina, Brazil, Chile, Paraguay, and Uruguay) that work on disarmament. This network meets periodically and conducts workshops to encourage research centers in Brazil and the rest of Latin America to work on revealing the harmful effects of the proliferation of small arms, train NGOs in how to conduct campaigns and research, and set up a bilingual (in Portuguese and Spanish) website on disarmament and human security.⁹

7.4.2.9 *International Activities*

The disarmament program in Rio de Janeiro also forms part of the international movement against the proliferation of small arms. The objective of this movement is to reduce the impact of firearms on the population and create a culture of peace. The biggest of these networks is IANSA which brings together more than 500 NGOs from all over the world.¹⁰

Viva Rio, the NGO in charge of implementing the disarmament program in Rio de Janeiro, also participates in national and international conferences with the objective of learning from the experience of countries that are successfully able to reduce urban violence and to also share their own experiences. In addition, Viva Rio cooperates with NGOs, national governments, and international organizations in order to identify the routes of the illegal small arms trade in and out of Brazil.

Above I have discussed the purpose of disarmament programs, such as the one currently being implemented by Viva Rio in Rio de Janeiro, and described what the disarmament program in Rio de Janeiro entails. In the following subsection, I will turn my attention to the achievements of the disarmament program.

7.4.3 What it has Achieved

Since its creation, the disarmament program has been gaining a lot of momentum in Rio de Janeiro. In 1999, Viva Rio collected 1,320,000 signatures from Rio citizens in favor of banning the use and sale of small arms during the signature collection campaign, '*Rio, Abaixo Essa Arma*' (Rio, Put That Gun Down). In 2000, Viva Rio launched another campaign, '*Basta, Eu Quero Paz*' (Enough, I Want Peace), and millions of Brazilians dressed in white, brought pictures of gun victims to make 'Murals of Pain' in 14 major Brazilian cities (IANSA, 2005a). These campaigns increased public aware-

9 www.desarme.org Last accessed on 22 February 2006.

10 www.desarme.org Last accessed on 22 February 2006; www.iansa.org Last accessed on 9 November 2006.

ness and paved the way for changes in local legislation and the attitudes and behavior of the population.

Awareness-raising campaigns and protests in Rio de Janeiro put enough pressure on the state to push through a local firearms control law in the state of Rio de Janeiro (Galeria, 2004). This law, enacted in 2001, was the successful resolution of Viva Rio's campaign entitled '*Rio sem armas*' (Rio without weapons). The law requires that anyone wishing to purchase a firearm adhere to strict guidelines. These include proving that one has knowledge of how to use and store one's weapon, has a psychological and medical certificate of health, pays R\$ 500 (\$ 267) per year, and provides three letters of recommendation commenting on one's character (Galeria, 2004; Dreyfus, 2002). Following the passing of this law, Viva Rio launched the '*Brasil sem armas*' (Brazil without weapons) campaign and lobbied to have the law extended nationwide. Critics of the campaigns and the law believe that these restrictions interfere with the right of *cariocas* and Brazilians to bear arms¹¹ and protect themselves against criminals (CNN, 2005b). They argue that this law will only affect 'honest citizens' while criminals and their access to arms will not be affected and they will continue to terrorize Brazilian cities (Veja, 2005). Yet as has been highlighted earlier, many of the guns that end up in the hands of criminals are in fact initially purchased legally by citizens wishing to defend themselves (Dines, 2005; ISER 2004).

In an attempt to discredit the myths around gun ownership and gun-related violence in Rio de Janeiro, Viva Rio has organized several public awareness campaigns focusing on the need for civil disarmament. These include educating the public about the dangers of keeping a gun in their house and the importance of resolving disputes peacefully (IANSA, 2005a; Galeria, 2004). A particularly influential and well-received campaign was '*Arma não. Ela ou eu!*' (Choose Gun Free: Your Weapon or Me!). This campaign employed female celebrities and average citizens in a bid to empower women as agents of social change.¹² These campaigns are supported by others that put pressure on the Brazilian Congress to counter the strong, influential, and well-funded lobbying of the gun industry in order to reform permissive and inefficient legislation on arms control.¹³ Along with encouraging citizens not to purchase guns and pressurizing law makers to strengthen gun control legislation, the disarmament program also promotes citizens voluntary handing in guns they already own in order to take them out of circulation.

As mentioned earlier, the voluntary weapons collection programs which Viva Rio began with local churches were later adopted by the federal government in Brazil (Galeria, 2004; Logan, 2003b). This government initiative offers monetary rewards to both civilians and law enforcement officials who turn in weapons under a 'no questions asked' policy regarding the origin of the weapon. The reward amount differs between US\$ 30 to US\$ 100 according to the type of firearm turned in (BBC, 2005; Foek, 2005). Since the federal government has taken over the voluntary weapons collection

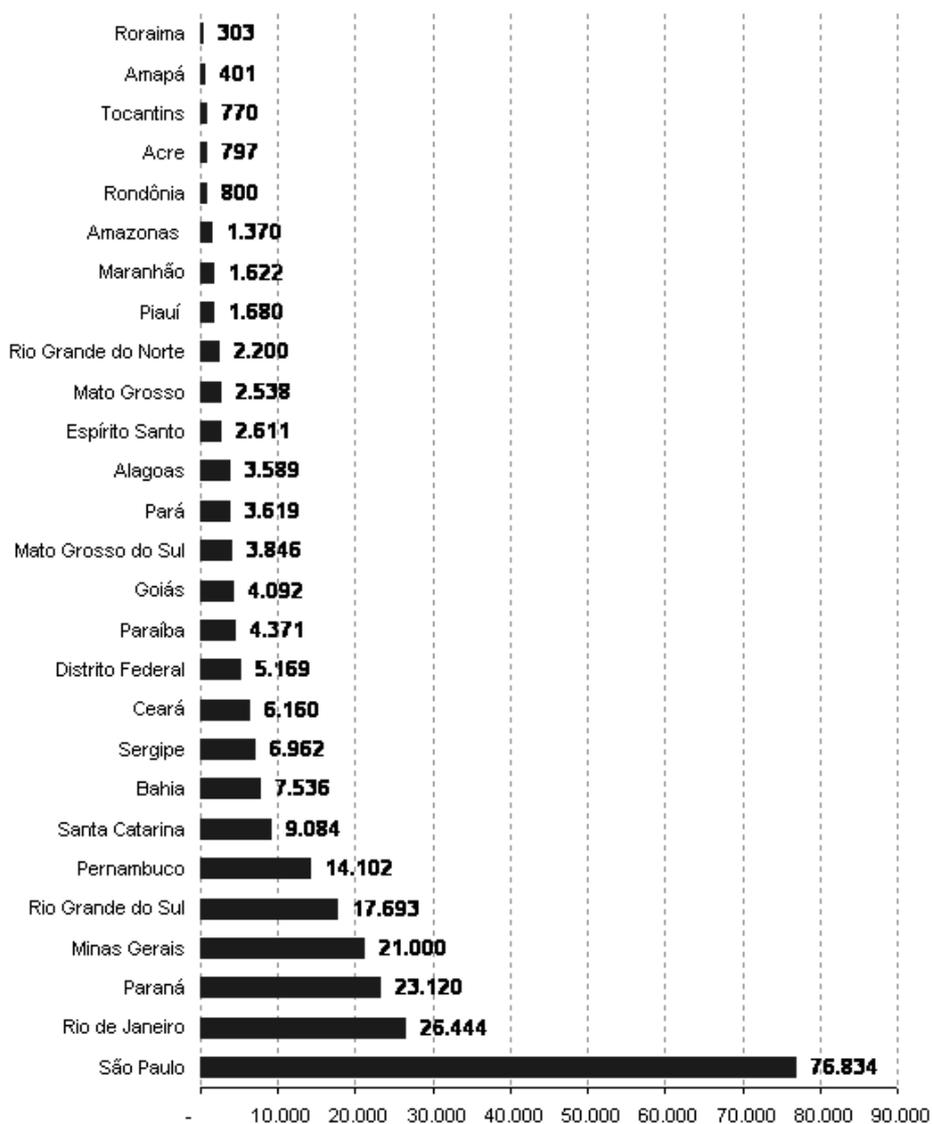
11 Despite people's perceptions, the right to bear arms is not constitutionally or legally guaranteed in Brazil.

12 www.vivario.org.br Last accessed on 23 September 2006.

13 Interview with Viva Rio disarmament program coordinator, 8 December 2003.

IN WAR, THOSE WHO DIE ARE NOT INNOCENT

Number of weapons collected, by States (July 15 to December 16, 2004):



Source: ISER/Viva Rio (2004) – with Federal Police and state secretariats for public security.

program, guns can be turned in at civil police stations around Brazil, though some churches also accept weapons from those people who, despite the amnesty laws, are still reluctant to turn their weapons in to the police (IANSA, 2005a). Research conducted

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by ISER (2004) found that ninety percent of the weapons turned in were in good condition, seventy-four percent were handguns, and only eleven percent were handed over with licenses. In addition, UNESCO along with Viva Rio created the Human Secretary Award, for the governors of the states with the highest number of weapons collected (IANSA, 2005a). The awards are delivered by victims of gun-related violence. As the following graph shows, the majority of weapons were collected in the state of São Paulo in 2004; this could be due to the fact that the state of São Paulo has a larger population or because the São Paulo state government launched a wider-reaching campaign.

The guns that are turned in or seized by police officers are better classified by the civil police, their origins are traced, their details are entered into the DFAE database, they are securely stockpiled and then they are destroyed in public firearms destruction events in order to get them out of circulation and to stop them from being resold by corrupt law enforcement officers (Logan, 2003a). This began on 24 June 2001 when 100,000 guns in police custody were destroyed in the largest simultaneous gun destruction in the history of the world (IANSA, 2005a). The collected firearms were brought together by the army and police officers, and destroyed with a steamroller. An analysis by ISER (2004) determined that nearly 600 of the destroyed weapons were machine guns, submachine guns and sawn-off shotguns. Also destroyed were grenade launchers, rocket launchers and bazookas. This initial public firearms destruction event has been followed by similar events every year in July.



Photo 20: Army officer in front of the flames of peace – symbolic burning of guns – at a gun destruction ceremony

Box 5: Arms Destruction Event

The gun destruction ceremony I attended on a sunny, clear Sunday in July 2003 involved civil and military police officers, army personnel, and local politicians working along with Viva Rio and other NGOs in Rio de Janeiro. The gun destruction ceremony was held in a large park in the neighborhoods of Flamengo and Gloria, a location which attracts many joggers and cyclists. Following speeches by several prominent politicians and activists, highlighting the problem of gun-related violence in Rio de Janeiro, and pointing to the necessity for disarmament, some 300 rifles and shotguns were burned on a pyre as a symbolic act while the remaining firearms such as pistols and revolvers were bulldozed. This is done in order to ensure that illegal weapons do not return to the streets where they could again be used to threaten, kill, or maim others. During this event there was also a memorial displaying the shoes, and sometimes photographs, of victims of gun violence in Rio de Janeiro. This memorial of shoes was rather long and helped to drive home the fact that gun violence in Rio de Janeiro claims many lives and that it does not only affect drug traffickers or criminals but regular citizens including women and children. Attending this day seemed to be a family day out for many people, and due to its central location the gun destruction ceremony also drew the attention of many passers-by who had not intended to attend but were drawn into the event by the balloons and banners designating the site, the campaign stickers and t-shirts being distributed, and the food and drink vendors that had gathered in the area of the park where the event was taking place.

On 11 December 2003, Viva Rio's disarmament campaign achieved another important victory when the Disarmament Statute was approved by the Brazilian Congress. The statute tightens legislation across Brazil on owning and carrying guns, imposes stricter restrictions for obtaining a gun, increases the minimum age to purchase a gun from 21 to 25, makes it illegal for almost anyone outside the armed forces and the police to carry firearms, obliges all firearms and ammunition to be marked in order to facilitate tracing during investigations, makes it illegal for youth detention center guards to use guns, stiffens penalties on illegal gun sales, and requires that firearms seized by police be destroyed within 48 hours of being released from the judicial process in which they are implicated (IANSA, 2005a; Galeria, 2004). These elements make this statute the toughest legislation of its kind anywhere in the Americas (BBC, 2005; CNN, 2005a).

On 9 September 2005, the Ministry of Health announced an eight percent drop in gun-related deaths in Brazil in 2004 (IANSA, 2005a). This means there were 3,234 less gun deaths in 2004 than in 2003. This is the first decline in gun-related deaths in Brazil in twelve years (BBC, 2005). The drop in gun deaths included a nineteen percent drop in gun deaths in the state of São Paulo, which also had the highest amount of weapons collected in 2004, and a nine percent drop in the state of Rio de Janeiro (IANSA, 2005a). According to the Minister of Justice, this drop in gun-related deaths is clearly linked to the disarmament statute of 2003 and the massive gun buy-back scheme that has removed over 400,000 guns from circulation. Until now no other research data have been released that would confirm or deny the data released by the Ministry of Health.

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Photo 21: Memorial of shoes of victims of gun-related violence

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Another measure contained in the tough, new national gun law, the Disarmament Statute, was the scheduling of a nationwide referendum regarding the ban on gun sales on 23 October 2005. Civil society organizations considered the ability to vote for an outright ban on gun sales in Brazil the greatest achievement of the December 2003 legislation (Logan, 2003b). The 23 October 2005 referendum was the first time any country put its national gun laws to a popular vote (Galeria, 2004). One hundred and twenty-two million Brazilians voted on the issue of a nationwide ban on the sale of firearms in Brazil (IANSA, 2005b). In this referendum, sixty-four percent of the population voted 'no' to the ban, while thirty-six percent voted in favour of the ban (CNN, 2005a; IANSA, 2005b).



Photo 22: Close up of a shoe of a victim of gun-related violence

Before the referendum support for the ban was running as high as eighty percent (CNN, 2005a). But then in the weeks before the referendum, both sides were granted free time to present their cases on prime-time TV, in accordance with Brazil's election law, and the 'no' lobby began to grow. The 'no' campaign exploited people's fears that the state and its agents are unable to protect them and equated owning a gun with freedom and exercising their rights (IANSA, 2005b). The debate that ensued mirrored to quite an extent the gun control battle in the United States but with one important difference: the right to bear arms is not guaranteed by the Brazilian Constitution. Yet it seems to be a right that Brazilians believe they deserve (CNN, 2005a; CNN, 2005b), even in the face of the knowledge that Brazil has 100 million fewer inhabitants than the United States but a staggering 25% more gun deaths (Galeria, 2004). Despite the defeat in the national gun referendum, the disarmament program continues to attempt to

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decrease gun ownership and gun-related violence.¹⁴ The Disarmament Statute, approved in December 2003, will continue to be implemented (IANSA, 2005b).

In this section, I have described the disarmament program currently being implemented in Rio de Janeiro in detail. I have done this by reviewing the existing literature on disarmament programs, highlighting the goals and ideas behind the disarmament program implemented by Viva Rio, describing the activities involved in the program, and discussing the achievements the program has achieved so far in terms of gun ownership and gun-related violence in Rio de Janeiro. As can be seen from this section, the disarmament program involves numerous activities and has grown from a small, local project to a nationwide movement in a matter of a few short years. In the past seven years, the disarmament program has raised awareness about the dangers of weapons, successfully removed thousands of weapons from circulation in society, and influenced law makers to tighten regulations on carrying, buying, and selling weapons. Yet the defeat of the national referendum against gun ownership suggests that the disarmament program has not been completely successful in changing people's attitudes towards gun ownership and use. The majority of Brazilians who voted against the national referendum to ban gun sales across the country still believe they need to own arms to defend themselves. Brazilians do not feel safe and do not trust the state or its police forces to protect them (Hinton, 2006). This is likely to influence their perceptions of the disarmament program. This is a topic I will take up in the following section. I will discuss how the key actors involved in the program, including activists, NGO representatives, policy makers, law enforcement officials, and community representatives perceive the disarmament program and its impact on the problems of gun ownership and gun-related violence in Rio de Janeiro.

7.5 THE PERSPECTIVES OF KEY ACTORS

Although it began on a small scale, the disarmament program has grown tremendously over the past few years. As a result of several large publicity campaigns and the successful realization of some key goals, the disarmament program is well-known in Rio de Janeiro. Due to its connection with the national referendum to ban gun sales held in October 2005, the disarmament program has achieved nationwide and even international attention. Despite the increased attention and understanding of the extent of gun ownership and gun-related violence in Rio de Janeiro, people's perceptions of the program remain divided (Dines, 2005; Veja, 2005; ISER, 2004). Activists and NGO representatives are positive about the disarmament program and its achievements whereas other key actors involved in the implementation of this program believe it is either too little too late or that it does not target the real cause of the problem.

NGO representatives and activists, who support the disarmament program, stress everything the program has been able to achieve since it was implemented a few years ago. In the seven years since the program began, it has grown from a local program to

14 www.vivario.org.br Last accessed 23 September 2006.

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raise awareness amongst the population and motivate them to hand over their weapons to a nationwide movement which has resulted in the passing of the strictest law against the sale and use of firearms in the Americas (Galeria, 2004). A year after its implementation, this tough, new gun law has already been implicated in the reduction of gun-related deaths in Brazil (IANSA, 2005a). In its current state the program involves the cooperation of NGOs, the state and federal governments, law enforcement agencies, and citizens. These groups have different goals and interests but following the growth of this program, they all have to cooperate for its successful implementation. On this point it is not only the activists and NGO representatives that are positive about the project, but police officers as well, as the quote below suggests.

‘I’m not saying that the disarmament program is flawless or completely solves the problem of crime and violence in Rio, because it does not. But it does involve some drastic changes for everyone. Most importantly it forces everyone to work together to deal with the problems we encounter in Rio. We all have to cooperate with each other, and let me tell you that is hard but it does help us in the end’ (Male, 32, Civil Police Inspector).¹⁵

Yet according to activists and NGO representatives these dramatic, wide-reaching changes are not the only positive outcomes of the disarmament program. The NGO representatives involved in the implementation of this program also point to the increase in community awareness and involvement that has resulted from the implementation of the disarmament program.

