



INTERNATIONAL
CENTRE
FOR THE
PREVENTION
OF CRIME

CENTRE
INTERNATIONAL
POUR LA
PRÉVENTION
DE LA CRIMINALITÉ

CENTRO
INTERNACIONAL
PARA LA
PREVENCIÓN
DE LA CRIMINALIDAD

CACOLE PROFESSIONAL DEVELOPMENT CONFERENCE

PANEL: INTERNATIONAL PERSPECTIVES ON OVERSIGHT – A VIEW FROM LATIN AMERICA AND ASIA

POLICING AND OVERSIGHT EXPERIENCE FROM BRAZIL

**MARINA MENEZES
SENIOR ANALYST**

ICPC's Mandate

- Unique International Organisation dedicated to the prevention and reduction of violence and crime in communities
- International network - Americas, Europe, Africa, and Oceania
- Monitors international trends
- Provides technical assistance
- Advises on policies, strategies and programs
- + 50 members



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Brazil – an overview

Total Population:
190,732,694 (estimated)

Area: 8,515,767 km²

**26 States + the capital
(Federal District)**

GDP: 2.879 trillion

**World's 6th largest
economy**

HDI: 0.699 (84th)



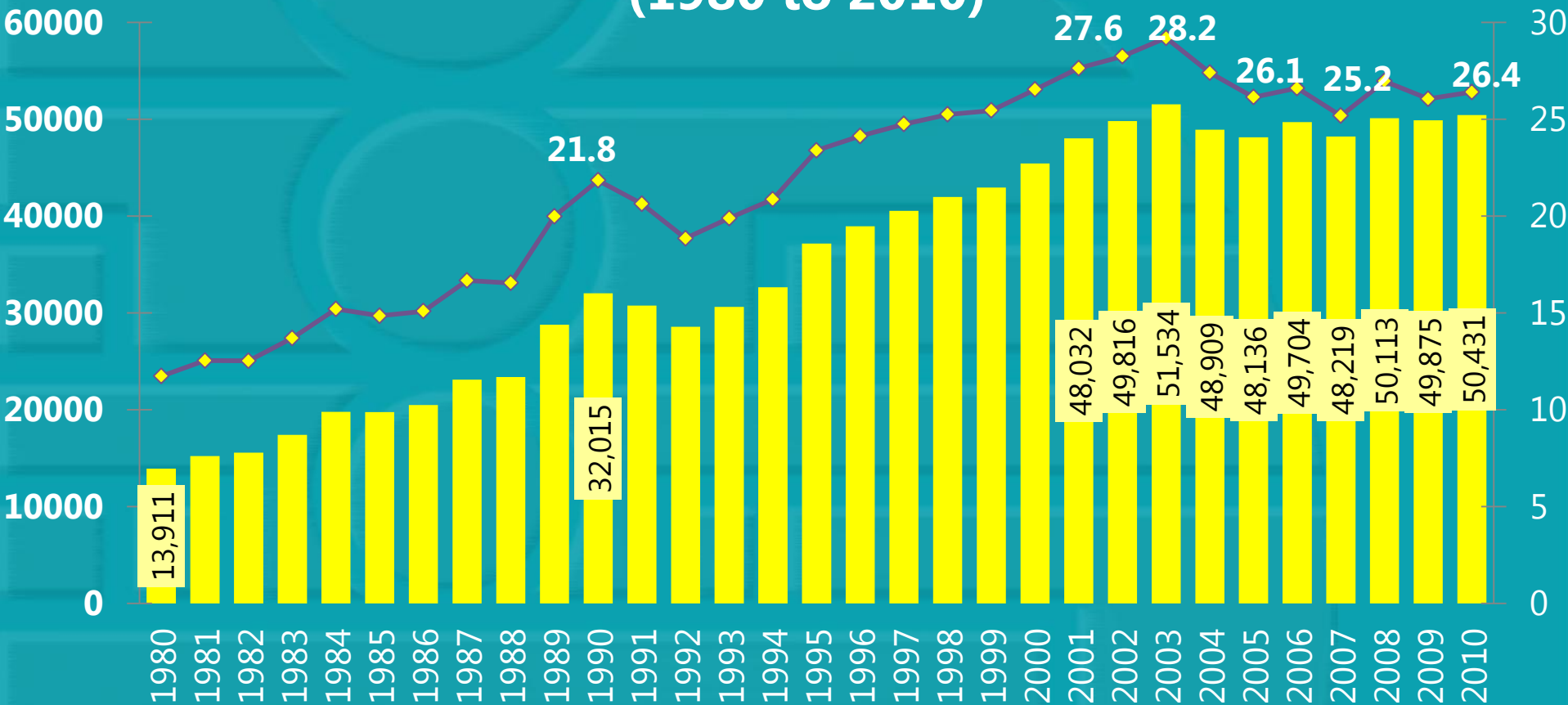
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Violence in Brazil

