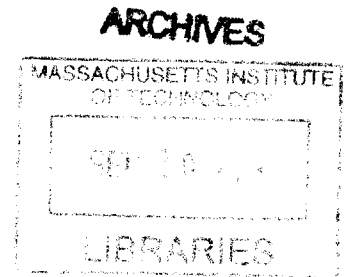


The Killing Consensus: Homicide Detectives, Police that Kill and Organized Crime in
São Paulo, Brazil

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Submitted to
the Department of Urban Studies and Planning
in Partial Fulfillment of the Requirements for the Degree of
Doctor of Philosophy in Urban and Regional Studies
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ABSTRACT

Policing is widely understood, empirically and theoretically, as a core function of the state. Much of the knowledge presumes that police are the only body that may kill and arbitrate killing, routinely and without retaliation from contesting parties, as a means of establishing and maintaining a legitimate legal order.

This dissertation examines an urban circumstance where killing and its regulation is not simply the realm of police. São Paulo, Brazil is a city with parallel normative logics of killing. Via ethnographic research with homicide detectives, I examine these two logics: homicides and police killings known as *resistencias*.

Under democratic restructuring, with failing public security and underwritten by historic and spatial inequities inscribed via disparate processes of urbanization and planning, investigations reveal the practice of a 'normal' homicide that is a product of a system of governance in the urban periphery. Killing has become the realm of an organized crime group known as the *Primeiro Comando da Capital* (PCC). Via a prison-periphery nexus, the PCC determines the moral borderlines of violence in the spaces it controls.

In apparent moral contrast, police kill citizens at a rate of roughly one per day. Under the rubric of 'resisting arrest' there is a presumption of guilt for the dead and a presumption of innocence for the shooter. Homicide detectives investigate and arbitrate whether these presumptions are 'appropriate'. When not, a *resistencia* becomes a homicide and the offending police are arrested on the spot by detectives.

I track the 'deservedness' of each logic and find that while the two appear antagonistic, there is often a confluence of imaginaries, coalescing in an implicit and obscured 'killing consensus'. This consensus is consolidated via co-orientation and everyday practices pointing towards mutually understood spatial and moral boundaries of who can be killed, why and where, underpinning a decline in homicides here by more than 75% since 2000. Yet, in a 2012 crisis that consensus was 'killed'. Violence erupted between police and the PCC, rupturing the everyday forms of equilibria that have given this city a false floor of

security in recent years. Lastly, I examine how public debate and a modest effort to contribute to it led to contradictory reforms.

Thesis Supervisor: Diane E. Davis

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INTRODUCTION: SURVIVING SÃO PAULO

It's a clear and bright Saturday morning in São Paulo. I ride with the windows down in the back seat of a black and white Chevy Blazer from the Civil Police's Homicide Division. In front of me are two plainclothes officers - Brazil's version of the police detective. Unencumbered by workday traffic, we drive leisurely southbound through the city's expansive sprawl. We are headed to one of the city's southernmost urban districts, a hilly working class place called Jardim Ângela. As we approach our destination, where I had been once many years prior, I am struck again by how 'Ângela' occupies a distinct place in in São Paulo's urban landscape - the urban periphery. Parts of the district are rural and vegetated, dotted with horses, chickens and fruit trees. Red brick and concrete houses, interspersed with finished and brightly painted homes, flow southward from the city towards the final edge of constructed space. At that edge, sandwiched between empty fields, a fetid urban reservoir that nourishes the city and the expanding brick and mortar of the constructed city, are the new homes. But these homes are in fact nothing new. They are made almost entirely from old; chunks of wood, rusty sheets of aluminum and jagged bits of broken asbestos roofing tile fastened together by planks of wood – painstaking examples of human agency in a city dramatically and spatially segregated between have and have not.

It is a quiet morning in the city. No one was killed overnight, or, if they were, they haven't yet been found. So we've come to have a look around. 'Ângela' is where one of

these two police, a man I'll call Beto¹, was raised. It was much different then, when Beto himself grew up and lived in one of these 'new' homes. His grandparents who raised him were economic migrants from the northeast region of the country, like hundreds of thousands of others in this and other Brazilian cities through the latter half of the twentieth century (Perlman 1979). Arriving in Ângela in the late 1970's, Beto's grandfather bought a lot from someone, built a house, and slowly, brick by brick, improved it into a two-story home with suites to rent. The home was a perfectly unexceptional example of the self-built 'auto-construction' that defines urbanization in this city and many other cities in the Global South (Stokes 1962; Eckstein 1990; Caldeira 2000; Gilbert 2007; Holston 2008). Beto could recall it clearly: "I remember as a little boy, a truck showing up with the leftovers from jobs he had worked. They'd take the leftover bricks, wood planks and bags of cement off the truck and put them in the yard. Then, on his days off my grandpa would put things together."