‘With this program you notice ordinary people from the community attending events, getting educated about the problem, and getting involved to do something about it. People work together because they want change – they have had enough. I think this program fills a gap in Brazilian society’ (Female, NGO representative, 29).¹⁶

As the interviewee states above, the disarmament program educates and involves the population of Rio de Janeiro (Dreyfus, 2002). People get involved in the program because they are unsatisfied with the current state of affairs in Rio de Janeiro and because contributing to this program gives them something they do not usually experience: the feeling that they are doing something good to alter their situation. This is a perception that was voiced by some neighborhood representatives:

‘Look, its pretty obvious that we have our problems here in Rio. This is a violent city. We can either just accept it like it is and live our lives in fear or we can get involved and do something about it. That is what I can do with this disarmament program. I can learn new things and try to change things. That is satisfying’ (Male, 53, small-business owner).¹⁷

15 Author interview, 23 November 2004.

16 Author interview, 8 December 2003.

17 Author interview, 28 November 2004.

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Yet not everyone involved in the disarmament program was positive about it or its impact. Some of those I interviewed believed that the disarmament program had been implemented far too late. According to these respondents, which included policy makers, law enforcement officials, and neighborhood representatives, Rio had already suffered too much damage from weapons. After the years of proliferation of arms and the extent of gun ownership and gun-related violence, weapons have become so entrenched in the *carioca* society and way of life that disarmament is not possible and would not achieve any change. A representative of the state secretariat for public security had the following to say about the disarmament program:

‘Crime, violence, drugs, and guns, they have been part of our lives for so many years now. We may not like them but no one can deny that we have gotten used to them. They have become part of our culture, our society; no program can change that. It is too late to implement a program that will do so little about our problems’ (Female, 39, Government Representative).¹⁸

The respondent quoted above stated that the disarmament program entailed too little and was implemented too late to really change anything as far as the problems of gun ownership and gun-related violence in Rio de Janeiro were concerned. Other respondents who did not support the disarmament program did not do so because they did not think the disarmament program did enough to address the problems stated above. According to these respondents, the disarmament program cannot resolve Rio de Janeiro’s crime and violence problems (Veja, 2005; CNN, 2005a). They believed that investment in the program was a waste of money, money that could be invested in law enforcement officers, better police technology, and resources to counter the proliferation of weapons. Investment in the police organizations and their powers is seen as a better way to counter the problems of gun ownership and gun-related violence in Rio de Janeiro.

‘I don’t think the disarmament program can actually achieve anything. I am sure it is a good idea but you need more than a good idea to deal with the problem of crime and violence in Rio. You need a strong, well-trained, well-equipped, and smart police force. Only the police can solve the problem so I do not know why the government keeps investing in other programs and not in the police’ (Male, 53, Military Police Colonel).¹⁹

Lastly, some of those who disagree with the disarmament project do so because they believe the program is not targeting the real source of the problem but only persecuting innocent citizens. According to these respondents, the criminals and violent drug gangs prevalent in Rio de Janeiro are the real cause of the problem (Veja, 2005). Gun ownership and gun-related violence are simply the symptoms of the problem. The disarmament program as it currently stands is seen as dealing with the symptoms but not

18 Author interview, 3 December 2004.

19 Author interview, 3 December 2004.

getting down to the real heart of the problem (CNN, 2005b). In dealing only with the symptoms, this program curtails the freedoms of the population while letting the criminals roam free. This was voiced by a neighborhood representative.

‘I do not support this disarmament program, I cannot. I cannot because I do not see how it can contribute to the resolution of our problems here in Rio. These NGOs, the police, not even the government can control these criminals. And now they want us to give up our guns, us peaceful, law abiding citizens! We can no longer protect ourselves and those criminals are allowed to run free and terrorize us. It is their guns who kill people, not ours’ (Male, 40, government employee).²⁰

The perception of the neighborhood representative quoted above is a common one in Rio de Janeiro and Brazil in general, and this could be seen in the defeat of the national referendum against weapons in October 2005. Many citizens of Rio de Janeiro do not feel secure and they do not trust the police to protect them which is why they are in support of owning guns for protection, and oppose the disarmament program.

In this section, I have discussed how the different actors involved in the disarmament program perceive it. The perceptions of the disarmament program are rather different and divided. Activists, NGO representatives, some law enforcement officials, and neighborhood representatives support the program because of its numerous achievements, the cooperation of NGOs, governments, law enforcement agencies, and the citizens involved in its successful implementation, and the sense of satisfaction it seems to give those citizens who take part in the program. On the other hand, there are also policy makers, law enforcement officials, and neighborhood representatives who oppose the program. They do so because the program has been implemented too late, contributes too little to the resolution of the problems encountered by the citizens of Rio de Janeiro, uses money that could otherwise be invested in the police, and targets honest citizens instead of the criminals who are really responsible for the rise in crime and violence in Rio de Janeiro. In the following section, I will highlight the societal and institutional factors that facilitate or impede the implementation of the disarmament program.

7.6 FACILITATORS AND IMPEDIMENTS

A strategy, such as the disarmament program, that aims to diminish the problem of gun ownership and gun-related violence in Rio de Janeiro cannot remain untouched by the situation around it. The disarmament program is created and implemented by a NGO with its own specific goals and concerns and within a society with its own peculiar problems and expectations. This strategy is influenced by societal and institutional factors that either facilitate or impede its implementation. In this section, I will examine

²⁰ Author interview, 28 November 2004.

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the factors that act either as facilitators in assisting the successful implementation of the disarmament program, or as impediments in opposing it.

7.6.1 Facilitators

7.6.1.1 *NGO commitment/involvement*

One of the primary facilitators of the disarmament program is the involvement of Viva Rio in its implementation. Since its creation in the early 1990s, Viva Rio has become a well-known and well-respected NGO in Rio de Janeiro. Not only does its commitment to disarmament ensure that the program will continue but its involvement in this issue also legitimizes the disarmament movement. Over the past few years, the disarmament program has been further legitimized by the support given to it by international organizations such as Amnesty International and IANSA. The involvement and commitment of these NGOs ensure that the program receives funding, publicity, and support and thereby facilitates its continued successful implementation.

7.6.1.2 *Government involvement (legitimacy, backing, funding)*

Although the disarmament program was created and is spearheaded by Viva Rio, it is also supported by the federal government of Brazil and the state government of Rio de Janeiro. The support of the federal and the state governments has given the program added publicity, funding, and legitimacy. This is especially relevant in the case of the gun buy-back program which is now taking place on a nationwide level and has resulted in thousands of guns being taken off the streets and turned in to the authorities due to the involvement of the federal government.

7.6.1.3 *Police involvement*

Police involvement in this program further facilitates it because the program is able to have a greater focus than simply collecting guns and taking them out of circulation. Viva Rio, the state of Rio de Janeiro, and the state police forces are cooperating in order to improve the security of the weapons stockpiles, enhance the ability of police officers to classify and catalogue confiscated weapons, and increase the capacity of the police to track weapons and control their illegal use. Additionally, involving the police in the program decreases the likelihood that they will feel left out and organize themselves against the program and its goals.

7.6.1.4 *Positive feeling among the population*

Lastly, the disarmament program is facilitated by the positive feelings it inspires in the population. The gravity of the public security situation in Rio de Janeiro makes people feel very unsafe and helpless to do anything about their safety. This program involves the population at various stages making them feel proactive and able to influence their own safety, the feeling that they are doing something is positive for the population. As

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people are likely to support a program that makes them feel good and safe, the positive feelings that it inspires in people acts as a facilitator of this program.

7.6.2 Impediments

7.6.2.1 High rates of crime and violence/prevalence of drug gangs

The high incidence of crime in Rio de Janeiro and the pervasiveness of the drug trade serve as impediments to the successful implementation of the disarmament program as they increase feelings of insecurity and because as long as the trade in arms and drugs are profitable, members of drug gangs are unlikely to hand their weapons over to gun buy-back programs.

7.6.2.2 Lack of faith in the police – police omission/complicity in crime

The feelings of insecurity that result from the high rates of violent crime in Rio de Janeiro are further exacerbated by the lack of faith in the police that was discussed in chapter three. There is a general feeling that the police are either complicit in crime or are unable to do anything about it, so people feel particularly vulnerable and unprotected and are more likely to want weapons for self-protection as mentioned above.

7.6.2.3 Fear, promoted by the media/pro-gun lobby

The fear that results from the high rates of violent crime and the perceived unwillingness or inability of the police to do anything about it is increased due to the focus it receives from the media. As discussed in chapter three, the absence of official data and clear signals from the government leads people to turn to the often sensationalist media which focuses on the prevalence of crime and further increases the fear of crime and motivates people to search for ways to protect themselves.

7.6.2.4 Need for self-protection

All the factors listed add up to the greatest impediment to the disarmament program, the belief that people need to protect themselves and that they have a right to do so. This has led *cariocas* and Brazilians in general to believe that they have a right to own weapons, a right that is not provided in the Brazilian constitution, in order to protect themselves, as the state police forces are unable to do so.

7.7 ASSESSMENT FROM A HUMAN RIGHTS PERSPECTIVE

The disarmament program was created and implemented to educate the citizens of Rio de Janeiro about the dangers of gun possession and use, to decrease the amount of weapons present in society through the use of a voluntary weapons collection program, and destroy the guns collected in order to decrease the opportunity for corrupt law

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enforcement officials to sell the collected guns to criminals (IANSA, 2005a; Galeria, 2004; Logan, 2003b). In its attempt to decrease gun ownership and gun-related violence, increasing the population's sense of security, hindering the illegal activities of corrupt law enforcement officials, and facilitating the implementation of the rule of law, the disarmament program can be seen as a program to increase police compliance with human rights: a police human rights strategy.

In the seven years since its implementation, the disarmament program has increased awareness in Rio de Janeiro about the extent and consequences of gun ownership and gun-related violence and motivated citizens to get involved in the program and promote security in their neighborhoods (IANSA, 2005a). Over 400,000 guns have been collected in Brazil through the use of voluntary weapons collection programs (Logan, 2003b). These collected guns have been destroyed in public gun destruction events thereby removing them from circulation forever and ensuring that corrupt law enforcement officials cannot benefit from them. Along with ensuring that guns already existing in the population are turned in and destroyed, the disarmament program has also been able to successfully lobby for stricter legislation so that new guns do not enter the market legally (Galeria, 2004). The final piece of legislation, passed in December 2003, makes it difficult to purchase guns, tightens regulations on the carrying of firearms, ensures the marking of ammunition to facilitate tracing, increases punishment for arms trafficking, and strengthens the security of stockpiled weapons and the destruction of those weapons no longer in use.

The awareness-raising campaigns, the voluntary weapons collection programs, and the tightening of legislation concerning arms entailed in the disarmament program are thought to have influenced the eight percent decrease in gun-related deaths in Brazil for the first time in twelve years (IANSA, 2005a). Therefore the program has led to a decrease in homicide, an increase in the right to life, liberty, and security of person and a decrease in the opportunities for corrupt law enforcement officials thereby further promoting the right to life, liberty, and security of person and the rule of law. Taking these achievements into account, the disarmament program has positive implications for the implementation of human rights and the rule of law.

Yet the defeat in the national referendum and the continued opposition to the disarmament program suggests that the citizens of Rio de Janeiro and Brazil, in general, still feel insecure and do not trust the police (ISER, 2004). Despite removing thousands of weapons from the streets of Rio de Janeiro, and Brazil, and the decrease in the amount of gun-related deaths in both Rio de Janeiro, and Brazil, the disarmament program has not made people feel safer (CNN, 2005b). By focusing on gun ownership and gun-related violence, the disarmament program has ignored the source of the problem: the prevalence of drug gangs in Rio de Janeiro, the high rate of crime, and feelings of insecurity (Veja, 2005). The disarmament program has not been able to cater for the need of the citizens of Rio de Janeiro and Brazil to feel safe. Despite the efforts of the program, the prevalence of the sense of insecurity and the need of people to feel safe means that the demand for weapons will continue to exist. The tough, new legislation has made it difficult to purchase weapons legally but as long as the citizens of Brazil feel unsafe the illegal market for firearms will thrive, now out of the view and out of the control of the government.

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The activities and achievements of the disarmament program are certainly positive from the perspective of the implementation of human rights in Rio de Janeiro. The program has increased knowledge about the dangers of weapons and the right of citizens to security, removed deadly weapons from circulation so that they cannot cause any more harm, ensured that new legislation is implemented to further decrease the amount of weapons in circulation, and hinder the ability of law enforcement officers to indulge in illegal activities. On the other hand, there is much more to be done for the disarmament program to really increase the standard of human rights enjoyed by the population of Rio de Janeiro. The high rates of crime and violence and citizens' insistence on owning weapons for the sake of protection suggests that the disarmament program does not fully provide the population of Rio de Janeiro with the human right to life, liberty, and security of the person.

7.8 CONCLUDING REMARKS

The quality of existing information on the arms trade, gun ownership, and gun-related crime in most South American countries is poor and not transparent, making civil society cooperation in developing public safety programs difficult (NGO Committee on Disarmament, Peace, and Security, 2004; Mesquita Neto, 2002). Despite having serious implications for human safety in the region, the issue of small arms and light weapons are relatively new on political agendas. However, promising initiatives have emerged at both the regional, national, and local levels including campaigns to increase the knowledge of the dangers of firearms and reduce the demand for them, advocacy efforts to tighten up gun laws, research focusing on topics such as victimization, stockpile controls and routes of illicit trafficking, and programs to voluntarily collect and destroy those firearms already in circulation (IANSA, 2005a). In June 2001, organizations from the MERCOSUR countries Argentina, Bolivia, Brazil, Chile, Paraguay and Uruguay, established a network for firearms control and developed a news and information website to facilitate communications on armed violence and human security issues. So far, gun destructions have been carried out in Argentina, Brazil, Chile, and Peru (Galeria, 2004).

The disarmament program implemented in Rio de Janeiro by Viva Rio, IANSA, and Amnesty International, in cooperation with the police, has had a key role to play in putting the issue of the proliferation of small arms on the political agenda in South America and inspiring other organizations to get involved in combating this serious threat to public security and human safety. The impetus for the implementation of this program was the sharp growth in and the prevalence of gun ownership and use in Rio de Janeiro, and other large cities in Brazil and South America.

The disarmament program was implemented in order to reduce the demands for guns through campaigns to sensitize civil society to the risks involved in using or carrying firearms, to reduce the supply of guns by curbing illicit arms trafficking and controlling the production, sales, exports, and imports of small arms and ammunition, and to improve controls on stockpiled weapons through the destruction of excess guns and the improvement of secure storage facilities.

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The disarmament program has been successful in raising awareness about the problems of gun ownership and use, disproving myths surrounding the proliferation of arms, involving communities in the program and encouraging cooperation between NGOs, the government, law enforcement officials, and citizens, collecting and destroying thousands of weapons thereby removing them from society and eliminating the possibility that they will harm or kill anyone again, pressurizing law makers to take the issue of arms proliferation seriously and strengthen legislation relating to arms possession, sale, purchase, use, and destruction, and has seriously diminished the possibility that corrupt police officers will resell weapons in their possession and exacerbate the problems of crime, violence, and human rights violations in Rio de Janeiro. All of which combined is thought to have decreased the amount of gun-related deaths in the state of Rio de Janeiro by nine percent.

However, as we have seen above, despite its achievements and the successful attainment of some of its goals, the disarmament program is not perceived positively by everyone. This is because the disarmament program is seen as not doing enough to combat the problem of crime, violence, and gun-related deaths in Rio de Janeiro. Those who oppose the program believe that it has been implemented too late and does too little to counter the proliferation of arms. Despite the decrease in gun-related crimes in 2004, the citizens of Rio de Janeiro continue to live in fear of the strength of the criminals and drug gangs and the inability of the state to do anything about it as will be detailed in the following chapter. This fear, helplessness, and frustration fuels the arms trade as people purchase guns to protect themselves. Therefore while boasting a long list of achievements, the disarmament program has been unable to provide a sense of security to the citizens of Rio de Janeiro. It remains to be seen whether the decrease in firearm-related deaths that was recorded will be reproduced in the future and whether this will help to increase the feeling of security in Rio de Janeiro. A decrease in crime and violence and in the fear that the citizens of Rio de Janeiro have of it, coupled with an increase in trust in the police and the state will certainly assist the disarmament program achieve the rest of its objectives and provide a better quality of life to the population of Rio de Janeiro.

8 Policing, Police Human Rights Strategies, and Public Security Reform from a Societal Perspective

'Since new capacities come about through necessity therefore, o man, increase your necessity.'
Jalaluddin Rumi

8.1 INTRODUCTION

This book concerns itself with the implementation of human rights within the police, the forms this has taken in Rio de Janeiro in terms of the programs that are currently being implemented that have implications for police compliance with human rights standards, and the societal and institutional factors that facilitate or impede their implementation. As the goals of this research were to uncover which police human rights strategies currently exist in Rio de Janeiro, how these strategies are being carried out, how they are perceived by those involved in them, and what their outcomes imply for police compliance with human rights standards, fieldwork for this book was predominantly conducted amongst the civil and military police forces and with a view towards these forces.

Yet police officers and the act of policing do not exist in a vacuum. Police officers are supposed to maintain public order, prevent and detect crime, and provide assistance to the public, how they interact with the inhabitants of a state while going about their duties and whether they are perceived as being competent in their function reflects greatly on the legitimacy of the police institution and the state as a whole (Bailey and Dammert, 2006). As human rights provisions were designed to protect people from abuse by the state and its institutions and the police as a state institution plays an important role in the provision of security, it is relevant to understand how police human rights strategies are perceived by others in society. Societal perceptions of police human rights strategies, the police, and the security situation further influence support for these strategies and the legitimacy of the police and the state. Therefore this chapter concerns itself with the societal perceptions of the police, the implemented police human rights strategies, and the provision of public security, in general, in Rio de Janeiro. Some of the information detailed in this chapter is derived from secondary information, such as previous research and newspaper articles, and my own interviews with academics, policy makers, and politicians, while the majority of the information presented is the result of a citizen survey conducted in Rio de Janeiro in December 2004 and January 2005. As detailed in chapter one, this survey was designed and implemented, with the assistance of a prominent research institute in Rio de Janeiro,¹ in order to gauge the perceptions of the residents of the city of Rio de Janeiro in relation to the civil and military police forces, police human rights strategies, and

1 For more information on methodology, see chapter one; for more details on the creation and implementation of the survey see appendix one.

security in Rio de Janeiro. Some of the results from this survey were disclosed in chapter five, in as much as they related to community-oriented policing. The remainder of the findings will be discussed in this chapter. Apart from questions designed to gauge citizens' perceptions of police human rights strategies, the police, and public security in Rio de Janeiro, this survey also gathered information on the characteristics of respondents such as their neighborhood of residence, their educational level, their color, and their monthly family income in multiples of minimum salaries.² Considering Brazil's well-documented social and racial inequalities, it was hypothesized that an analysis of citizens' perceptions on the basis of color, income, or location would yield statistically significant differences yet this was not the case. The lack of statistically significant correlations between respondents' socio-economic characteristics and the various topics taken up by the survey will be discussed per topic throughout this chapter.