Homicides in Brazil: total and rates per 100.000 inhabitants (1980 to 2010)



Source: Brazilian Ministry of Health



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Police forces in Brazil

- **National level**
 - **Federal police**
- **States level**
 - **Military police**
 - **Civil police**
- **Municipal level**
 - **Municipal guards**



Federal police

- Jurisdiction throughout the national territory
- Subordinated to the Ministry of Justice
- Responsible for investigations of crimes against the Federal Government or its organs and companies
- Responsible for the combat of transnational crimes such as international drug trafficking, human trafficking and terrorism
- Immigration and border control police

Other federal polices: Federal Highway Police and Federal Railway Police



Military police

- Jurisdiction throughout the state territory
- Subordinated to the State Public Safety Secretary
- Responsible for order maintenance functions
- Repressive actions and crime prevention
- Usually, includes the Fire Brigade

In the country, there are 27 Military Polices, one per state and one in the Federal District.



Civil police

- Jurisdiction throughout the state territory
- Subordinated to the State Public Safety Secretary
- Responsible for law enforcement duties
- Investigation of crimes committed in violation of Brazilian criminal law order
- Judiciary police

In the country, there are 27 Civil Polices, one per state and one in the Federal District.



Municipal guards

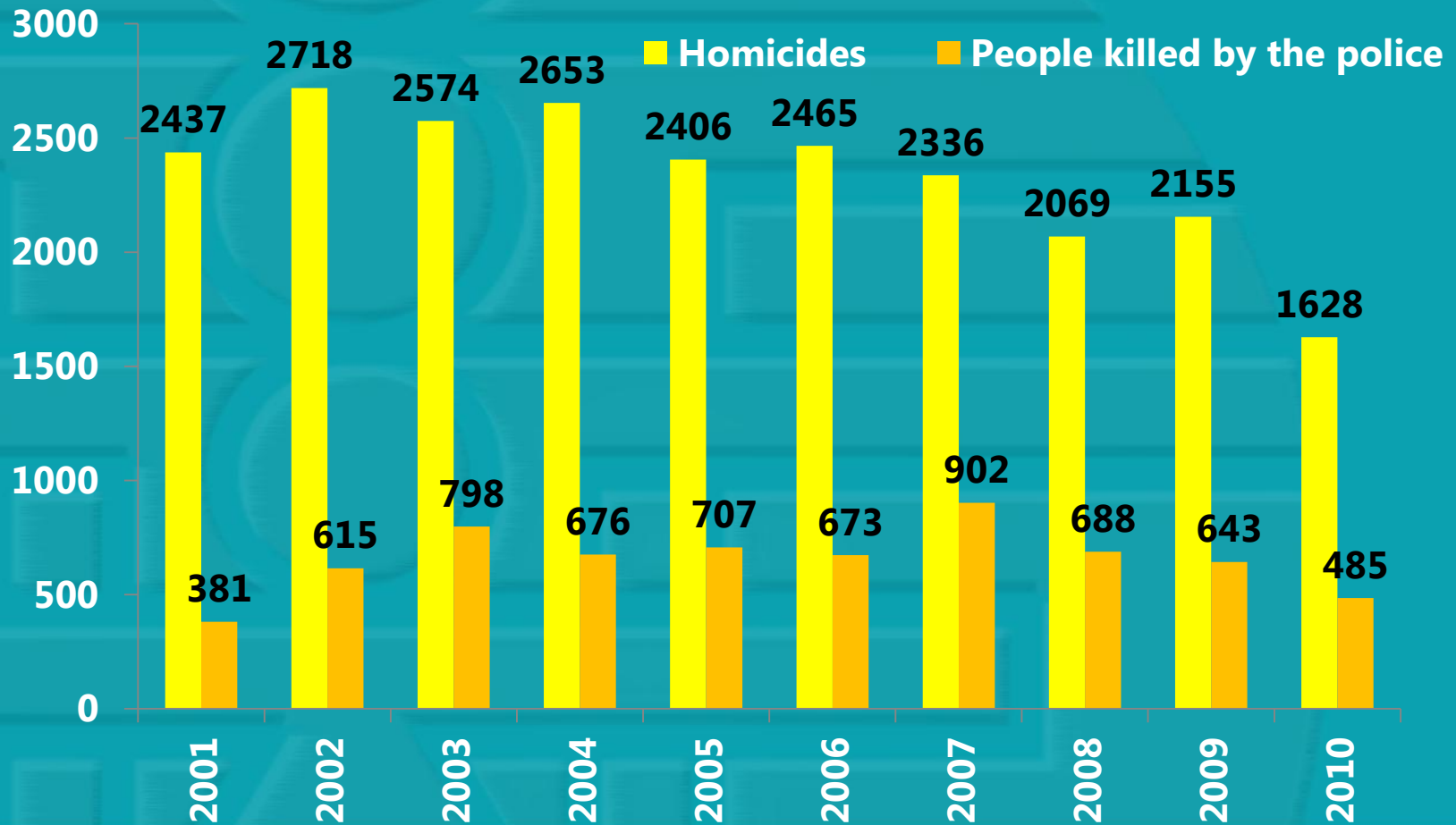
- Jurisdiction throughout the municipal territory
- Subordinated to the Municipal Public Safety Secretary or similar
- Responsible for protecting property, services and facilities of local governments
- Extended mandate in some cities
- Municipal Guards in cities with more than 100,000 inhabitants are authorized to carry firearms. A municipal law regulating the topic is needed.