Beto went to school with all the kids in the neighborhood, most of whom likewise came from regional migrant families putting their roots down in this rapidly urbanizing city. After school and on weekends they passed their time playing futebol when they could find a reasonably flat and dry campo in this area of steep streets and hillsides. Being a kid wasn't crazy then, Beto explained. The area's residents were full of hope. They had made major sacrifices to come and find a new start in the city. While building their homes with their own hands, they were excited for the imminent new world pregnant with possibilities in the demise of Brazil's twenty year dictatorship. A fresh democracy and a

¹ The names and nicknames that I use are pseudonyms.

new and decidedly social justice oriented federal Constitution promised a new era of inclusion, respect and prosperity for all.

FIGURE A. ÂNGELA



Photo by author

A handful of years later this hopefulness was in shambles (Hagopian 1990; Pinheiro 1997; Pereira 2000; Zaverucha 2005). By the early 1990's many of Beto's fellow soccer players and school friends had turned to a new and alluring source of money and status – the drug trade. 'Ângela' exploded into violence. Rival gangs emerged, massacring each other over street corner turf and sending the homicide rate spiraling. Statistics from the

Secretary of Public Security showed that by 1996, 166 per 100,000 residents died in homicides in Ângela (SEADE 2012). This nearly unbelievable rate of violent death far superseded that of the United States, which was also imploding in the midst of a crack cocaine epidemic at the same time. Ângela's homicide rate was nineteen times higher than the average urban homicide rate of that country (8.8) (FBI 2012)². Ângela's deadliness, which wasn't all that different from other parts of the city, led swiftly to recognition from far and wide -UNESCO tattooed Ângela ignominiously as the "most violent neighborhood on earth" (Crowe and Ferreira 2006).

But it wasn't just drug gangs that fuelled the violence. Extermination groups known as justicciros or Pés-de-Pato, composed largely of off duty or former police, many of whom lived in the area, increasingly took up the moral mantle of removing the 'scourge' of marauding drug traffickers by 'cleaning' the streets (Manso 2013). They killed indiscriminately in their efforts to get rid of criminals, catching and slaying no limit of people –but mostly young men- in the process. Beto himself narrowly escaped on a couple of occasions, when he could hear the bullets whizzing by his head while sprinting away. When the violence peaked in the late 90's, many of his former school mates were dead, arrested, or just plain gone in the fog. It didn't much matter who pulled the trigger, whether police, rival gang members or an extermination group, Beto reflected to me. It

² The accepted measure for homicide comparisons is the number per 100,000 residents. This is intended to serve as a standardized unit useful across cities (and towns) of different sizes. To the extent that these statistics are accurate because of their dependence on local administration and investigation, the UNODC has produced multiple studies of global comparison. The recent *Global Study on Homicide* (UNODC 2011) is one example, which relates the rates of a number of cities, such as Cape Town (41), New York (6.4), Bogota (18), Rio de Janeiro (36) and São Paulo (11).

was all a blur. There had been shootouts on his street and violence at every corner. Bodies lay in the streets for days at a time, bloated and waiting for police and the carro de cadaver to finally show up (Willis 2007). Even to those in the midst of it, the violence just seemed unintelligible.

Yet the scene in Ângela was much different now. Beto no longer lives there. He can't. Not since the dynamic of violence changed so dramatically. Today, there is only one recognized source of order here, a non-state armed group known as the Primeiro Comando da Capital, known colloquially as the PCC, 1533, o partido or just 'the family'. Around 2003, the PCC had emerged from the São Paulo state prison system to establish a 'peace among criminals' (paz entre os ladrões) across the urban periphery of this city, uniting those who had been behind much of the violence under one moral banner (Denyer Willis 2009; Feltran 2011; Sinhoretto, Silvestre and Lins de Melo 2013). Today, in certain parts of the city, homicide is both regulated and carried out by the organization – emulating the state-like function of sword and shield. As a public prosecutor told me, everyone knows that if anyone - a resident, a police officer, or even a PCC member themselves kills someone without proper justification or PCC authorization, “é bigode no asfalto” – it's “moustache to the asphalt” for them.

And yet this centralized control over the streets of Ângela has made it safer for most residents -at least by comparison. Homicides started to occur only with the explicit authorization of those in charge, occurring much less often as a result. According to the

Secretary for Public Security³ own statistics, the numbers of homicides dropped dizzyingly over a few short years. From an apex around the year 2000 the rate fell by up to 80% in some places (Seade 2012). Across greater São Paulo –an area with 20 million residents-, but particularly in the urban periphery, places like Brasilândia, Sapopemba, Capão Redondo, and Paraisópolis, the story for local residents was much same: the violence that had consumed daily life was receding and residents were feeling more secure (Denyer Willis 2009).