8.2 PERCEPTIONS OF POLICE HUMAN RIGHTS STRATEGIES

Only two out of the four police human rights strategies researched were included in the survey of citizens' perceptions. The survey questioned inhabitants of Rio de Janeiro about their perceptions of community-oriented policing and the *delegacia legal* (model police station) program but not about police training or the disarmament program. This is because police training is not accessible to the public and only part of the disarmament project involves the police and the public. Whereas community-oriented policing and the model police station program are implemented across the state of Rio de Janeiro,³ aim to improve the police's ability to perform their preventative and investigative functions, and provide better assistance to the population. For each of the two police human rights strategies that were included in the survey, the respondents were asked whether they had heard about the program, how they had heard about the program, how they would classify the program, why they evaluated the program as they did, what they thought could be done to improve the program, and whether they thought the program could help diminish violence in Rio de Janeiro, high rates of crime and violence are a primary concern for residents and politicians in Rio de Janeiro as discussed in chapter three. Some of the responses in relation to community-oriented policing were disclosed in chapter five as citizens are an essential element of community-oriented policing and an analysis of this strategy was not possible without taking

2 At the time of this research, the minimum salary in the state of Rio de Janeiro was R\$ 260, approximately US\$ 122.

3 Although these police human rights strategies are created by the state governor and implemented by the state police forces across the state, the survey was conducted only in the city of Rio de Janeiro and questioned residents of the city about their perceptions of the strategies, the police forces, and security in the city of Rio de Janeiro. This focus on policing and security in the city of Rio de Janeiro is supported by Hinton's (2006) research which shows that although the city of Rio de Janeiro occupies five percent of the area of the state of Rio de Janeiro, over fifty percent of the crime in the state takes place there and therefore state policies focus primarily on securing the city.

citizens' perceptions into account. Citizens' perceptions of community-oriented policing are recapped and expanded upon briefly in this section and then citizens' perceptions of the model police station program are discussed.

8.2.1 Perceptions of Community-Oriented Policing

As discussed in chapter five, sixty-four percent of the respondents in this survey had not heard of the community-oriented policing program, while almost thirty-five percent of the respondents had heard of it. The majority of respondents, who had heard of the program, had done so via the television, followed by those who had heard about community-oriented policing from their family and friends. The answers to this question are demonstrated in the table below.

Table 8: Source of Information about Community-Oriented Policing

How did you hear about the community-oriented policing programs?	Percentage (%)
From the television	35.2
From the radio	9.4
From the newspapers	11.3
From family and friends	28.3
At work	1.3
Other	13.3
No response	1.4
Total	100

The perceptions of those who had heard about the community-oriented policing program were examined in chapter five. It was discussed that although the community-oriented policing programs were not widely known in Rio de Janeiro, they were well regarded by those who had heard of them with a majority of the population stating that they considered the programs to be either good or excellent. Those who had classified the programs positively said it was because the programs encouraged police-citizen cooperation (15.4%), allowed the community to get to know the law enforcement officials in their midst (5.4%), could resolve people's problems (10%), and brought more security to the neighborhoods (20%). On the other hand, those who were not satisfied with the programs stated it was because of continuing police violence (1.5%), corruption (2.3%), and the community's lack of confidence in the police (3.1%).

The respondents in the survey were also asked how, in their opinion, it would be possible to improve the community-oriented policing programs in Rio de Janeiro. The suggestions they offered were as follows: increase the number of police officers involved, increase the amount of cooperation between the police and the community, increase the amount of information provided to the community, and expand the

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programs to include other neighborhoods as well. Finally, all respondents, those who had heard about community-oriented policing and those who had not, were read a short piece about community-oriented policing in Rio de Janeiro and its goals, prior to being asked whether they thought this program could assist in diminishing violence in Rio de Janeiro. As covered in chapter five, just over seventy-nine percent of the respondents thought that community-oriented policing could help decrease the level of violence in Rio de Janeiro, while about nineteen percent did not think the program could help and one and a half percent did not respond.

The data presented above suggests that although community-oriented policing is not well known in Rio de Janeiro, with only a minority of the population ever having heard of it, the program does receive overwhelmingly positive responses. This is the case amongst those who had previously heard about the program and those who were informed about the basic tenets of the program while participating in the survey though it has to be noted that less than thirty-five percent of the respondents had knowledge of and were familiar with community-oriented policing prior to participating in this survey, the remainder of the participants were informed about community-oriented policing while participating in the survey and their responses are based on a brief description of community-oriented policing read out by the interviewers. Yet as noted above, community-oriented policing was also positively evaluated by the minority of respondents who had already heard about the program. The program's ability to provide security was voiced frequently by citizens participating in this survey but also during interviews that I conducted. One of the neighborhood representatives quoted in chapter five stated that he continued to support the community-oriented policing program despite its flaws because it involved a significant change for the military police and what community-policing offered was much better than the type of policing that had been available to the residents of Rio de Janeiro before. An NGO representative whom I interviewed stressed the same point. According to her, community-oriented policing, although not implemented throughout Rio de Janeiro, signified a change in the philosophy of the military police.

'More than any other reform program it is community-oriented policing that really asks the police to change their way of working. This is a completely new philosophy for the police. They are trained and encouraged to interact with the public, to talk to people, the fact that they are looking outside their own organization is the first step in the demilitarization of the military police.'⁴

Despite the positive evaluations of community-oriented policing and the change that it implies for the military police organization some policy makers worried that it would not be effective in the reality of Rio de Janeiro. This is one of the reasons why, unlike the state of São Paulo, community-oriented policing is not the overarching philosophy of the military police in Rio de Janeiro. In the words of one state government employee:

4 Author interview, 17 June 2003.

‘Yes community-oriented policing offers some benefits and we think it is important which is why we will continue implementing it and also expand it to some other neighborhoods but Rio is a special case. The presence of drug trafficking means that we can never do just community-oriented policing, we have to be open to all types of policing and respond to the crime and violence in an appropriate manner.’⁵

Therefore, even though community-oriented policing was well-received by citizens, seen as an improvement to traditional military policing practices, and thought to be able to diminish violence in Rio de Janeiro, state politicians and policy makers considered it as one of the many strategies they relied on to secure Rio de Janeiro. The prevalence of the drug trade and the violence it results in means that community-oriented policing cannot be seriously considered as the statewide strategy of the military police as traditional military policing practices are still valued in the state’s war against crime and drugs.

8.2.2 Perceptions of the Model Police Station Program

As for the model police station program, the data gathered as part of this citizen survey showed that it is more widely heard of than community-oriented policing. In response to the question about whether they had heard of the program, about fifty-nine percent of respondents said they had while almost thirty-five percent said they had not heard of it, while six percent of those to whom this question was posed did not respond.

Table 9: Citizen Knowledge of the Model Police Station Program

Have you heard about the <i>delegacia legal</i> (model police station) program?	Percentage (%)
Yes	59.3
No	34.8
No response	6.0
Total	100

Although a majority of those questioned had heard about the model police station program, a large portion of the population still did not know about the existence of this program. This could be due to the fact that even though this program was envisioned as a statewide strategy, not all conventional stations have been converted into model police stations therefore not all residents of Rio de Janeiro have access to a model police station. The percentage of those who had heard of this program could increase as more model police stations are inaugurated in Rio de Janeiro or if this program continues to receive media attention as this survey found that about half of those who had heard

5 Author interview, 4 July 2006.

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about the model police station program had done so from television, as the table below demonstrates.

Table 10: Source of Information about the Model Police Station Program

How did you hear about the model police station program?	Percentage (%)
From the television	52.9
From the radio	11.2
From the newspapers	13.6
From family and friends	11.2
At work	1.4
By visiting a model police station	3.4
Other	6.1
No response	0.3
Total	100

The findings that the model police station program is more widely known than community-oriented policing and that the majority of people who have heard about this program for the civil police have done so from the television are not so surprising. Since its creation the model police station program has frequently been the focus of newspaper articles and television shows. As this program was created, and continues to be supported, by the state government it receives plenty of media attention; the inauguration of new model police stations are covered by the news and a recent popular soap opera featured a civil police *delegado* as one of the main characters with some of the events being played out inside a model police station. Additionally, the model police station program has its own website, maintained by the *Grupo Ejecutivo*, where people can find up-to-date information about the program. Community-oriented policing, on the other hand, has not benefited from such extensive television coverage.

In the next question, respondents who had heard about the model police station program were asked about their perceptions of the program. In response to this question twenty-two percent of the respondents classified the program as ‘excellent’ whereas about forty-seven percent of them classified it as ‘good’. Although the responses were overwhelmingly positive, the program did receive some negative evaluations as well. The table below summarizes the responses.

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Table 11: Citizen Evaluation of Model Police Station Program

In a general sense, how would you classify the model police station program?	Percentage (%)
Excellent	22.4
Good	46.8
Neither positive nor negative ⁶	12.2
Bad	1.3
Poor	2.5
No response	14.8
Total	100

Although more respondents had heard of the model police station program than had heard of the community-oriented policing program, the survey respondents classified them both positively. The question requiring respondents to classify the model police station program was followed by an open question requesting respondents to explain why they had classified the program as they had. Those who classified the model police station program positively said it was because the program improved the manner in which people were attended to (26.7%), because the program helped or assisted in helping people (12.4%), offered more security (7.4%), and involved new, modern infrastructure (7.9%). On the other hand, those who classified the program negatively said it was because the program did not function well (8.4%), people were attended to very slowly (5%), and because police corruption continued (1.5%). The respondents were then questioned how, in their opinion, the model police station program could be improved. Many respondents did not answer this question as they said they did not know how the program could be improved but those that did answer mentioned the following suggestions: inaugurate more model police stations and provide more information about them, improve the way the population is attended to, train police officers so they are better prepared, increase the number of police officers, increase the number of social assistants, and combat police corruption.

An element that appeared frequently during my research both while conducting this survey and while conducting interviews was that model police stations could not be found across the state of Rio de Janeiro. Although the state government had intended to convert all conventional police stations into model police stations, only about half of the police stations in the state of Rio de Janeiro had been converted at the time that this survey was carried out. This created a discrepancy amongst the police officers and the population in general as while some people had access to the new, improved civil

6 One of the terms provided to survey respondents in the question ‘how would you classify the model police station program?’ was *regular*. This Portuguese term is difficult to translate in one word but it essentially designates something that is neither good nor bad.

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police facilities others still had to contend with the conventional police station. This frequently led to calls for all police stations to be converted into model police stations as detailed in chapter six.. Several interviewees expressed this opinion, for example a researcher at the institute of public security said the following:⁷

‘The delegacia legal program is a very important, progressive reform, we just need to follow through with it until all civil police stations are model police stations and all civil police officers have participated in the retraining courses. The current situation in which we have both conventional and model police stations is not good. As some police officers are resentful for being moved to the new police stations while others are resentful for having to remain in the conventional stations and not have access to technology. And the population does not want to go to the conventional stations anymore. They try to register crimes at the model police stations even if the station is in another area than where the crime was committed.’

Lastly, all respondents were read a small piece about the model police station program and both those who had previously heard about the program and those who had not were asked whether they thought the model police station program could help decrease violence in Rio de Janeiro. Approximately sixty-five percent of those surveyed thought the model police station program could help diminish the level of violence in their city. As mentioned above, about fifty-nine percent of the respondents had knowledge of and were familiar with the model police station program. The previous question asked those already familiar with the program to evaluate it, this question on the other hand was posed to all respondents after they were read a brief statement about the model police station program by the interviewer which means that this question includes the answers of those who were familiar with the program prior to partaking in the survey and those who were informed about the program while partaking in the survey. Both questions yielded largely positive responses.

Table 12: Citizen Perception of the Ability of the Model Police Station Program to Decrease Violence

Do you think that the model police station program can help decrease violence in the city of Rio de Janeiro?	Percentage (%)
Yes	65.8
No	31.3
No response	3.0
Total	100

Although the survey respondents did perceive the model police station program as being able to contribute to less violence and more security in Rio de Janeiro, a higher

7 Author interview, 22 June 2006.

percentage of respondents perceived community-oriented policing as helping to diminish violence in Rio de Janeiro. Therefore even though the model police station program is more widely known than community-oriented policing and is well received, respondents seemed to believe that community-oriented policing made a greater contribution to their safety. This could be because the model police station program takes place inside whereas community-oriented policing involves more police officers patrolling the streets and interacting with the population. Even though the changes that form a part of the model police station program are visible and receive plenty of media attention, the work of the civil police, registering and investigating cases, is thought to contribute less to diminishing violence in Rio de Janeiro than the street patrols conducted by the military police. Perhaps because combating violence is perceived to take place on the streets as opposed to in the police stations. This could also be because some people found that the changes inherent in the model police station program only increased the time required to register a crime. Many military police officers complained about how their waiting time had increased because they had to go over the process twice in a model police station, first to register with the social attendants and then to register the case with a civil police officer. Another reason why the model police station program could be considered as not contributing to the increase in safety as much as community-oriented policing is the great variation within the civil police. A well-known academic voiced this:⁸

‘The military police is easy to reform. It is a very hierarchical organization so if the highest ranks decided to do something and ordered the lower ranks to carry out their decision, change would happen. It would have to happen, as the lower ranks have to obey the higher ranks. But the civil police is not so strict and hierarchical, people have more freedom to do what they want. This means that change depends on individual chiefs and officers and not on the organization. This is why the model police station program, although it is a great idea, will not result in major change by itself because the reality of the program still depends on each station chief.’

This section reviewed and expanded on some of the data presented in chapter five on citizens’ perceptions of the community-oriented policing programs. The perceptions of the survey respondents with regard to community-oriented policing were raised and discussed in addition to other data gathered while researching the societal perception of the implemented police human rights strategies. The survey findings also shed some light on the perceptions of survey respondents of the model police station program, findings that were then analyzed with the assistance of interview data and observations carried out while conducting fieldwork. According to these findings, the two police human rights strategies included in the survey, community-oriented policing and the model police station program, although not known to every respondent were evaluated positively and were perceived as contributing to the decrease in violence in the city. The data presented above on citizens’ knowledge of community-oriented policing and the model police station program, their evaluation of the programs, and their perception

8 Author interview, 5 September 2005.

of the role of the programs in decreasing violence in Rio de Janeiro was analyzed along with the socio-economic characteristics of the survey respondents, yet no statistical correlation between respondents' color, income, and location and their perceptions of the programs was found. This is a surprising finding considering that my field research within the battalions and police stations found differences between the programs based on where they were implemented. Yet the majority of survey respondents had not had personal contact with the programs. They had heard about the programs in the media or from others in their social circle which could explain why perceptions of the programs did not differ according to socio-economic status or location. The following section will discuss other findings of this survey and also my qualitative research in relation to the societal perception of the military and civil police forces.

8.3 PERCEPTIONS OF THE STATE POLICE FORCES

Other than determining citizens' perceptions regarding police human rights strategies currently being implemented in Rio de Janeiro, the survey also focused on the societal perceptions of the two state police forces operating in Rio de Janeiro. Perceptions of the police and its competence as a state institution have implications for the perceptions of the state and the legitimacy of the state in the eyes of its constituents. In order to evaluate how respondents perceived the police, the following four questions were asked. The first question listed a set of situations during which citizens could come into contact with the police. For each possible situation listed, the respondents were asked if they had ever encountered the police in such a situation or not. Following this, the respondents were asked to classify the police, state why they classified the police in this way, and state, in their opinion, how the police could be improved. Respondents were asked to answer the same set of questions for the military as well as for the civil police, though the situations listed in the initial question were adapted to the role of each police force.

8.3.1 Perceptions of the Military Police Force

In relation to the military police, citizens were asked if they had contact with the military police in any of the following situations: by calling 190,⁹ in a battalion or police station, on the street to obtain information, stopped on the street by a military police blitz (a temporary checkpoint where the police conduct stop and search checks), or in another situation. The two situations that resulted in the most 'yes' responses, that is, the situations in which most respondents had contact with the police, were 'stopped on the street by a military police checkpoint' and 'on the street to obtain information'. The table below summarizes the answers to this question.

9 190 is the emergency assistance number in Brazil, similar to the 911 in the United States of America.

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Table 13: Citizen Contact with the Military Police

I will now list a series of situations, please indicate if you have already had contact with the military police in any of these situations.	Percentage (%)		
	Yes	No	No response
By calling 190	23	77	-
In a battalion or police station	22.3	77.5	0.3
On the street to obtain information	35.3	64.5	0.3
Stopped on the street by a military police blitz	41.8	58	0.3
In another situation	2.8	83.3	14.0

The answers given by the respondents suggest that when there is contact between the police and the public it is during police stop and search operations when the police block off a road and check the cars and pedestrians passing by and in response to citizen requests for information. This is in accordance with the main military police duties of maintaining public order, preventing and detecting crime, and providing assistance to the public though many researchers have questioned whether police stop and search operations assist the police in maintaining order and preventing and detecting crime or whether they serve the purpose of intimidating the population, targeting racial and ethnic minorities, and collecting bribes as stop and search operations rarely result in arrests or the detection of criminals, yet they are tactics frequently used by police organizations (Amnesty International, 2006; Open Society Justice Initiative, 2006; Ramos and Musumeci, 2004). The survey respondents were then asked how they would classify the military police. The highest percentage of respondents, thirty-four percent, considered the police to be 'good' but there were also a large number of respondents who were more negative in their evaluation of the police classifying them as 'bad' or 'poor'.

Table 14: Citizen Evaluation of the Military Police

In a general sense, how would you classify the military police force?	Percentage (%)
Excellent	7.5
Good	34.0
Neither positive nor negative	19.0
Bad	19.3
Poor	16.8
No response	3.5
Total	100

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The responses to this question show how divided the population are in their perception of the military police. Approximately the same percentage of survey respondents classified the police as 'good' or 'excellent' as classified them as 'bad' or 'poor'; this suggests that the respondents are at odds as to the actions and work of the military police. When asked to explain why they had evaluated the police as they had, those respondents who had classified the police as 'excellent' or 'good' stated it was because they were paid little and did not have access to many resources but worked hard, assisted in emergencies and answered people's questions, respected citizens, and their presence on the streets and during blitzes made things safer, yet some of those who classified the police as 'good' said that they would have evaluated the police more positively if they were not corrupt. Those respondents who classified the police as *regular*, thus not positively or negatively, explained that they did so because the police helped people, on the one hand, and yet repressed them on the other, there were many corrupt police officers but also many honest ones, and there was still a lot the police had to improve. Finally, those respondents who classified the police as 'bad' or 'poor' were motivated by police corruption, the lack of a police presence on the streets, the failure of the police to combat violence, and because the police are not well trained and disciplined. As one respondent put it: 'the police are just bandits in uniform.'