In the country, there are more than 700 Municipal Guards



Police violence in Brazil

Homicides and police violence in Rio - comparison (2001 to 2010)



Police violence in Brazil

- Authoritarian history
- Quick response to the demands for recrudescence of police in the face of escalating violence
- Mainly affects marginalized populations
- Socially approved, accepted or tolerated
- “A good bandit is a dead bandit”



Police oversight in Brazil

Objectives:

- Guarantee efficient policing
- Prevent deviant behaviour

Role:

- Capacity to curb abuses committed by the police, either by preventing or repressing such deviations.
- Public awareness of the functioning of the police forces and the capacity to propose measures and influence decisions taken by the police corporations



Police oversight in Brazil

Internal control

- **Formal:**
 - Chain of command (hierarchy), specially in the Military Polices
 - Internal-affairs bodies: Corregedorias
- **Informal:**
 - Peers



Police oversight in Brazil - Internal control

Internal-affairs bodies: Corregedorias

Mandate :

- Correcting and improving police practices
- Investigating and punishing irregular conducts

Challenges:

- Perceived as persecutory by police agents
- Police agents who work in the Corregedorias do not have stability or any other special condition which distinguishes them from other police agents
- Accused of being corporatist



Police oversight in Brazil

External control

- **Formal:**
 - Public Prosecutor's Office, specially for the Civil Police
 - Exercised by a police corporation over the other
 - Police Ombudsman Office: Ouvidorias
- **Informal:**
 - Human Rights organizations
 - Press



Police oversight in Brazil - External control

Police Ombudsman Offices: Ouvidorias

Mandate :

- Receive complaints, forward them to Corregedorias and follow them up
- Monitor police activity and publish periodical reports

Context

- Sao Paulo was the first state to create an Ouvidoria in 1997
- In 1999, a presidential decree is issued with the purpose of foster the creation of new Ouvidorias
- Each state creates its own Ouvidoria and define by state law their structure, format and rules of functioning



Police oversight in Brazil - External control

Police Ombudsman Office: Ouvidorias

Challenges:

- At least 7 states of the country do not have such institution
- Relatively young institution that usually depends on the person of the ombudsman to be active
- Still relatively unknown by the population as a tool to control police activity
- Limited capacity of action: lacks investigation capacity
- Format varies significantly from state to state
- Some states do not define as mandatory to have a civilian as ombudsman. Risk of having a retired police officer as an ombudsman. Corporatism.



Police oversight in Brazil - External control

Police Ombudsman Office: Ouvidorias

Promising experiences:

- The Federal Government created a National Forum of Police Ombudsmen and has been fostering the creation of new Ouvidorias and the strengthening of those that already exist
- In Sao Paulo, the Ouvidoria established a partnership with the Public Defender's Office to follow up on cases of police lethality, independently to the Prosecutors' Office in order to ensure proper investigation.



Thank you!

Marina Menezes
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