We decide to go for lunch. Beto takes us to one of his old favorites, a bar-cum country music nightclub with a killer feijoadada bean stew. We sit down. Beto and Felipe, the other detective with us, turn their chairs to face the doorway. We get a bottle of Coke to share. Beto and Felipe talk about what is going down these days. Things are in upheaval. The PCC has been actively seeking out and assassinating police officers, killing them as they leave their houses, shop at the mall, work their second (or third) job, or as they leave for work in the early daylight hours. The count for this year so far is around 85 police dead – an increase of about 115% over all of last year. Police these days are visibly and emotionally nervous. For good reason: By the end of the year at least 106 police in São Paulo would be assassinated (Estado de São Paulo 2012a).

³ Unless otherwise specified, I will use primarily the statistics from the Public Security Secretary of São Paulo. I am intimately familiar with the deeply problematic construction of those statistics, and, as such, will employ these statistics only for supplementary and illustrative purposes. I further outline the problems and gaps with these statistics in several parts of this dissertation.

The reality of police mortality had been laid bare weeks earlier during a particularly troublesome eruption of police assassinations. In the span of three days, eight off duty police officers were killed. A number of others were wounded or narrowly escaped, showing up in the homicide division in rumor and tale –but were not necessarily less moving. These incidents destabilized police even more than usual, exposing unambiguously the insecurity of being a police officer in this city.

When I had arrived at the station on the first night, I ran into ‘Peanut’, a prison guard, hanging around from the day shift. We sat down to watch some TV in the change room. Other police filed in as they were coming on shift. Peanut started talking: “Something strange is happening, he said. They’re saying that 70% of all the police killed last year have been killed just this month. There were two just yesterday”. The other police had heard similar things. “What are your friends in the penitentiaries saying?” asked one officer. Peanut shrugged it off, distracted by a commercial on TV.

Later I looked it up on one of the computers: Since a late May incident in which a swat styled agency of the patrolling Military Police known as the Rondas Ostensivas Tobias de Aguiar (ROTA) had killed six PCC members, the PCC had been crying bloody murder. This particularly questionable incident had resulted in four police from that unit being arrested by homicide detectives, and the PCC had stepped up its retaliatory attacks, singling out off duty cops in particular, for what they saw as ‘unjust’ killings. There had been 33 killings in the last six months, compared to 40

all of last year. One of these had happened just recently in Brasilândia on the North side of the city. A cop there was shot 36 times, one detective told me.

In the media it was all being disavowed –they are just corrupt cops many were intoning. Even the Secretary of Public Security was said to have told the media it was something of a cleansing -a purging of police who were obviously engaged in something fishy and illegal. And layered within that idea, the government left little room for interpretation that it was OK, even deserved, that some police were being knocked off (Globo 2012; R7 2012). From within the station, the idea of a purging of ‘rotten apples’ didn’t ring true. The two police who had been killed a couple of nights earlier seemed anything but crooked. One had been killed while teaching a gym class. Three guys came in and shot him up, walking past everyone else on the way in and the way out. The other had been working off duty doing private security, as thousands of other police have become accustomed to doing as a second job. The detectives in the station understood those fallen police as regular cops just working their moonlight ‘bico’ –as almost all do- in order to get by. And yet from those above - the public face of public security- the tone was obvious, if dismissive: this wave of violence, like many of the killings off-duty police that happen in ‘normal’ times, was purifying.

Later that night, things were shaken up even more. A message came in over the intranet that there had been a police shooting of a citizen, known as a “resisting arrest followed by death” (resistência seguida de morte - resistência) in a district on

Surviving São Paulo

the East Side. A police officer was also dead in the exchange. Yet the preliminary details were sketchy and confusing, giving little clarity about how to classify the incident. No one was quite sure how it happened and why both the shooter and the police officer were dead. Was it a homicide? Or, did the police officer react to his assailant, a fact that would have made it a resistência?

Over the next two hours the homicide detectives went back and forth over whether the incident was a double homicide or a single resistência. If the officer had been able to respond, by drawing his gun and shooting –but not necessarily killing or even hitting- his attacker, it would be classified as a resistência. But if the police officer had not been able to shoot back, either because he was too surprised to get his gun out or because he wasn't wearing a gun –which would be unlikely- then it would have been a double homicide. To make matters more complex, if the homicide detectives chose to call the incident a homicide, then it would no longer their jurisdiction. Convolutioned rules state that when a homicide suspect is known, the investigation and paperwork falls to the local police precinct to carry out.

At first the homicide detectives decided in favor of registering the case as a resistência. The thinking was that the dead assailant had been killed by the police officer, who had reacted to being assaulted by drawing his gun and shooting. Yet within a couple of hours, they changed their mind, deciding that it was indeed a homicide. The reason was this: Security footage revealed that the dead police officer had not even pulled out his gun. He had been checking out his purchases at the

grocery store counter and was too surprised to even have time to reach for anything in self defense.