What can be gathered from the responses of the survey participants regarding their classification of the military police is that regardless of how they classified the police, respondents mentioned police corruption, this was the case even for respondents who found the police to be 'good' which suggests the apparent normality of corruption – police organizations can indulge in corruption and be good at the same time. The finding that citizens can be aware of police corruption and still evaluate the police positively is an interesting one that highlights the prevalence, and normality, of corruption in Brazilian society. Citizens did not seem outraged by police corruption and the existence of police corruption did not lead to overwhelmingly negative opinions of the police because corruption is considered normal, something everyone does. Following their evaluation and the subsequent explanation of the evaluation of the military police, survey respondents were asked to suggest what they would do to improve the military police in Rio de Janeiro. The responses to this open question were recoded after being collected into the categories detailed in the table below.

The responses to this question shed an interesting light on the responses to the previous section because even though a significant percentage of the population classified the military police as either 'excellent' or 'good', this does not mean that the police cannot be improved or that there is nothing wrong with the police because when asked to explain their evaluation even some respondents who had evaluated the police positively alluded to the police being corrupt and when asked to suggest ways in which the police can be improved less than one percent of the respondents had the opinion that nothing needed to be improved. The responses detailed in table fifteen connect well with the perceptions and beliefs of the academics, politicians, policy makers, and NGO representatives that I interviewed in Rio de Janeiro. Many of the suggestions listed above are elements of strategies that have been included in this research. Attempts to improve the selection, training, and education of police officers was dealt with in chapter four,

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community-oriented policing, and the disarmament program covered in chapter five, and seven, respectively the endeavor to diminish police corruption. Many public security reform programs have focused on increasing the number of police officers and increasing the police presence on the streets in order to make people feel safer, yet there are two suggestions that have received little or no attention until now, they are increasing police salaries and improving working conditions for police officers. The lack of attention to, and investment in, police salaries and working conditions was a frustration commonly voiced by interviewees. An academic and former state government official considered the lack of investment in the elements that are most important to police officers in their daily work as one of the primary reasons why police reform often failed to gain momentum.

Table 15: Citizen Assessment of Ways to Improve the Military Police

In your opinion, how can the military police force be improved?	Percentage (%)
Improve their training and qualification	21.0
Increase salaries of police officers	18.3
End police corruption	9.8
Increase the number of police officers	4,3
Improve the process of selection	5,3
Improve the working conditions offered to officers	3,8
No need to improve anything	0.8
No way to improve the force	0.8
Other ¹⁰	21.5
No response	14.8
Total	100

The data presented in this section suggest that citizens predominantly have contact with the military police on the streets in response to citizens' requests for information or during stop and search operations, so when the military police are seeing to their preventive function. Citizen evaluation of the military police was rather divided, a significant percentage of citizens positively evaluated the police but a similar, slightly lower percentage evaluated the police negatively. Both respondents who evaluated the

10 This category is for all those other responses that could not be coded together; the responses in this category include suggestions to change everything about the police, to change their philosophy, offer them more resources, increase internal control and supervision, to make them more like the armed forces, to give them more credit etc.

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police positively and those who evaluated them negatively mentioned police corruption as a problem within the military police and had suggestions about how the police could be improved. While some of these suggestions were also taken up by politicians and policy makers in terms of police and public security reform, two important suggestions have not been given the attention they deserve. Investments in police officers and their lives have not been taken into account in the strategies relating to the military police, prompting a representative of a local NGO to say:¹¹

‘These politicians talk about the importance of reforming the police but when it comes down to it they don’t invest in the police officers themselves, the ones doing the actual policing. We work with police officers and try to build their self-esteem. They don’t believe in themselves because no one believes in them. I think the politicians like it this way; poor, badly trained police officers with low self-esteem are easier to control.’

8.3.2 Perceptions of the Civil Police Force

In their evaluation of the civil police, citizens were asked if they had contact with the civil police in any of the following situations: on the street, in a police station in order to obtain information, in a police station while searching for someone, in a police station to register a crime, stopped during a civil police blitz, or in another situation. Three situations received the same amount of ‘yes’ responses, twenty-five and a half percent each, they are: in a police station to obtain information, in a police station to register a crime, and stopped during a civil police blitz, while affirmative responses to contact with police officers on the street were reported in almost twenty-four percent of the cases as the table below demonstrates.

Table 16: Citizen Contact with the Civil Police

I will now list a series of situations, please indicate if you have already had contact with the civil police in any of these situations.	Percentage (%)		
	Yes	No	No response
On the street	24.8	75.3	-
In a police station to obtain information	25.5	74.5	-
In a police station while searching for someone	10.0	90.0	-
In a police station to register a crime	25.5	74.3	0.3
Stopped during a civil police blitz	25.5	74.5	-
In another situation	1.8	80.0	18.3

¹¹ Author interview, 22 October 2003.

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Although the survey respondents encountered the military police on the street more frequently, it is interesting to note that two of the four most common interactions between the civil police and the public occur on the streets. The civil police are responsible for registering and investigating crime, they do not essentially have any patrolling responsibilities so the fact that the same percentage of citizens said that they have interacted with the police on the street during a blitz as have interacted with the police in a police station in order to register a crime means that the civil police have more responsibilities than their function entails and that they spend time patrolling the streets and conducting stop and search operations when they should be registering and investigating crime, a concern which was voiced by civil police officers in the model police stations as described in chapter six. The survey respondents were then asked to classify the police. Sixty-one percent of the respondents classified the police as ‘excellent’ or ‘good’ while about sixteen percent classified them as ‘bad’ or ‘poor’.

Table 17: Citizen Evaluation of the Civil Police

In a general sense, how would you classify the civil police force?	Percentage (%)
Excellent	15.0
Good	46.3
Neither positive nor negative	16.5
Bad	9.8
Poor	5.8
No response	6.8
Total	100

Unlike the military police, citizen perception of the police while diverse is not really divided. The respondents in this survey positively evaluated the civil police significantly more than the military police. The approximately sixty percent of respondents who classified the civil police as being better than average, i.e. ‘excellent’ and ‘good’, said it was because of the work the civil police did for the benefit of society and in order to combat violence, because they are better educated and less corrupt than the military police, and because they were better prepared to do their jobs and commanded respect. Those who negatively evaluated the police mentioned police corruption, police violence, lack of organization within the police, and the slow pace of registering and investigating crime for their negative response.

Despite these negative answers, the civil police do seem to be better regarded than the military police as can also be deciphered from the following question on how the civil police could be improved. Two and a half percent of the respondents, as opposed to less than one percent of the respondents for the military police, said nothing about the civil police needed to be improved; the answers to this question are detailed in the following table. Some policy makers believe the larger positive evaluation of the civil

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police is because the day to day functioning and actions of the civil police are not well known or documented. Citizens know that the civil police investigate crime but their work is not in the public eye like that of the military police and as crime clearance rates are rarely released by the police organization or the state, the effectiveness of the civil police is hard to judge. This lack of information regarding the civil police is rather widespread; few researchers have written about them, and unlike the military police, they are not the focus of reports by human rights organizations. The lack of available information regarding the civil police could also explain why many respondents did not have an answer to the open question, ‘how can the civil police be improved?’ and a greater percentage of respondents stated that nothing needed to be improved within the civil police compared to within the military police.

Table 18: Citizen Assessment of Ways to Improve the Civil Police

In your opinion, how can the civil police force be improved?	Percentage (%)
Improve their training and qualification	15.5
Increase salaries of police officers	15.3
Increase the number of police officers	10.3
End police corruption	9.3
Improve the working conditions offered to officers	7.3
No need to improve anything	2.5
No way to improve the force	0.5
Other	16.3
No response	23.3
Total	100

Similar to the suggestions on how to improve the military police, suggestions on how to improve the civil police can be separated into a few categories. A large percentage of the respondents did not have a response, though a considerable number did suggest improving the training and qualification of police officers and increasing civil police officer salaries as a way to improve the police organization. Increasing the number of police officers, improving working conditions for officers, and ending police corruption were also suggested. Many of these suggestions are currently being implemented within the civil police as part of different projects. Improved training for civil police officers is covered in chapter four of this book; the model police station program, described in chapter six, which increases police salaries, improves police working conditions, and attempts to tackle police corruption entails additional police training as well. The one suggestion that is not covered by one of the strategies researched for this book is the call to increase the number of police officers. Other suggestions that do not show up in the table presented above but were stated by respondents are better internal oversight, increased cooperation between the police forces, access to better resources including

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psychological assistance, and a move to bring the civil police force closer to the population. The importance of internal oversight is one that was frequently raised by those I interviewed who believe better internal oversight to be the key to improving the civil police. According to a forensic investigator employed by the civil police the model police station network system could be the greatest resource for the civil police if they wanted to use it:

‘With the delegacia legal system the station chiefs now have access to detailed information about who is doing what and how. Now with the expansion of the program to the forensic laboratories they will have an overview of the entire process and our reports. They can use this information to keep those under them in line and allow us to conduct our investigations properly but the question is do they want to?’¹²

The data presented in this section highlight the fact that the civil police are not just involved in registering and investigating crime, in fact they are frequently on the street and conduct stop and search operations. Even though the civil police concentrated on more than their investigation duties, they were positively evaluated by the survey respondents, although some respondents were negative about the police, particularly police officers’ involvement in corruption and violence and their lack of organization. The negative evaluations of the civil police were less than those concerning the military police, perhaps due to the less public nature of civil police work.

An interesting finding of this survey was that not only were both the civil and military police forces evaluated positively by the majority of respondents but that no significant correlation between perceptions of the police forces and color, income, or location of residence of respondents was found. When the data presented in this section was analyzed against the socio-economic characteristics of the survey respondents, the analyses were not statistically significant which means that white respondents are as likely to perceive the police positively as black respondents, or that respondents living in affluent areas are as likely to evaluate the police negatively as those living in Rio’s poor neighborhoods. This is certainly interesting considering that the inequality in Rio de Janeiro suggests that affluent, tourist areas are more and better policed than poorer areas and studies show that police violence tends to be perpetrated against the poorer classes (Justiça Global, 2004). The lack of difference in opinion demonstrated by survey respondents suggests that despite the inequality in Rio de Janeiro citizens’ experiences with, and perceptions of the police, do not differ drastically. This could be because, as detailed in the following section, very few respondents had been victims of police violence and therefore did not have first-hand experience with police abuse. This could mean that regardless of who the police target more, there is no significant difference in opinion amongst those who have not been victims of police abuse as all of these people construct their perceptions of the police from the same source: the media and the people they know. There was a statistically significant correlation between perceptions

12 Author interview, 6 July 2006.

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of the civil police and the military police, meaning that those respondents who positively evaluated the military police were also likely to evaluate the civil police positively, and those that evaluated one police force negatively were also likely to evaluate the other police force negatively which means that people's experiences with one police force influence their perception of another.

8.4 PERCEPTIONS OF SECURITY

In addition to gathering respondents' perceptions about police human rights strategies and the military and civil police force, the survey also aimed to document the perceptions of security voiced by the inhabitants of Rio de Janeiro as the state's inability to provide security reflects negatively on its competency and legitimacy. This part of the survey consisted of seven questions aimed at getting to respondents' perceptions of security, their experiences with crime, and their perception of the security problems in Rio de Janeiro and the efforts of the police and the state to tackle these problems. Respondents were asked whether they had ever been a victim of crime in Rio de Janeiro, what crime they fell victim to, whether they feel safe in Rio, what they perceived as the greatest threat to their security in Rio, whether they were satisfied with the efforts of the police and the public security system, why they were or were not satisfied, and what suggestions they had for improving the security situation in Rio de Janeiro.

The first question posed to respondents regarded their victimization; respondents were asked whether they had ever been a victim of crime in Rio de Janeiro. The majority of respondents stated that they had not been victims, yet despite this a relatively large percentage of respondents, approximately forty percent, did admit to being the victims of crime in the city. An Inter-American Development Bank report (Gaviria and Pagés, 1999) puts victimization in Brazil at approximately thirty-eight percent. At the time of this report Guatemala had the highest victimization rates in excess of fifty percent whereas Uruguay exhibited the lowest rates in the region at approximately twenty-five percent. The same report places victimization rates for Spain at less than fifteen percent. These rates suggest that although victimization rates in Brazil are not the highest in the region they are still significantly high.

Table 19: Citizen Victimization

Have you ever been a victim of crime in the city of Rio de Janeiro?	Percentage (%)
Yes	39
No	60.3
No response	0.8
Total	100

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Following the first question on whether or not respondents had been victimized, those respondents who had been victims of crime were asked to identify which type of crime they had been a victim of. This was an open question, which was later coded, and although some respondents stated that they had been victims of armed robbery and police violence, and to a lesser extent domestic abuse and rape, an overwhelming majority of victims of crime in Rio de Janeiro had been victims of theft. I also found this in my fieldwork within the civil police stations in Rio de Janeiro, a large number of citizens who registered cases in the police stations were victims of theft. The prevalence of this property crime in Rio de Janeiro highlights the social and economic inequality present throughout Brazil. Crimes such as theft when the ‘have nots’ take from the ‘haves’ are common in countries with highly unequal income distributions and the exclusion of a section of the population (Fajnzylber, Lederman, and Loayza, 2002; Stack, 1984).

Table 20: Citizens as Victims of which Crimes

Of what type of crime have you already been a victim?	Percentage (%)
Theft	88.5
Armed robbery	5.8
Police violence	3.8
Other	1.9
Total	100

Following this, respondents were asked about their perceptions of security in Rio de Janeiro, a question that revealed an interesting finding. Whereas approximately forty percent of the population had been a victim of crime, almost eighty percent of respondents felt unsafe in Rio de Janeiro as the table below shows. This is similar to a study cited by Frühling et al. (2003) in which a gap was found between the number of people who had been victims of crime in Buenos Aires, twenty-seven percent, and the number who feared becoming a victim of crime, almost seventy-two percent. This suggests, as was raised in chapter two, that citizens’ perceptions of crime in Latin America may not always be in tune with the reality of crime and violence but these perceptions are important as they obligate the state to respond (Smulovitz, 2000). A state’s inability or unwillingness to respond to one of the main concerns of its citizens calls its legitimacy into question (Bailey and Dammert, 2006).

Table 21: Citizen Perception of Safety

Do you feel safe in Rio de Janeiro?	Percentage (%)
Yes	22.7
No	77.6
Total	100

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The responses to the question asked to determine the perceptions of security of the residents of Rio de Janeiro suggest that a large majority of respondents feel unsafe in Rio de Janeiro, although around twenty-three percent of respondents do feel safe there. Yet it is interesting to focus on the approximately seventy-eight percent of the population who do not feel safe because, as detailed in chapter two, the right to life, liberty, and security is a human right and therefore it is the responsibility of the state to provide its citizenry with security. However, for a variety of reasons the state has been unable to do so as yet. A study conducted by the Brazilian Institute for Social Research found similar results. Over fifty-five percent of the respondents to their survey said they felt unsafe in their own neighborhoods and approximately sixty-three percent of Rio residents said they had changed their habits because of the violence and criminality in the city (Veja, 2006b). The habits the respondents referred to were their way of dressing, their mode of traveling, and the places where they socialized. Some of the threats to citizens' perceptions of security and the impediments to the state's ability to provide security are highlighted below as the answers to the question concerning what citizens perceive as the greatest threat to their security in Rio de Janeiro.

Table 22: Greatest Threat to Safety in Rio de Janeiro

In your opinion, what is the greatest threat to your safety in Rio de Janeiro?	Percentage (%)
Assaults	25.5
Drug trafficking	13.8
Violence in general	13.8
Shoot-outs and stray bullets	11.0
Bandits	7.8
Police corruption	5.3
Minors/homeless and delinquent youth	5.0
Nothing to fear	2.8
Lack of policing	1.8
Other ¹³	11.0
No response	2.5
Total	100

13 This category consists of those responses that could not be categorized in any other way, the additional responses given regarding threats to security in Rio de Janeiro included being surrounded by *favelas*, humanity in general, the lack of concern by the state and federal government, crime, impunity etc.

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The responses to this open question suggest that most respondents are concerned with assaults, with general violence and drug trafficking sharing the place of the second biggest threats to security, according to the respondents of this survey. All of the threats listed above are related to the public security situation discussed in chapter three, predominantly to the prevalence of the criminal gangs and the violence that results from the ‘war’ that is being waged between the criminals and the police. The presence of heavily armed, organized criminal groups that gained strength during, and directly after, the military regime who control numerous neighborhoods throughout the city and engage in armed conflict with the police and rival gangs leads to a bizarre security situation that frightens people and makes it seem as if they are living in a war zone. Many of the threats mentioned above are related to the havoc wreaked by these organized criminal groups but the actions of these armed groups do not continue unabated. The state plays a large role in how citizens’ perceive their own security, as it is the responsibility of the state to deal with maintenance of internal order issues that arise and maintain order and security. Yet, as has been raised repeatedly in this book, the state is not able to see to all of its responsibilities. In response to the question regarding the greatest threat to security, some respondents mention police corruption and a lack of policing as a threat to their security. The inability of the state to provide security is highlighted by the findings of the following question that enquired whether citizens were satisfied with the efforts of the state police officers. A majority of the respondents stated that they were not satisfied.

Table 23: Perceptions of Police Competence

Are you satisfied with the efforts of the state police in providing public security?	Percentage (%)
Yes	37.5
No	57.5
No response	5.0
Total	100

Approximately thirty seven percent of the respondents perceived the police to be satisfactory and effective while approximately fifty-seven percent of respondents were not satisfied with the efforts of the police in the provision of public security. Those who perceived the police to be doing a satisfactory job thought it was because they worked well, they risked their own lives to protect the population, tried to decrease violence in the city, and, lastly, because they had never given the satisfied respondents any trouble. Those respondents who were unsatisfied with the police mentioned the following reasons for their negative evaluation: the fact that it was not clear which officers were honest and which were corrupt, because the police did not provide security to everyone, because they added to violence instead of combating it, and because of the poor security situation in Rio de Janeiro. Although both the military and the civil police forces were positively evaluated by survey respondents, the responses

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to this question suggest that despite positively evaluating the police forces, residents of Rio de Janeiro are not satisfied with the ability of these police forces to provide security. Positive evaluations of the police forces and negative evaluations of their efforts to provide security can exist hand in hand because the police are thought to be doing their best given the resources they are provided with but the resources, or the lack thereof, and the public security policies that the police carry out in their efforts to provide security are created and administered by the state government. Therefore the problem is seen to lie not with the police, but rather with the politicians, a topic which will be discussed in detail in the following chapter. In fact, as the following table shows respondents would like more police officers in their city and on their streets. Finally, respondents were asked what, in their perceptions, could be done to improve the security situation.

Table 24: Citizen Assessment of Ways to Improve Public Security

In your opinion, what needs to be done in order to improve the security situation in Rio de Janeiro?	Percentage (%)
More police on the streets	23.5
More training and qualification	8.8
Better salaries	7.5
More investments	4.5
Reduce corruption	4.5
More equipment	3.5
More job opportunities for the general population	2.3
No way to improve	1.0
Nothing	1.0
Other	31.0
No response	12.5
Total	100

This was posed as an open question and later coded into the categories presented above. The responses which did not fit into any of categories were placed in the ‘other’ category. Some of the responses in this category are suggestions to improve the penal code, to fire the governor, change the politicians, call in the military to patrol the streets, and greater respect for the rights of citizens; others ask for divine intervention or a miracle as they perceive this as the only way to improve the security situation in Rio de Janeiro! The majority of the responses directed at the police called for the presence of more police officers on the streets. Although research (Neighbourhood Policing Programme, 2006; Liverpool Audit, 2004) suggests that this does not necessarily lead to a decrease in crime, it does make people feel more secure. Similar to the

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suggestions on how to improve the two individual police forces, suggestions to improve public security also include increased salaries for police officers and improved training for and qualifications of police officers. Yet unlike suggestions to improve the police forces, suggestions to improve public security also include providing better education to children, offering more opportunities to the population, and training people for professions so that they do not turn to a life of crime. This suggests that the survey respondents are aware that the path towards increased security does not just involve more police officers or better policing but also needs to include social programs so that people do not become involved in crime.

This section covered respondents' perceptions of security in Rio de Janeiro. In order to gauge this, respondents were asked to answer open and closed questions enquiring about their victimization, their perception of their security, and their perceptions of the security situation in Rio de Janeiro. The findings of the survey suggest that a significant percentage of the respondents have been victims of crime, predominantly theft. Although victimization was around forty percent, more than seventy percent of the population felt unsafe in Rio de Janeiro, driving home the fact that the government is falling short of its obligation to provide security to its citizens. Residents of Rio de Janeiro are mostly afraid of violence and security problems related to the presence of drug gangs such as shoot-outs and stray bullets but respondents also considered police corruption and the lack of police officers as threats to their security. Finally, more than half of the respondents stated that they were not satisfied with the efforts of the state security agents. Suggestions to improve the security situation in Rio de Janeiro have ranged from calling upon divine intervention, to changing the state government, to offering better salaries to police officers and increasing opportunities for regular citizens so that they have prospects other than committing crime.

Lastly, as discussed earlier, no statistical significance was found between the socio-economic characteristics of respondents and their victimization, perception of security in the city, or their evaluation of the efforts of the police. This means that anyone regardless of their color, income, or neighborhood of residence can be a victim of crime, predominately theft in this case, and that respondents throughout Rio de Janeiro, across race and class lines, feel insecure in Rio de Janeiro and are unsatisfied with the efforts of the police to offer them security. This could explain what Ahnen (2003) termed the 'tyranny of the majority', which means that the majority of the residents in Brazil, including the poor, feel afraid and insecure and call for tougher police and crime control techniques and that the demand for repressive policing does not just come from the elite. An analysis of the data gathered did yield a significant correlation between respondent victimization and whether or not they were satisfied with the efforts of the state police forces. Those respondents who had been victims of crimes were not satisfied by the efforts of the police probably because they had failed to protect them from being the victims of crime.

8.5 CONCLUDING REMARKS

This book has focused predominantly on the experiences of police officers with the implementation of police human rights strategies for the purpose of increasing police compliance with human rights standards. Although police compliance with human rights is the main concern of this book, police interaction with the public is important to human rights and therefore citizens' perceptions of the implemented human rights strategies, the police forces, and public security in general are imperative in analyzing the outcome of the police human rights strategies and the larger attempt at public security reform in Rio de Janeiro. Citizens' perceptions of the police's human rights strategies were quite positive. Many respondents had not heard of the community-oriented policing program as was also covered in chapter five, yet they had heard of the model police station program and both programs were positively evaluated and thought to lead to a decrease in violence in Rio de Janeiro, which means that these two reforms do have the support of the population at large.

The perceptions of the police forces were not as positive as that of the police human rights strategies. The evaluation of the military police was divided with almost the same percentage of people classifying the military police as below average as above average. Despite the divided evaluation, almost everyone referred to police corruption in their review of the military police. The civil police, on the other hand, received quite a positive evaluation though there were those who classified the civil police negatively. The final section on perceptions of security revealed that a significant percentage of the respondents feel unsafe in Rio de Janeiro, and as the other reports suggest, violence has driven people to change their habits. Even though respondents were positive about the police human rights strategies and the police forces, they were not satisfied with the security situation in Rio de Janeiro and the efforts of the police to provide security. The inability of these state agencies to provide security led the survey respondents to question the commitment of the state government to security and their competency and legitimacy.

As they were not satisfied with the state's provision of security, the respondents had many suggestions on how to improve public security in Rio de Janeiro. These suggestions concerned both the greater valuation of the police and greater investment in the police in terms of more police officers, increased salaries, improved training, greater access to resources, greater control over the police in the form of reducing corruption, and lastly, a small number of respondents suggested focusing on the societal problems of unemployment, poverty, and inequality as a way to resolve the security problems of Rio de Janeiro. According to the respondents, investments have to be made within the police but there also has to be concern for society if the public security situation is to improve.

It is interesting that no significant correlation was found between the socio-economic characteristics of the respondents and their perceptions of the police human rights strategies, the police, or public security, in general, despite Rio de Janeiro's reputation as a highly unequal city where police abuses tend to occur predominately in the poor regions. This suggests that despite the inequality prevalent in Brazilian society, the residents of the city of Rio de Janeiro have similar experiences and perceptions, that

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there is no deep divide between them and that the majority of them, rich and poor and black and white alike, feel unsafe in Rio and are dissatisfied with the efforts of the police to provide security, thereby calling on the federal and state governments to take the security situation seriously and take steps to resolve the problem.

9 Conclusion

*'The people of the world are limbs from one body, sharing one essence.
When a single limb is oppressed, all others suffer agony.'*
Sheikh Sa'adi of Shiraz

During a weekend in May 2006, the state of São Paulo and in particular the bustling city of São Paulo were held prisoners to the demands of the *Primeiro Comando do Capital* (The First Command of the Capital), commonly known as the PCC.¹ Members of this criminal gang, at the orders of their imprisoned leaders, simultaneously conducted prison riots, attacked banks and police stations, burned buses, and targeted police officers and penitentiary guards in order to get the state to agree to their demands not to move PCC leaders to a federal maximum security prison from where they would no longer have contact with their constituents and to improve prison conditions in state prisons. This weekend in May, which *Paulistas*² refer to as their 11 September, left more than one hundred and sixty people dead, approximately forty of whom were police officers and penitentiary guards (Época, 2006). The power and organization of the PCC shocked *Paulistas*, Brazilians, and the world at large, and prompted people to ask 'how could this happen?' especially in a metropolis like São Paulo which had always been an example for the rest of Brazil.

Whereas clashes between organized criminal groups and state agents have become commonplace in Rio de Janeiro, they are relatively new to São Paulo and an event of this magnitude drove home the fact that the PCC was not just a ragtag group of petty criminals as the state had often characterized them but were organized and capable of large-scale destruction, and despite the resources at its disposal, the state was powerless to stop them. This led academics and security consultants the world over to compare the PCC to organizations like the Italian Mafia and the Colombian FARC (Veja, 2006a). A popular national weekly magazine in Brazil, *Época* (2006), published an edition following the incidents in May with a picture of a burning bus on the cover and asking the question 'Until when?' (*Até quando?*). Many former policy makers, academics, and security consultants interviewed by this magazine stated that the state was failing in its duty to provide security to its citizens. According to one interviewee, 'not combating crime with energy and a sense of urgency is also a crime' (Época, 2006: 25). The anger and indignation experienced by the population was not just targeted at the

1 The PCC is essentially a prison gang founded in response to the Carandirú prison massacre in 1993; prisoners organized themselves to demand better treatment, improve prison conditions, and to protect each other from abuse. It is said to have six thousand members and to control ninety percent of the prisons in the state of São Paulo. The PCC has links with the *Commando Vermelho* (Red Command) in Rio de Janeiro and supports itself through the trafficking of arms and drugs, conducting armed robberies, and kidnapping (Época, 2006; Veja, 2006a; Huguet, 2005).

2 A term used to describe a person from the state of São Paulo.

criminal group responsible for the violence but also at the state for failing to fulfill its obligation to provide security and protect people from harm. As an NGO representative quoted in Hinton (2006: 159) put it: 'The state is still lording over the population as if anything they do for you is a favor, rather than their responsibility.' Citizens' growing frustration at the lack of safety provided by the state and the realization that the public security policies created by the state are not improving the security situation has led people to question the state's commitment to security and public security reform and to search for other ways to make Brazilian cities safer.

What happened in São Paulo in May 2006 highlights many of the issues raised in this book in relation to public security in Rio de Janeiro and the reality that many Brazilian cities are currently facing. Traditional policing practices in Brazil have focused on using heavy-handed tactics in order to repress the poor, undesirable classes, often labeled as deviant, and protect the elite and the state. These repressive practices that have been in use since the creation of the police were further legitimized under the military regime's national security doctrine. The military and police's use of repression during the military dictatorship was questioned only because middle and upper-class students were also targeted under the national security doctrine and the lack of economic growth galvanized the population. The hope that the transition to democracy would usher in a greater provision of rights, security, and economic prosperity did not become a reality for the majority of the population as the slow pace of political transition and the Amnesty Law of 1979 ensured that the state's repressive security apparatus remained intact (Ahnen, 2003; Pereira, 2000). To make matters worse, the transition to democracy and the societal opening it brought about collided with significant increases in the rates of crime, violence, and fear of crime. This was particularly relevant in Rio de Janeiro, often referred to as the microcosm of Brazil, where the transition to democracy coincided with the rise of organized criminals groups that assumed control over *favelas* long-abandoned by the state and began to exert their power over the city (Leeds, 1996). Residents of Rio de Janeiro have experienced many days similar to the weekend in May that São Paulo residents perceive as their 11 September, which have led the marvelous city to lose its luster. Since 1983, successive state governments have tried to create and implement policies to tackle the security problem and improve the police forces yet as discussed in chapter three and chapter eight, the state has been unable to fulfill its obligation to provide its citizens with security and make them feel safe (Hinton, 2006). In fact, residents of Rio de Janeiro are seen as being in a constant state of alert (Veja, 2006b).

The inability of the state to provide security to those under its jurisdiction calls the legitimacy of the state and of democracy as a valid political institution into question (Bailey and Dammert, 2006). The demands of the population for security and its frustration with the state for not being able to provide it has led crime and violence to have a prominent place on the public agenda in Rio de Janeiro (Silva, 2003). Yet tackling crime and violence at the hands of the criminal gangs was not the only concerns of the population, and hence the state. In fact, the increase in crime and the police's repressive response to it, although supported by many, was starting to be

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viewed as ineffective and there have been renewed calls to reform the police and enforce police commitment to the rule of law.

The International Bill of Rights obliges states to promote and uphold human rights and protect its inhabitants from abuse by state agents, including the police, yet, in practice, not all states are able to fulfill this obligation. A state's inability to protect its population and control its security forces are invariably linked and equally damaging. According to Hinton (2006: 191), 'if a state cannot exert control over its legal enforcers, its capacity to uphold laws and policies, protect its population from arbitrary actions of others and shape norms and procedures within its borders is substantially diminished.' One of the ways for the state to control its police forces is by implementing police reform and creating strategies to increase police compliance with human rights and the rule of law. Yet substantial police reform, although frequently suggested, is rarely proposed or implemented. Following the incident in São Paulo, eleven projects were suggested to combat organized crime which included up to a year in solitary confinement for having a mobile phone in jail and stricter sentencing but no proposals for reforming the police were put forth even though research suggests that in Brazil only two out of a hundred registered homicides end with a suspect in jail (Época, 2006). By simply suggesting stricter penalties for those arrested and jailed and not concentrating on the police, policy makers are missing a key element as it is the police who maintain public order, prevent and detect crime, and provide assistance to the public in the first instance (Marenin, 1996). If crimes are not solved or the correct suspects not arrested then stricter sentencing guidelines will not make a difference.

It is these reform policies implemented to combat crime and improve the police that this book has concentrated on, specifically policies to reform the police and public security that have implications for police compliance with human rights standards. These policies have been referred to as police human rights strategies. The purpose of this research has been to uncover what, if any, police human rights strategies are currently being implemented in Rio de Janeiro, what these strategies entail and how they are implemented, what the outcomes of these strategies are, how they are perceived by the key stakeholders involved in them, whether they lead to greater compliance with human rights standards, and what can be learnt from Rio's experience with implementing these strategies that may be relevant to other Latin American cities. In this book, I concentrated on four police human rights strategies that were chosen for the widespread nature of their implementation and their implication for human rights. The selected strategies were: training for police officers, community-oriented policing, the model police station (*delegacia legal*) program, and the disarmament program covered in chapters four through seven respectively.

Prior to the implementation of these programs there had been many other attempts to reform the police and public security in Rio de Janeiro as was described in detail in chapter three. Yet the previous attempts were concerned with either protecting people's rights or giving the police forces free reign to combat crime in any way that they saw fit, whereas the four police human rights strategies detailed in this book form a part of Anthony Garotinho's 'third way,' an attempt to provide security while promoting human rights. Garotinho et al. (2000) considered their third way, the way to make Rio

de Janeiro safe and further consolidate democracy. The continuation of a PMDB government in Rio de Janeiro means that these strategies continue to be implemented since their creation and therefore provide interesting research material. This conclusion will briefly discuss the implementation and outcomes of the four police human rights strategies in terms of human rights compliance prior to analyzing some of the main societal and institutional factors that consistently impede the implementation of human rights. Lastly, I take a look at what is missing in terms of public security reform in Rio de Janeiro and what lessons other Latin American cities can draw from the Rio case study.

The first strategy detailed was the preliminary training of police officers in Rio de Janeiro within the military and civil police academies, along with two on-the-job courses, one for higher-rank civil and military police officers offered at a university and the other for low-rank military police officers created through coordination between the military police organization and a local NGO. Better selection criteria and an improved training curriculum are often suggested as key elements of police reform as training is thought to impart the knowledge, values, and skills considered important by the organization, yet the outcome of training is difficult to gauge due to intervening factors, such as the strength of on-the-job socialization within the police (Amnesty International, 2006). As discussed in chapter four, the reality of basic training in Rio de Janeiro is diverse. The civil police tend to receive plenty of theoretical training and are well versed in the law but these theoretical considerations are rarely connected to the reality of day-to-day police work. Within the military police, the lower ranks are provided with rather basic training and spend much of their time within the academy learning to march in military formation, receiving firearms training, and contributing to the upkeep of the facilities, whereas the higher-rank officers are trained for three years in all manner of subjects preparing them for their leadership role within the police organization and as spokespeople for the organization, yet their training also concentrates on military discipline and the use of firearms. Lower-rank military police officers who have the most contact with the population are often the least trained and prepared for their duties. The lack of education of the lower ranks is considered the biggest motivation for change and also the biggest impediment to change within the military police organization along with the steep hierarchical division between the ranks. The two extension courses attempt to fill the gaps left by the training offered within the academies though they still require some work as to how the education and skills imparted in them can overcome some of the challenges that hinder them from being fully included into the military and civil police forces' training regime and benefiting the entire organization instead of a few individual officers. Although it is difficult to understand the impact of training on police compliance with human rights standards, considering the focus on obeying orders, military doctrine, and loyalty within the police forces in Rio de Janeiro and the fact that training is not reinforced in practice, rather training on human rights and police ethics is overwhelmed by the militarized nature of policing in Rio de Janeiro, the impact of this police human rights strategy is thought to be minimal.

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Community-oriented policing, covered in chapter five, aimed at changing the philosophy of the military police from a militarized one, which concerned itself with the destruction of the enemy, thereby resulting in numerous human rights violations, to one that focused on cooperating with the population in the search for durable solutions. This process of demilitarization required military police officers to communicate and cooperate with the population, instead of simply following orders from above, in order to be better able to serve them, prevent crime, and focus on mediation over the immediate use of force. Community-oriented policing is implemented through the use of four programs in Rio de Janeiro: community breakfast, the community security councils, the special areas policing group, and community patrols. Although widespread community-oriented policing is not the overarching philosophy of the military police in the state of Rio de Janeiro, which means that it is often implemented hand in hand with other strategies that lessen its effect. As it is just one of the many strategies implemented within the military police, community-oriented policing depends on the commitment of the commander of the military police battalion and the cooperation of the community, where it is implemented, for its success, this along with the fact that other programs often interfere with community-oriented policing means it yields different outcomes in the locations where it is implemented. In addition, community-oriented policing continued to be affected by the historical inequality that has seeped into all segments of Brazilian society so that citizens continue to be treated differently depending on who they are. The implementation of this police human rights strategy in Rio de Janeiro, especially in its *favelas*, is a great step forward to demilitarizing the police and ensuring greater compliance with human rights standards, yet the continuation of traditional, militarized policing at the same time as community-oriented policing means that the police still continue to commit human rights violations in the context of fighting the 'war' on crime and drugs. Although community-oriented policing initiatives have the potential to improve police compliance with the right to life, liberty, and security, the right to be free from arbitrary arrest, detention, or exile, equal treatment under the law, and the proportional use of force, the impediments detailed above make sure that community-oriented policing cannot reach its full potential in terms of its implication for human rights.

The *delegacia legal* program described in chapter six is an extensive plan to professionalize the civil police force and improve the service that they offer to the population. Much has been invested in this program since it was created in 1999. Civil police officers taking part in the program receive additional training before starting in a model police station and have to continue their training throughout their employment in a model police station for which they are offered better salaries. In addition to continuous training and better salaries, the model police station program also involves hiring and training new social assistants, renovating police stations, purchasing new furniture and other resources, and offering officers access to computers, the centralized network, and other technology. The state governor did not succeed in her promise to convert all civil police stations into model police stations prior to the end of her term in office but the model police station program will continue to be implemented by the new governor so eventually all police stations in the state of Rio de Janeiro should be model police

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stations. Yet, the philosophy of the program has not been incorporated in its entirety in the stations that have already been converted so the reality of the model police station program is different in the neighborhoods where it is implemented. The extent of professionalization and change within the civil police depends greatly on the individual station chiefs and how committed they are to the program. Whereas some station chiefs have succeeded in using the program to make their subordinates more respectful of human rights, such as the officers at the 5th district police station who had conducted over a hundred arrests without firing a single bullet, other station chiefs operated their stations as if nothing had changed, it was business as usual. As a police human rights strategy, the model police station has the potential to improve police compliance with people's right to life, liberty, and security, to be free from torture, and other forms of cruel, inhuman, or degrading punishment, arbitrary arrest, detention, or exile, and their right to equal treatment under the law. Despite its potential and its successful implementation in some neighborhoods, the model police station program has been unable to improve civil police compliance with human rights standards throughout Rio de Janeiro.

As examined in chapter seven, the disarmament program implemented in Rio de Janeiro by Viva Rio, IANSA, and Amnesty International, in cooperation with the police, has had a key role to play in putting the issue of the proliferation of small arms on the political agenda in South America and inspiring other organizations to get involved in combating this serious threat to public security and human safety. Driven by the high rates of gun-related deaths in Rio de Janeiro, the disarmament program has been successful in raising awareness about the problems of gun ownership and use, disproving myths surrounding the proliferation of arms, involving communities in the program and encouraging cooperation between NGOs, government, law enforcement officials, and citizens, collecting and destroying thousands of weapons thereby removing them from society and eliminating the possibility that they will harm or kill anyone again, pressurizing law makers to take the issue of arms proliferation seriously and strengthen legislation relating to arms possession, sale, purchase, use, and destruction, and seriously diminishing the possibility that corrupt police officers can resell weapons in their possession and exacerbate the problems of crime, violence, and human rights violations in Rio de Janeiro. Despite its achievements, everyone does not perceive the disarmament program positively as it is seen as not doing enough to combat the problem of crime, violence, and gun-related deaths in Rio de Janeiro. As the results of the October 2005 national referendum show, the citizens of Rio de Janeiro and Brazil in general continue to live in fear and are frustrated with the inability of the state to do anything about the cause of their fear. While boasting a list of achievements, such as decreasing homicide rates, the disarmament program has been unable to provide a sense of security to the citizens of Rio de Janeiro. The activities and achievements of the disarmament program are certainly positive from the perspective of the implementation of human rights in Rio de Janeiro. While the program enforces greater respect for the rule of law amongst the police as it makes police corruption difficult, there is much more to be done for the disarmament program to really increase the standard of human rights enjoyed by the population of Rio de Janeiro. The high rates of crime and

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violence and citizens' insistence on owning weapons for the sake of protection suggests that the disarmament program does not fully provide the population of Rio de Janeiro with the human right to life, liberty, and security of person.

Table 25: Summary of the Human Rights Impact of Each Human Rights Strategy

Human Rights Strategies	Implications for which Human Rights	Facilitators	Impediments	Human Rights Impact
Preliminary Training	Right to life, liberty, and security, freedom from torture, freedom from arbitrary arrest, right to equal treatment, and the proportional use of force	Compulsory for all recruits and considered important by police organization	Militarized model of policing, perceptions of the role of the police, no full-time instructors, and dependence of training on reinforcement	Minimal when not reinforced in practice
On-the-job training	Same as above	University course works with hierarchy of the organizations so well-received by those in command whereas NGO course draws from real experience so is valuable to officers	No incentive for higher-rank officers to pass on knowledge and retraining of lower ranks is not considered important, not accepted by those in command	Same as above
Community-Oriented Policing	Right to life, liberty, and security, right to be free from arbitrary arrest, equal treatment under the law, and the proportional use of force	Presence of political backing, well-educated chiefs, contact between the police and the community	Population's distrust of the police, high rates of crime and violence, decision-making by politicians, and the frequent changing of chiefs	An important program and successful in some areas but not widespread

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Human Rights Strategies	Implications for which Human Rights	Facilitators	Impediments	Human Rights Impact
Model Police Station Program	Right to life, liberty and security, freedom from torture, freedom from arbitrary arrest and equal treatment under the law	Presence of the executive group, the computerized network, the removal of holding cells and the continuation of the state government	Low salaries, additional employment, heavy case-loads, conflict with other programs, and the fear of crime	Program with great potential but not internalized by all and lacking some supporting programs
Disarmament Program	Right to life, liberty, and security	NGO, government, and police involvement and cooperation	High rates of crime, no faith in the police, fear, and the need for self-protection	Promising, shows early results but many still support gun ownership

A detailed examination of some of the strategies currently being implemented as part of public security and police reform in Rio de Janeiro demands a look at the commitment the state government demonstrates to the success of these strategies. As discussed in the individual chapters devoted to each of these four strategies and summarized above, these strategies were implemented for the very real reasons of decreasing crime and improving the police. The prevalence of crime and violence in Rio de Janeiro is a concern for its citizens, and the state and its agents have until now been unable to decrease crime and public fear of crime. As public distrust in the police and their capabilities reflects negatively on the state and on democracy it is understandable that public security is such an important point on the political agenda in Rio de Janeiro. As mentioned in chapter three, due to its prominence every governor tries to tackle the security problem and Garotinho, and his wife after him, are no different. Yet these reforms rarely succeed in accomplishing their goals. There are many reasons for this but an important political factor is the design and focus of these reforms.

According to Soares, public security reforms are focused on the short term; long-term factors are rarely taken into consideration because reforms are usually created and implemented in response to a big event or scandal.³ Instead of planning ahead the government responds to a crisis situation but this always happens after the fact and many shortcuts are made for the sake of a quick, decisive response. The eleven projects proposed in response to the São Paulo incident are a case in point. Governments focus

3 Author interview, 29 June 2006.

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on short-term reforms because they want to be able to take credit for them and have them benefit their political careers. Projects that require ten years for a perceivable result are of no benefit to the politicians and policy makers that implement them. The desire for a quick result is also why politicians tend to implement a variety of projects at the same time even if they conflict and interfere with one another. Garotinho did this when he hired a left-wing anthropologist as the undersecretary for research and citizenship of the state secretary of public security and hired a military official associated with the dictatorship as his state secretary of public security (Hinton, 2006). Garotinho planned to improve the security situation in Rio de Janeiro as this was his ticket to the presidency so he was willing to try any project but instead of finding the winning combination, Garotinho's courtship of both sides came to a head when the police organizations asked him to choose between them or Soares which led to Soares being fired (Soares, 2000). Garotinho never found the winning combination and did not win the presidential race but many conflicting projects continue to be implemented hand in hand such as community-oriented policing and operation maximum pressure. These projects are often implemented per neighborhood suggesting that Garotinho's 'third way' may in fact mean providing human rights protection for the upper classes while repressing the poorer classes which makes it no different from policing and public security in Rio de Janeiro throughout the years.

According to Hinton (2006: 192), governments in Brazil have always used the public security situation for their own political purposes. These governments manipulate the situation for their own particularistic interests and self-preservation. Hinton (2006: 193-194) adds two more political elements to those already raised above. Not only do governments launch a multitude of programs that may or may not work instead of a few that are better thought out and focus on the short term as opposed to the long term, they also launch measures purposely designed to create a minimum amount of ripples and disregard policies at the first sign of a dip in their popularity. Hinton's analysis of the political situation applies well to the policies implemented as part of Garotinho's third way, implementing community-oriented policing in some Rio de Janeiro neighborhoods certainly creates less ripples than designating it as the overarching philosophy of the military police. This could also be the reason why, although the problems regarding the lack of education of the military police lower-rank officers are well known, there has been no attempt to improve their training. This extensive project is likely to ruffle a few too many feathers and despite its importance it is best ignored. As was the case with Soares, many policies that were created to ensure better oversight and accountability of the police were abandoned, as they were not well received by the police organizations. This tendency of politicians to focus on their own political interests and popularity over their responsibility to the population has led to a disconnect between governments and the people.

While politicians play an endless game of courting favor, the police are caught between being tough on crime and respecting human rights. Rank-and-file police officers have no say in the strategies that are implemented to improve their organization and their treatment of the population and they tend to be distrustful of the strategies and the

politicians and policy makers behind them. This is because reform policies rarely benefit the police, Latin American governments are more inclined to set up new institutions instead of fixing existing ones, because governments frequently change their commitment to projects, and even successful ones tend to be abandoned by new governments. So it is no wonder that police officers tend not to commit themselves to police reform (Kant da Lima, 1995). Corrupt politicians who backtrack, change their loyalty, and alter the rules in the middle of the game surround the police. Furthermore, although many higher-rank police officers stay within the organization, others, especially those credited with designing or leading the implementation of a new program, tend to leave to pursue better, more fruitful careers. Lower-rank police officers are the only ones that have nowhere to go, the police offers them stable employment and they do not have the resources or the connections, like their higher-rank counterparts, to find gainful employment elsewhere but even though they do not leave, it is not surprising that lower-rank police officers are not committed to reform when no one else around them is either. According to Hinton (2006), to expect the police to be straight in such a situation would be to pretend that they are not rooted in and influenced by the context in which they operate. It also ignores the fact that changing the mentality of the police involves changing the mentality of the entire public security system; this means less corruption and more accountability to the people on all levels. Is that really what governments want?

As raised throughout this book and again in this chapter, attempts to reform the police in Rio de Janeiro consistently come up against the old patterns of political patronage, impunity, and historical inequality. These elements are so embedded in Brazilian society that it is difficult to circumvent them. The state secretary of public security and the chiefs of the civil and military police forces are appointed by the state governor, they are replaced when the state government changes but they can also be replaced during a governor's tenure if the governor changes his/her mind or decides to try a new approach. As commanders of military police battalions and chiefs of civil police stations are decided by the chiefs of the military and civil police forces respectively, a change in state government means a reorganization of all the actors down to the commanders of all the battalions in the state and the chiefs of all the stations. For their benefit, military police commanders and civil police chiefs are allied to a particular political party and they surround themselves with lower-rank officers who are allied to them, and by extension, to the political party (Pubben, 2000). In this way, political patronage makes its way all the way down the government and police ranks. Impunity is also as common and widespread as political patronage. It is predominantly low-rank officers who receive negative publicity for their violent, abusive actions against the population, yet high-ranking officers and politicians are often complicit in these actions, either in the form of a direct command, the creation of conditions in which abuses would occur, or their failure to stop them. Yet these higher-rank facilitators of abuses are rarely identified or held accountable (Huggins et al., 2002). For example, following the Bus 174 incident some low-ranking police officers were charged, and later acquitted, but the commander responsible or the governor who was in constant communication with the officers during the incident were not blamed for the inadequacy they demonstrated

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in this situation. In this way, impunity runs all the way through the police and political system. This is exacerbated by the long-standing social and racial inequalities through which the light, rich elite are given privileges that are not available to their darker, poorer counterparts (Roberts, 1996). These old patterns of political patronage, impunity, and inequality along with current levels of poverty and the lack of opportunities available for young adults make crime an attractive proposition.

As mentioned in chapter three and the previous chapter, the poor youth of Rio de Janeiro are frequently discriminated against and have no bright future prospects. The only way for them to earn a living and earn some respect is by working with the commands even if it does expose them to extreme levels of violence. Many poor, young boys in Rio de Janeiro prefer a good, short life to a long life full of hardship (Soares, MV Bill, and Athayde, 2005; Dowdney, 2003). The high rates of crime and violence have led to increased calls for police reform and more attention for public security, yet improving public security alone will not solve the problem of crime and violence in Latin America's cities.

Organized criminal groups have gained tremendous power in Latin American cities and the unwillingness or inability of the state to protect its citizens and ensure security has set the stage for the erosion of the legitimacy of the state (Hinton, 2006). Latin American governments continually default on their fundamental responsibilities and show themselves to be powerless in front of organized criminal groups. The strength of these groups has prompted residents of Latin American cities to make statements like 'The bandits are the ones in power'. The continued demand for arms and drugs makes trafficking in these commodities a very profitable enterprise. The profits from the arms and drugs trade mean that criminal groups are better financed, better armed, and often have access to more resources than the state police forces. The presence of large amounts of young men willing to join these criminal groups and their access to more sophisticated firepower means that in the traditional battle of wills that a 'war' on crime and drugs requires the police are bound to be the losers.

Bringing about lasting, sustainable change to the problems of crime, violence, and human rights violations in Rio de Janeiro, and in other Latin American cities requires an understanding of public security that exceeds plans to eliminate organized criminal groups and regain control of the areas of the city controlled by these groups. Public security should entail the provision of security to everyone through increased police compliance with human rights and the rule of law, and police cooperation with other state agencies to ensure equal access to security, citizenship rights, and economic development. If Latin American cities are to find a way out of the predicament that they find themselves in it is going to require state and federal-level governments to approach police and public security reform seriously with a view towards long-term investment. Police organizations socialized over hundreds of years to repress one segment of the population while protecting another cannot be altered in the span of a few years. Long-term reform will also demonstrate that state governments are committed to reform efforts, as they will benefit the police organizations and the population

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instead of their own political popularity. The police human rights strategies implemented within the civil and military police forces in Rio de Janeiro are certainly a step forward in reforming the police in Rio and ensuring police compliance with human rights standards, yet the half-hearted way in which they have been implemented, the lack of enforcement of human rights values in operational police work, and the state's continuing commitment to the all-out 'war' on arms, drugs, and crime consistently impede the greater protection of human rights in Brazil.

The prevalence of the war mentality justifies all state decisions even if they negate a state's obligation to promote human rights and legitimizes all police actions even those that blatantly violate the police's responsibility to protect citizens as they are committed in order to defeat the enemy and thereby benefit society. As one high-ranking civil police officer said in response to a journalist's question about a recent police operation in a north zone *favela* that had left innocent people dead: '*na guerra, quem morre não é inocente*'. 'In war, those who die are not innocent'.

Samenvatting

Dit boek handelt over de implementatie van mensenrechtenstrategieën binnen de eenheden van de nationale politie in Rio de Janeiro die is ondernomen in een poging om het politiewerk te verbeteren en de naleving door de politie van mensenrechtenstandaarden te verhogen. Voor het doel van dit onderzoek zijn mensenrechtenstrategieën voor de politie gedefinieerd als die wetten, beleidsonderdelen of programma's die impliciet of expliciet tot doel hebben om de naleving door de politie van mensenrechtelijke waarden, standaarden en normen te verbeteren. Expliciete mensenrechtenstrategieën zijn strategieën waarbij het belang van de mensenrechten de kern van de strategie vormt en de primaire doelstelling is van de opstellers van en belanghebbenden bij de strategie, terwijl impliciete strategieën die strategieën zijn waarvan mensenrechten niet de kern vormen en wellicht niet het doel zijn van de opstellers, maar die uiterlijk en inhoudelijk mensenrechtelijke elementen bevatten. Zowel expliciete als impliciete mensenrechtenstrategieën kunnen bedoelde en onbedoelde uitkomsten hebben die positieve of negatieve gevolgen hebben voor de mensenrechten.

De mensenrechtenstrategieën binnen de politie die in dit boek worden onderzocht, zijn onderdeel van een grotere beweging richting hervorming van de openbare veiligheid en de politie, omdat het strategieën zijn met duidelijke mensenrechtelijke implicaties binnen het grotere geheel van strategieën voor de hervorming van de openbare veiligheid en de politie.¹ Hoewel de in dit onderzoek besproken strategieën geselecteerd zijn op grond van hun gevolgen voor de mensenrechten en ze benoemd worden als 'mensenrechtenstrategieën voor de politie', zijn ze niet noodzakelijkerwijze als zodanig bedacht door hun opstellers of uitgevoerd met de duidelijke intentie om de naleving door politieagenten van mensenrechtelijke waarden, standaarden en normen te verbeteren.

Hervormingen van de politie en het openbare veiligheidssysteem op grotere schaal worden wereldwijd doorgevoerd om het politie- en veiligheidsapparaat te transformeren, met name volgend op een politieke omwenteling of regimewisseling en om stijgende misdaadcijfers tegen te gaan. Soms worden inspanningen om te komen tot politiehervorming uitgevoerd om het imago van de politie te verbeteren en de kwaliteit van het politiewerk te verhogen, vaak als reactie op een publiek in het oog springend incident met betrekking tot misbruik door de politie of als gevolg van toenemende publieke kritiek op de politie, met het doel om de politie productiever en efficiënter

1 Er zijn veel termen in omloop die worden gebruikt om het verschaffen van veiligheid aan de bevolking als zodanig aan te duiden, zoals mensveiligheid en burgerveiligheid. Ik geef er de voorkeur aan om het begrip openbare veiligheid te gebruiken, omdat dit in Latijns-Amerika door overheid en burger een van de meest breed gebruikte termen is om de verplichtingen van de staat te benoemen bij het verschaffen van veiligheid aan de bevolking. Bailey en Dammert (2006:1) definiëren openbare veiligheid als de bescherming van personen, eigendommen en democratische politieke instellingen tegen interne en externe bedreigingen.

te maken of om een nieuwe filosofie ingang te laten vinden bij de politie (Bailey en Dammert, 2006; Frühling, Tulchin, en Golding, 2003; Bayley 1994). Pogingen om de politie en de openbare veiligheid in het algemeen te hervormen, hoeven niet per se positieve gevolgen te hebben op het gebied van de mensenrechten. Soms gaat het simpelweg om het verschaffen aan de politie van nieuwe auto's of wapens. Toch hebben andere hervormingen wel een verhoogd respect van de kant van de politie voor de individuele burger en zijn rechten tot gevolg. De democratische uitvoering van politiewerk wordt bijvoorbeeld beschouwd als een strategie die de beginselen van de rechtsstaat omarmt, alsmede respect voor de mensenrechten, meer verantwoording en transparantie, het demilitariseren van politiekorpsen en verbeterde verhoudingen tussen de politie en het publiek (Glebbeck, 2003:45).

De hervorming van de politie en de openbare veiligheid heeft verschillende vormen aangenomen, afhankelijk van waar ze wordt doorgevoerd. In Latijns-Amerika werd de politiehervorming bijvoorbeeld met name doorgevoerd in de jaren tachtig en negentig van de vorige eeuw, volgend op de overgang naar democratische regeringsvormen en op het einde aan jaren van burgeroorlog in een aantal landen. In landen in de zuidelijke tip vond geen noemenswaardige zuivering van de politie plaats na de ondergang van onderdrukkende militaire dictaturen en de terugkeer naar de democratie (Pereira, 2000; Weschler, 1990). Agenten die ernstige mensenrechtenschendingen hadden gepleegd tijdens de militaire dictaturen mochten gewoon doorgaan met de uitvoering van hun taken, en de politiehervorming, als die werd uitgevoerd, had meer te maken met het tegengaan van stijgende misdaadcijfers dan met het stimuleren van de mensenrechten. De politiemacht in Brazilië, en met name in Rio de Janeiro, onderging in feite in het geheel geen hervorming na de overschakeling op een democratische regeringsvorm. Hoewel enkele bestuurders van de staat Rio de Janeiro wel probeerden om de politie meer respect voor mensenrechten bij te brengen, draaiden de uitvoering en resultaten van de politiehervorming altijd vooral om de mogelijkheden die hervorming bood om stijgende misdaadcijfers aan te pakken en om de bevolking zich veiliger te laten voelen (Hinton, 2006). In veel Latijns-Amerikaanse landen die te kampen hadden met duidelijke stijgingen in geweld- en misdaadcijfers in de steden moest respect voor de mensenrechten vaak buigen onder de druk om de misdaad te verminderen en de veiligheid te verhogen.

De zogenoemde 'International Bill of Rights', die in eerste instantie bestond uit de Universele Verklaring van de Rechten van de Mens en later werd uitgebreid met het Internationale Convenant inzake Burgerlijke en Politieke Rechten en het Internationale Convenant inzake Economische, Sociale en Culturele Rechten, werd aangenomen door de Verenigde Naties om mensen bescherming te bieden tegen misbruik door de staat en door overheidsdienaren.² In tegenstelling tot de Universele Verklaring van de Rechten van de Mens, die een niet-bindend instrument is dat is bedoeld als een richtsnoer van normen die door alle staten in acht zouden moeten worden genomen,

2 Bureau van de Hoge Commissaris voor de Mensenrechten van de Verenigde Naties, <http://www.ohchr.org/english/index.htm>. Laatst bezocht op 27 november 2006.

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zijn de Internationale Conventanten wel bindende instrumenten. Staten die het Internationale Convenant inzake Burgerlijke en Politieke Rechten en het Internationale Convenant inzake Economische, Sociale en Culturele Rechten hebben geratificeerd, zijn daarom verplicht om de bescherming van deze rechten te stimuleren en garanderen binnen hun territoriale rechtsmacht.³ De verplichting van de staat om de mensenrechten te respecteren strekt zich uit tot alle staatsdienaren en staatsinstellingen.

Als de staatsinstelling die verantwoordelijk is voor het handhaven van de openbare orde en de uitvoering van het recht, is de politie een van die instellingen die de mensenrechten van de bevolking moet beschermen en garanderen (Marenin, 1996; Manning, 1977). Omdat de politie echter geweld kan gebruiken bij de uitvoering van haar taken, kan de politie dus ook schender zijn van belangrijke mensenrechten. De gevolgen van mensenrechtenschendingen door politiefunctionarissen zijn veelvuldig vastgelegd door mensenrechtenorganisaties (Amnesty International, 2006). Zulke schendingen omvatten standrechtelijke executies, martelingen, buitensporig geweldgebruik, willekeurige opsluiting, het onderschuiven van bewijsmateriaal en andere vormen van corruptie.

Het idee dat politieagenten als staatsfunctionarissen geacht worden de wet te respecteren, inclusief de mensenrechten, maar dat zij tegelijkertijd vaak betrokken zijn bij mensenrechtenschendingen, heeft geleid tot een bewustwording van het belang van de implementatie van mensenrechten binnen de politie en van het verbeteren van de naleving door de politie van mensenrechtenstandaarden. Een aantal Latijns-Amerikaanse landen is pas recent overgegaan tot het heroverwegen van de mensenrechtelijke verplichtingen en gestart met het bevorderen van respect voor de mensenrechten onder hun politie- en beveiligingsmachten. Dit vindt gedeeltelijk plaats als reactie op de internationale druk die wordt uitgeoefend op staten om de verschaffing van mensenrechten in die landen te verbeteren en de politiemacht ter verantwoording te roepen (Bailey en Dammert, 2006). Ondanks het programma om het politiewerk te verbeteren, politieagenten effectiever te laten optreden bij het bieden van veiligheid, het respect voor de mensenrechten te verhogen onder de politie en het beschikbaar stellen van middelen om de geprogrammeerde doelstellingen te bereiken, blijft onduidelijkheid bestaan over de implementatie en resultaten van deze programma's (Frühling e.a., 2003). De reden hiervoor is dat er weinig informatie beschikbaar is over het gebruik door de ontvangende staten van de geboden financiële en operationele hulp en wat dit betekent voor de verhoogde naleving door de politie van mensenrechtenstandaarden. Vooral in Latijns-Amerika is weinig bekend over de pogingen om de politiekorpsen te hervormen en over de invloed die deze programma's hebben op de dagelijkse politiepraktijk (WOLA, 2002).

Welke strategieën zijn er ontwikkeld om het politieapparaat te verbeteren en de naleving door de politie van mensenrechtenstandaarden te verhogen? Hoe zijn deze strategieën geïmplementeerd? Welke vormen hebben deze strategieën? Hoe beïnvloeden ze de dagelijkse realiteit van het politiewerk? Hoe ervaren agenten deze strategieën?

3 *Idem.*

Welke maatschappelijke en institutionele factoren zijn er die de implementatie van deze strategieën vergemakkelijken of afremmen? Het is dit soort vragen en het gebrek aan antwoorden daarop waar dit onderzoek zich mee bezighoudt. Het is zeker van belang om schendingen van mensenrechten door de politie te documenteren en publiekelijk te veroordelen en om programma's op te stellen om dit probleem aan te pakken, maar het is ook belangrijk om te onderzoeken hoe deze programma's worden geïmplementeerd en wat de uitkomsten ervan betekenen voor de naleving van mensenrechtelijke normen door de politie. Want ondanks de negatieve publiciteit en de internationale en nationale investeringen in de hervorming van de politie, blijven politiemachten in Latijns-Amerika zich schuldig maken aan mensenrechtenschendingen (Human Rights Watch, 2006; Amnesty International, 2005).

Braziliaanse politie-eenheden zijn herhaaldelijk in verband gebracht met mensenrechtenschendingen (Justiça Global, 2004; Lemgruber, Musumeci en Cano, 2003; Huggins, 1998). Ondanks de beschikbaarheid van bewijsmateriaal, wetenschappelijk onderzoek en openlijke veroordelingen door mensenrechtenorganisaties, worden politieagenten in Brazilië zelden ter verantwoording geroepen voor hun rol in deze schendingen. Sinds hun oprichting zijn de politie-eenheden in Brazilië een instrument geweest ter bescherming van de elites en later van de staat en ter onderdrukking van personen die worden gezien als gevaarlijk of ongewenst (Holloway, 1993). Onder het 21 jaar durende militaire bewind (1964-1985) heeft de politie zich samen met het leger schuldig gemaakt aan talloze mensenrechtenschendingen tegen politieke tegenstanders en tegen personen die als subversief werden aangemerkt (Huggins, Haritos-Fatouros, en Zimbarado, 2002; Weschler, 1990). Deze politieagenten en militairen zijn nooit ter verantwoording geroepen omdat het militaire regime in 1979 een Gratielwet aannam met daarin een generaal pardon voor alle zaken die waren voorgevallen tijdens het militaire bewind. De Brazilianen hoopten dat de overgang naar de democratie en de rechtsstaat samen zou gaan met meer respect voor de mensenrechten en de rechtsstatelijke beginselen (Ahnén 2003; Pinheiro, 1999). Vanwege de kracht van het Braziliaanse veiligheidsapparaat en de langzame overgang naar een democratische staatsvorm, waren er geen plannen voor hervorming van de politie of de openbare veiligheid na die overgang. Er vond geen zuivering plaats binnen de politie van agenten die betrokken waren geweest bij de onderdrukking en geen herstructurering van de politieorganisatie. Om deze reden en een combinatie van andere factoren die in dit boek worden beschreven, vinden schendingen van de mensenrechten door de politie nog steeds plaats in Brazilië. Het is zelfs zo dat het aantal schendingen ten tijde van de democratie vele malen hoger ligt dan het aantal schendingen onder het militaire bewind (Amnesty International, 2005; Ahnén, 2003). Hoewel er geen Gratielwet bestaat die politieagenten beschermt tegen verantwoording voor schendingen gepleegd na de overgang naar de democratie, worden politieagenten toch zelden ter verantwoording geroepen voor hun daden. De repressieve tactieken die de politie tijdens de militaire dictatuur gebruikte tegen personen die werden gedefinieerd als subversief, worden nu gebruikt tegen daadwerkelijke of vermoedelijke criminelen die meestal arm, jong en zwart zijn.

SAMENVATTING

De aanhoudende mensenrechtenschendingen onder de democratie, met name in een staat als Brazilië die alle mensenrechtenverdragen heeft geratificeerd en de mensenrechtenbepalingen in deze verdragen zelfs heeft vertaald in het eigen nationale recht en die niet de middelen mist die het mogelijk maken om mensenrechten te bevorderen en te garanderen, maakt van Brazilië een fascinerend onderwerp in dit onderzoek naar de implementatie van mensenrechten. De onwil of het onvermogen van de Braziliaanse staat om de bevordering van de mensenrechten door de eigen politie zeker te stellen, zegt veel over de historische ongelijkheid in Brazilië en het feit dat Brazilië eerder bezig is met het bieden van veiligheid aan een klein gedeelte van de bevolking, dan met het bieden van mensenrechten aan iedereen (Hinton, 2006; Ventura, 2002; Caldeira, 2001). De verhouding tussen de politie en het publiek is toonzettend voor het soort relatie dat een staat met zijn burgers wenst te onderhouden. Als het publiek de politie ziet als incompetent en geneigd tot misbruik, dan heeft dit zijn weerslag op de staat en trekt dit de legitimiteit van het hele systeem van democratie in twijfel (Bailey en Dammert, 2006; Hinton, 2006).

De vragen die worden opgeworpen met betrekking tot Brazilië zijn ook van toepassing op de stad waar het onderzoek voor dit boek werd verricht, namelijk Rio de Janeiro, dat door sommigen wordt gezien als een microkosmos van Brazilië's maatschappelijke problemen (Hinton 2006: 11). Terwijl andere steden in Brazilië pas recent de koppen hebben gehaald vanwege hun stijgende misdaadcijfers en de aanwezigheid van georganiseerde criminele groeperingen, heeft de stad Rio de Janeiro zijn glans al jaren geleden verloren. De krottenwijken (*favelas*) van Rio de Janeiro zijn al sinds lang afgeschreven door de staat en worden bevolkt door kleine bendes. Contacten tussen gewone misdadigers en politieke gevangenen tijdens de militaire dictatuur hebben geleid tot de vorming van georganiseerde criminele groeperingen (Peralva, 2000; Leeds, 1996). Deze georganiseerde groepen vestigden hun thuisbases in de vele *favelas* van Rio de Janeiro waar zij buiten het bereik bleven van de staat en overheidsdienaren. In het begin pleegden zij gewapende overvallen om zichzelf te bedruipen, maar met de toestroom van cocaïne op de Braziliaanse markt en de sleutellocatie van Rio de Janeiro op de transatlantische drugsroute begonnen deze georganiseerde criminele groepen zich toe te leggen op de drugshandel. De winst die te behalen was met het peddelen van drugs en wapens en het belang van het kunnen beschikken over een veilige locatie van waaruit deze handel kon worden bedreven, leidde ertoe dat legertjes van jongeren in dienst werden genomen om bewaking te bieden bij de aankomst, verpakking en verkoop van enorme hoeveelheden cocaïne (Dowdney, 2003). Conflicten tussen rivaliserende bendes die proberen elkaars territorium over te nemen, en daarmee dus de drugshandel die daar plaatsvindt, en de pogingen van de politie om de drugs en de misdaad de oorlog te verklaren, hebben van Rio de Janeiro een zeer gewelddadige stad gemaakt in een gewelddadige regio van de wereld (Barcellos, 2004). De politie-eenheden in Rio de Janeiro bevinden zich in de frontlinie van deze oorlog tegen drugs en misdaad en in hun pogingen om deze oorlog te winnen, hebben zij menig mensenrecht geschonden (Amnesty International, 2005; Huguet, 2005; Justiça Global, 2004).

Hoewel er steden zijn in Brazilië die nog gewelddadiger zijn dan Rio de Janeiro, betekent Rio's positie als toeristen trekpleister en als het gezicht van Brazilië dat vele pogingen zijn ondernomen om Rio de Janeiro veiliger te maken. Naast de door de staat gesteunde initiatieven om de politie te hervormen en Rio de Janeiro veiliger te maken, beschikt Rio de Janeiro ook over een actieve gemeenschap van burgers die al langere tijd hervormingen eist en steunt die de politie minder geneigd zouden maken tot misbruik en die meer veiligheid zouden bieden. Desondanks is er maar weinig onderzoek verricht naar de dagelijkse realiteit van het politiewerk in Rio de Janeiro en de hervormingsinspanningen die zijn uitgevoerd. Wetenschappers hebben zich vooral gericht op de buurstaat São Paulo (Mesquita Neto, 2004; Mesquita Neto en Loche, 2002; Caldeira, 2001; Pinheiro, 1999; Chevigny, 1995). Het op grote schaal plaatsvinden van mensenrechtenschendingen door de politie, het bestaan van programma's om de politie te hervormen, en het gebrek aan eerder onderzoek op dit gebied in Rio de Janeiro, maken de stad de ideale locatie voor dit onderzoek gericht op de implementatie van mensenrechtenstrategieën voor de politie binnen Rio de Janeiro's politiemacht en de maatschappelijke en institutionele factoren die de implementatie van deze strategieën vergemakkelijken of afremmen.

Als de implementatie en uitkomsten van politiehervormingsprogramma's zouden kunnen worden geanalyseerd en de realiteit van het politiewerk onderzocht zou kunnen worden, zouden deze programma's misschien kunnen worden gewijzigd en aangepast aan de realiteit in het land van implementatie en zo dus effectiever zijn in het bereiken van hun doelstellingen. Het doel van dit onderzoek was om te achterhalen of, en zo ja welke mensenrechtenstrategieën voor de politie op dit moment worden geïmplementeerd in Rio de Janeiro, wat die strategieën inhouden en hoe ze worden uitgevoerd, wat de resultaten van deze strategieën zijn, hoe er tegen aan wordt gekeken door de voornaamste belanghebbenden, of ze leiden tot een hogere mate van naleving van mensenrechtelijke normen, en welke lessen geleerd kunnen worden uit de ervaringen van Rio met het implementeren van deze strategieën – lessen die ook van belang kunnen zijn voor andere Latijns-Amerikaanse steden. Er zijn vier strategieën geselecteerd als aandachtsgebied voor dit onderzoek: de opleiding van rechtshandhavers, politiewerk gericht op de gemeenschap, het *delegacia legal* (modelpolitiebureau) programma, en het ontwapeningsprogramma. Door het gehele boek wordt de implementatie van iedere mensenrechtenstrategie voor de politie beschreven, wordt de invloed ervan op de politieorganisatie onderzocht en worden de maatschappelijke en institutionele factoren geanalyseerd die de implementatie van de mensenrechtenstrategie voor de politie vergemakkelijken of afremmen.

Dit boek bestaat uit negen hoofdstukken verdeeld in drie delen. In het eerste deel wordt de achtergrond geschetst waartegen het vervolg van het boek zich afspeelt. De gegevens die worden aangeboden in de twee theoretische hoofdstukken vormen een analytisch kader dat van belang is voor het begrip van de specifieke informatie aangaande de mensenrechtenstrategie voor de politie die in de empirische hoofdstukken aan bod komt. Het eerste hoofdstuk van dit deel, hoofdstuk 2, gaat over de implementatie van mensenrechten, politiewerk, en de hervorming van de openbare veiligheid in

SAMENVATTING

Latijns-Amerika, terwijl hoofdstuk 3 deze discussie verder toespitst op Rio de Janeiro, Brazilië. Na deze bespreking van het begrippenkader wordt de aandacht verplaatst naar het deel over mensenrechtenstrategieën voor de politie zoals die op dit moment worden geïmplementeerd in Rio de Janeiro, Brazilië. Dit gedeelte bestaat uit vier hoofdstukken, een voor elke mensenrechtenstrategie die door mijn onderzoek wordt bestreken: de opleiding van rechtshandhavers, politiewerk gericht op de gemeenschap, het *delegacia legal* (modelpolitiebureau) programma, en het ontwapeningsprogramma. Het laatste deel richt zich op het grotere plaatje rondom de implementatie van mensenrechten binnen de politie in Rio de Janeiro, Brazilië. Hoofdstuk 8 vestigt hiertoe de aandacht op hoe er door personen buiten de politie aangekeken wordt tegen politiewerk, mensenrechtenstrategieën voor de politie en de openbare veiligheid in Rio de Janeiro en op de maatschappelijke voorwaarden die de naleving door de politie van mensenrechtenstandaarden beïnvloeden. Ten slotte wordt in de conclusie al deze informatie met elkaar in verband gebracht om te bekijken welke lessen er getrokken kunnen worden uit de *case study* van Rio de Janeiro die wellicht relevant kunnen zijn voor ander steden in Latijns-Amerika.

Appendix I

During my second fieldwork period after I had spent sufficient time researching the police human rights strategies discussed in this book from the perspective of the police I began creating a questionnaire to gather the responses of the citizens of the state of Rio de Janeiro to the police human rights strategies, the police, and the security situation in Rio de Janeiro in general. I contacted several academics in Rio de Janeiro who had previously conducted research on similar issues in order to learn from their experience and build on their findings. I spent time studying the surveys other researchers had carried out and focusing the aim of my survey. I created the survey used in this research with the help of Professor Ana Paula Miranda, Professor Roberto Kant da Lima, Professor Michel Misse, Professor Nivea Cunha, Professor Julita Lemgruber, Professor Ignacio Cano, and Daniela Gontijo. These scholars helped me work through various drafts of my questionnaire and put me in touch with quantitative researchers who could help me with the actual implementation of the survey.

Once the questionnaire had taken on a definite format I worked with Professor Michel Misse and Dr. Renato Dirk of the Federal University of Rio de Janeiro in testing it amongst some sample groups. Four separate tests were conducted, each with twenty-five respondents. After each test the questions in the survey were discussed, re-evaluated, and edited as needed. The final questionnaire was then implemented in December 2004 and January 2005 under the leadership of Dr. Renato Dirk and involved fourteen researchers from the Federal University of Rio de Janeiro. Due to Brazil's stringent laws when it comes to children this survey could only include those above the age of eighteen but it included respondents of both sexes, all races, educational levels, social class, occupation, income, and residential neighborhoods. The survey was put to 800 respondents in seventy-five neighborhoods across the city of Rio de Janeiro according to the population distribution in the city's designated administrative regions. The survey was composed of both open and closed questions and the total non-response rate was 12.8 percent. Prior to taking part in the survey respondents were informed that the survey was being carried out as part of doctoral research being conducted at the faculty of law of the University of Utrecht focusing on improving policing and implementing police reform in Rio de Janeiro.

As seen in chapter eight, only two out of the four police human rights strategies researched were included in the survey of citizens' perceptions. The survey questioned inhabitants of Rio de Janeiro about their perceptions of community-oriented policing and the *delegacia legal* (model police station) program but not about police training or the disarmament program. This is because police training is not accessible to the public and only part of the disarmament project involves the police and the public, whereas community-oriented policing and the model police station program are implemented across the state of Rio de Janeiro and aim to improve the police's ability to perform their preventative and investigative functions, and provide better assistance to the population. Following this, respondents were questioned regarding their perceptions of the two state police forces and of the public security situation in their city as the questionnaire that follows in the subsequent pages demonstrates.

Percepção Populacional
Universidade de Utrecht – Holanda

1. Número do questionário

Não preencher.

Perfil do Entrevistado

2. Bairro onde mora?

3. Sexo

1. Masculino
2. Feminino

4. Idade

1. De 18 a 24 anos
2. De 25 a 34 anos
3. De 35 a 44 anos
4. De 45 a 59 anos
5. 60 anos ou mais

5. Escolaridade

6. Analfabeto
7. Primário
8. 1º Grau
9. 2º Grau
10. Superior
11. NR

6. Qual a sua cor?

1. Branca
2. Preta
3. Parda
4. Amarela
5. Indígena
6. NR

7. Qual a sua ocupação atual?

1. Empregado c/ carteira
2. Empregado s/ carteira
3. Empregador
4. Autônomo
5. Profissional liberal
6. Funcionário público
7. Estudante
8. Aposentado
9. Pensionista
10. Dona de casa

APPENDIX I

11. Outra _____

12. NR

8. Somando todas as pessoas que moram na sua casa, qual seria a sua renda familiar?

9. Qual o seu estado civil?

1. Casado
2. Solteiro
3. União consensual
4. Divorciado
5. Viúvo
6. NR

10. Qual a sua religião?

1. Católica
2. Evangélica
3. Afro-brasileira
4. Espírita Kardecista
5. Budista
6. Judaíca
7. Agnóstico
8. Ateu
9. Outra _____
10. NR

Parte 2

11. O Sr(a) já ouviu falar do Programa Delegacia Legal?

1. Sim
2. Não (PP17)
3. NR (PP17)

12. Como ficou sabendo do Programa Delegacia Legal?

1. Através da TV
2. Através do rádio
3. Através dos jornais
4. Amigos ou parentes
5. No trabalho
6. Já fui até uma delegacia
7. Outro _____
8. NR
9. NA

Você pode marcar diversas casas (7 no máximo).

13. O Sr(a) já foi a uma Delegacia Legal, por qualquer motivo?

1. Sim
2. Não
3. NR
4. NA

14. De uma maneira geral, como classificaria o Programa Delegacia Legal?

1. Ótimo
2. Bom
3. Regular
4. Ruim
5. Péssimo
6. NS/NR
7. NA

15. Por quê?

16. Em sua opinião, como é possível melhorar o Programa Delegacia Legal?

17. Em sua opinião, o que seria preciso fazer para tornar o Programa Delegacia Legal mais conhecido?

Criado em 1999, o Programa DP Legal propõe um novo conceito de delegacias: conforto, sem carceragens e totalmente informatizada. O atendimento é feito por universitários treinados e a manutenção da DP é feita por síndico que não é policial.

18. O que o Sr(A) acha dessa Idéia?

1. Ótima
2. Boa
3. Regular
4. Ruim
5. Péssima
6. NR

19. O Sr(a) acha que esse programa pode ajudar a diminuir a violência na Cidade do Rio?

1. Sim
2. Não
3. NR

Parte 3

20. O Sr(a) já ouviu falar do Programa Polícia Comunitária?

1. Sim
2. Não (Pule para P25)
3. NR (Pule para P25)

APPENDIX I

21. Como ficou sabendo do Programa Polícia Comunitária?

1. Através da TV
2. Através do rádio
3. Através dos jornais
4. Amigos ou parentes
5. No trabalho
6. Outro _____
7. NR
8. NA

Você pode marcar diversas casas (6 no máximo).

22. De uma maneira geral, como classificaria o Programa Polícia Comunitária?

1. Ótimo
2. Bom
3. Regular
4. Ruim
5. Péssimo
6. NS/NR
7. NA

23. Por quê?

24. Em sua opinião, como é possível melhorar o Programa Polícia Comunitária?

25. Em sua opinião, o que seria preciso fazer para tornar o Programa Polícia Comunitária mais conhecido?

A Polícia Comunitária é um serviço que implica na mudança das relações entre os policiais e os moradores, melhorando o convívio entre polícia e comunidade. Durante as reuniões com a comunidade, os policiais comunitários dividem a responsabilidade pela melhoria da comunidade com os cidadãos, tanto no planejamento quanto na implementação.

26. O que o Sr(a) acha dessa idéia?

1. Ótima
2. Boa
3. Regular
4. Ruim
5. Péssima
6. NR

27. O Sr(a) acha que esse programa pode ajudar a diminuir a violência na Cidade do Rio?

1. Sim
2. Não
3. NR

Parte 4

Agora vou citar tipos de contatos com a polícia civil e gostaria que o Sr(a) me dissesse se já teve algum deles.

O Sr(a) já teve contato com a Polícia Civil?

Sim

Não

NR

28. Na rua?

29. Na Delegacia para obter informações?

30. Na Delegacia para procurar alguém?

31. Na Delegacia para registrar algum delito?

32. Parado por blitz da Polícia Civil

33. Outro contato _____

34. De uma maneira geral, como classificaria a Polícia Civil?

1. Ótima

2. Boa

3. Regular

4. Ruim

5. Péssima

6. NS/NR

35. Por quê?

36. Em sua opinião, o que seria preciso fazer para melhorar a Polícia Civil?

Parte 5

O Sr(a) já teve contato com a Polícia Militar?

Sim

Não

NR

37. Ligou para 190?

38. No Batalhão ou delegacia?

39. Na rua para obter informações?

40. Na rua parado por blitz

41. Outro contato _____

42. De uma maneira geral, como classificaria a Polícia Militar?

1. Ótima

2. Boa

3. Regular

4. Ruim

5. Péssima

6. NS/NR

APPENDIX I

43. Por quê?

44. Em sua opinião, o que seria preciso fazer para melhorar a Polícia Militar?

Parte 6

45. O sr(a) já foi vítima de algum delito na Cidade do Rio de Janeiro?

1. Sim
2. Não (Pule para P48)
3. NR (Pule para P48)

46. Qual delito?

Caso o(a) entrevistado(a) não saiba, peça para ele(a) descrever o fato ocorrido.

47. O Sr(a) se sente seguro(a) na Cidade do Rio de Janeiro?

1. Sim
2. Não
3. NR

48. Em sua opinião, o que mais ameaça a sua segurança na Cidade do Rio?

49. O Sr(a) está satisfeito(a) com o empenho dos agentes da segurança pública?

1. Sim
2. Não
3. NR

50. Por quê?

51. Em sua opinião, o que seria preciso fazer para melhorar a segurança pública na cidade do Rio?

52. Entrevistador

53. Supervisor

IN WAR, THOSE WHO DIE ARE NOT INNOCENT

Population Survey
University of Utrecht – The Netherlands

1. Questionnaire number

Part 1: Respondent Profile

2. Neighborhood where you live?

3. Gender

1. Male
2. Female

4. Age

1. 18 to 24 years
2. 25 to 34 years
3. 35 to 44 years
4. 45 to 59 years
5. 60 or more years

5. Level of Education

1. Illiterate
2. Primary Education
3. Middle School
4. High School
5. College
6. No response

6. Race

1. Caucasian
2. Black
3. Mixed
4. Asian
5. Indigenous
6. No response

7. Occupation

1. Employed with work permit
2. Employed without work permit
3. Employer
4. Independent
5. Professional
6. Public functionary
7. Student
8. Retired
9. Pensioner
10. House wife

APPENDIX I

11. Other
12. No response

8. Monthly family income in reais R\$

9. Marital Status

1. Married
2. Single
3. Consensual Union
4. Divorced
5. Widowed
6. No response

10. What is your religion?

1. Catholic
2. Evangelical
3. Afro-Brazilian
4. Spiritualist
5. Buddhist
6. Jewish
7. Agnostic
8. Atheist
9. Other
10. No response

Part 2

11. Have you heard about the model police station program?

1. Yes
2. No
3. No response

12. How did you hear about the model police station program?

1. From the TV
2. From the radio
3. From newspapers
4. From friends and family
5. At work
6. I have been to a police station
7. Other
8. No response
9. No applicable

13. Have you been to a model police station, for whatever reason?

1. Yes
2. No
3. No response
4. Not applicable

14. In a general sense, how would you classify the model police station program?

1. Excellent
2. Good
3. Neither good nor bad
4. Bad
5. Poor
6. Don't know/no response
7. Not applicable

15. Why?

16. In your opinion, how can the model police station program be improved?

17. In your opinion, what can be done to make the model police station program better known?

Created in 1999, the model police station program brings a new concept to police stations: comfortable, without the presence of jails, and totally computerized. The interaction with the public is carried out by trained university graduates and the police station is maintained by non-police officers.

18. What do you think of this idea?

1. Excellent
2. Good
3. Neither good nor bad
4. Bad
5. Poor
6. No response

19. Do you think that the model police station program can help decrease violence in the city of Rio de Janeiro?

1. Yes
2. No
3. No response

Part 3

20. Have you heard about the community-oriented policing program?

1. Yes
2. No
3. No response

21. How did you hear about the community-oriented policing program?

1. From the TV
2. From the radio
3. From newspapers
4. From friends and family
5. At work

APPENDIX I

6. Other
7. No response
8. No applicable

22. In a general sense, how would you classify the community-oriented policing program?

1. Excellent
2. Good
3. Neither good nor bad
4. Bad
5. Poor
6. Don't know/no response
7. Not applicable

23. Why?

24. In your opinion, how can the community-oriented policing program be improved?

25. In your opinion, what can be done to make the community-oriented policing program better known?

Community-Oriented Policing is a service that implies a change in the relationship between the police and the residents in order to improve the contact between the police and the community. During meetings with the community, community policing officers divide the responsibility of improving the neighborhood with the citizens, both in planning as well as in implementation.

26. What do you think of this idea?

1. Excellent
2. Good
3. Neither good nor bad
4. Bad
5. Poor
6. No response

27. Do you think the community-oriented policing program can help decrease violence in the city of Rio de Janeiro?

1. Yes
2. No
3. No response

Part 4

I will now list a series of situations, please indicate if you have already had contact with the civil police in any of these situations.

Have you had contact with the civil police?

Yes

No

No response

28. On the street?

29. In a police station to obtain information?

30. In a police station to search for someone?

31. In a police station to register a crime?

32. Stopped on the street by a civil police blitz (checkpoint)?

33. Other type of contact

34. In a general sense, how would you classify the civil police force?

1. Excellent

2. Good

3. Neither good nor bad

4. Bad

5. Poor

6. Don't know/No response

35. Why?

36. In your opinion, how can the civil police force be improved?

Part 5

I will now list a series of situations, please indicate if you have already had contact with the military police in any of these situations.

Have you had contact with the military police?

Yes

No

No response

37. By calling 190 (similar to the 911)?

38. In a battalion or a delegacia?

39. On the street to obtain information?

40. Stopped on the street by a military police blitz (checkpoint)?

41. Other type of contact

42. In a general sense, how would you classify the military police force?

1. Excellent

2. Good

3. Neither good nor bad

APPENDIX I

4. Bad
5. Poor
6. Don't know/No response

43. Why?

44. In your opinion, how can the military police force be improved?

Part 6

45. Have you ever been a victim of a crime in the city of Rio de Janeiro?

1. Yes
2. No
3. No response

46. Of what type of crime have you already been a victim?

In case the respondent does not know the type of crime, ask him/her to describe the event that occurred.

47. Do you feel safe in Rio de Janeiro?

1. Yes
2. No
3. No response

48. In your opinion, what is the greatest threat to your security in Rio de Janeiro?

49. Are you satisfied with the efforts of the state police in providing public security?

1. Yes
2. No
3. No response

50. Why?

51. In your opinion, what needs to be done in order to improve the security situation in Rio de Janeiro?

52. Name of Interviewer

53. Name of Supervisor

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About the Author

Saima Husain (1980) studied Psychology and Sociology at Union College in Schenectady, NY. In her fourth year, she was invited to join the Psychology honour society, Psi Chi, and the Sociology honour society, Alpha Kappa Delta. She received the President's Commission Status of Women Senior Thesis Prize for her comparative thesis on police perceptions and treatment of battered women in the United States and Brazil. In the summer of 2002, she graduated cum laude from Union College. She began her Ph.D. at the Netherlands Institute of Human Rights (SIM) in September 2002.

She is currently a community advocate with the AWAZ – Voices Against Violence unit of the South Asian Network (SAN) in Southern California. In this capacity she conducts research and advocacy around the issues of domestic violence, sexual assault, child abuse including child sexual abuse, and human trafficking, with the goal of empowering survivors of violence and promoting safety for all persons.



The author at her favorite Rio de Janeiro spot, Sugarloaf Mountain

Curriculum Vitae

EXPERIENCE

Community Advocate, AWAZ – Voices Against Violence, South Asian Network (SAN), Artesia CA, March 2007–present

- Provides case management and advocacy to survivors of violence using a stages of change model
- Conducts qualitative and quantitative research on the perceptions of family violence within the South Asian community
- Collaborates with law enforcement and community partners in order to promote the safety and empowerment of all persons

PhD candidate/junior researcher, Netherlands School of Human Rights Research (SIM), Faculty of Law, Utrecht University, September 2002–December 2006

Activities pertaining to research:

- Organized, planned, and conducted research on the implementation of human rights standards within the police and the societal and institutional factors that facilitate or impede the process of implementation using Rio de Janeiro as a case study
- Conducted qualitative and quantitative research amongst police forces, academics, policy makers, human rights activists, and citizens in general using a broad mix of methods
- Coded, collated, and analyzed the data collected using Atlas.ti and SPSS
- Wrote and presented results to a variety of stakeholders in order to promote a more humane public security strategy

Activities pertaining to teaching:

- Organized and taught a Master level course entitled ‘Police and Human Rights Violations’ at the Faculty of Law of the University of Utrecht
- Gave guest lectures on development, human rights, and social justice at the Center for Education and Documentation on Latin America (CEDLA) of the University of Amsterdam
- Supervised and graded several Masters theses

Supervisor, VISIONS/Vacation Camp for the Blind, NY, USA Summer 2000 and 2002

- Trained and supervised counselors, coordinators, and other camp staff
- Created and organized intellectual and social programs for camp youth
- Lobbied camper concerns with representatives of NGOs and state officials

Research Assistant, Department of Sociology, Union College, Schenectady, NY, Summer 2001

- Researched human rights abuses and criminal activities around the world
- Conducted proofreading, fact checking, and reference checking of a book entitled ‘Violence Workers: police torturers and murderers reconstruct Brazilian atrocities’
- Edited and designed department newsletter on deviance and social control issues

Research Assistant, YWCA Shelter for Battered Women and Children, Schenectady, NY, September 2000–June 2001

- Interviewed victims of domestic violence, shelter staff, and police officers
- Researched laws and statistics concerning domestic violence
- Compiled and presented a research paper on the experiences of abused women

Intern, Police Station for the Protection of Women, São Paulo, Brazil, September–December 1999

- Interviewed victims of domestic violence, shelter staff, and policewomen
- Visited hospitals where abused women are examined and treated
- Researched laws and statistics concerning domestic violence
- Compiled and presented a research paper on the treatment of abused women in Brazil

PUBLICATIONS/PAPERS

- (2007), with Martha K. Huggins. ‘The Political Game of Police Reform’, *International Studies Review*, Vol 9 (1), pp.122–124.
- (2007), ‘Implementing Human Rights and the Societal Impediments to Sustainable Change in Latin America.’, *Netherlands Quarterly of Human Rights*, Vol. 25 (1).
- (2006), ‘Are We There Yet? The Long Road to Demilitarizing and Professionalizing the Police Forces in Brazil.’ Paper presented at the Police Human Rights Strategies in Latin America conference in Utrecht, The Netherlands, 7th–8th April 2006 (Policing Inequality in Latin America, forthcoming).
- (2006), ‘The Whole is Better than the Sum of the Parts: Citizen–Police Cooperation in the Implementation of Community–Orientated Policing in Brazil.’ Paper presented at the Latin American Studies Association conference in Puerto Rico, 15th–18th March 2006.
- (2005), ‘One Station at a Time: Professionalizing the Civil Police in Brazil.’ Paper presented at the International Police Executive Symposium in Prague, Czech Republic, 4th–9th September 2005 (Police Practice and Research: An International Journal, forthcoming).

SKILLS

Language skills:

English (mother tongue), Urdu (mother tongue), Portuguese (fluent), Dutch (good), French (fair), Spanish (basic) and Arabic (currently learning)

Computer skills: MS Office, SPSS, Kwalitan, and Atlas.ti

EDUCATION

1998–2002 Union College, Schenectady, NY, USA

Bachelor of Science in Psychology/Sociology, June 2002, *Cum laude*

Senior Thesis: ‘Treatment of Battered Women in the United States and Brazil. Do Perceptions Influence Responses?’

CURRICULUM VITAE

HONOURS AND AWARDS

- Recipient, President's Commission for the Status of Women Senior Thesis Prize, June 2002
- Member, Psi Chi (Psychology) and Alpha Kappa Delta (Sociology) honor societies