This meant that since it was a homicide where the suspect was known, the case should have become the responsibility of the local police precinct -with their absence of specialized homicide detectives and technical resources, to carry out the investigation. But in a startling turn, another key detail came to the fore. Three men had actually been there to kill the police officer. According to security footage and witnesses, one of them had said 'that's him there! Shoot! Shoot! In the head!'

This new revelation left a bizarre openness to the case. Who had killed the attacker, if it wasn't the dead police officer? And, as it was, it turned out that it was the one who said 'Atira!' (Shoot!) that was dead. Not only that, he had actually been shot from behind. "He was killed by a ghost," a detective told me. "No one knows how it happened. It probably was an off duty police officer working security and [the other police] were protecting him" ...from the homicide detectives. This mysterious third party wasn't visible on camera, and didn't even appear in the crime report that they wrote up over the next few hours. As far as the official word and documents went, the person that actually killed the attacker did not exist. He was a phantom shooter. In the end, the homicide detectives kept the case for their own investigation even though it was out of their jurisdiction. This was all especially contorted since the reason for keeping the case, which was that they wanted to keep the identity of the person quiet, would have made it their jurisdiction anyway.

Not that this seemed to matter all that much. The detectives were more concerned with what was happening these days. One policeman spoke up, "A friend of mine said that a few weeks ago the PCC gave a green light to kill off duty police". Another responded, "The last few days there have been thousands of calls, you know, from prison to prison."

As one of the homicide teams left to investigate the resistência-cum-homicide-cum-resistência scene, the other team was returning to the precinct. It was quiet now, so they had a chance to nap. At around 2:30 AM, another call came in. A police station had been attacked in a notorious neighborhood on the South side of the city. One police officer was shot, saved by his vest. A vehicle pursuit had followed and the police had shot and killed one of the suspects. When the homicide detectives in the station heard it the mood got tense, and the attention shifted. Someone mentioned the PCC attacks in May 2006, in which 52 police, prison agents and city law enforcement were killed in three days. The team would have to go into the heart of the violence not knowing (but fearing) that another 2006 was upon them. It took them a long time to get ready. They kept finding guns. One after the other. Each officer now had multiple guns –some always carried two- and were loading all of them diligently. They loaded their bullets, into all manner of handguns, revolvers and submachine guns. One officer even pulled out an old double-barrel shotgun with a hardwood stock.

I watched as one police detective loaded ammunition clips for his .40 caliber handgun. He had multiple different kinds of bullets, some hollow points, others not, some that splintered differently. As he finished he kissed the chamber of one of the guns. When he noticed that I had been watching he smiled shyly. Others were less methodical. One police detective who never wore a bulletproof vest was hassled by his peers to put his on. When he did it was still in the plastic bag, new. When he tried to put it on the hefty Kevlar insert fell clean out of the vest, slapping to the floor. Everyone jeered. He laughed sheepishly. Another police officer stepped in to help out. As he bent over to help pick up the insert one of his guns fell out of a front jacket pocket onto the floor. Everyone jeered again, but this time much more nervously.

Eventually the team left the station. As they were leaving a group of Military Police came in. Most were in uniform. One wasn't. He was the officer that had been shot during the attack on the police station on the South Side. Among them the talk was all about the PCC. One of them commented, "They're saying that, from here on out, when there are confrontations, we are to kill." Another chimed in, "because of internal affairs, they say it is better to register things not as resistências. It is better as a robbery followed by death (latrocínio), that kind of thing." It was as though there was no recognition or little importance given to the fact that they were sitting amongst the very police detectives responsible for investigating when a killing is appropriate and when it is not.

These police weren't just concerned about how to deal with the PCC, however. There was a lot of the talk about the higher ups, comfortable in their offices and with their armed escorts, moving seamlessly and securely from air conditioned office to chauffeured car or helicopter and gated home. It was these leaders who had been making public statements that there was no relation between these assassinations of police and the PCC, implying –if not stating outright- that police were ending up that way for good reason. These police knew that the death of a small time police officer in some distant and poor district of the urban periphery wasn't a big deal for a politician. "They prefer that police die while off duty," said one, "it is easier to hide. Less shocking for the public." Savvy to politics and troublesome security inequities, these police were speaking not just to politicians passing the buck, but also the importance of urban space and invisibility in questions of urban (and their own) security.

But the police also recognized the pattern of police killings for what it was - a savvy strategy on the part of the PCC in tune with those very same politics of space and inequality. Eliminating off duty police was a way to maintain pressure and influence on the bottom rungs of the police -the low hanging fruit of the public security system. By killing off duty police in places like Jardim Ângela, the PCC could avoid drawing the attention of the public in the wealthier parts of the city that matters most for politics. The kind of public that, when made to feel insecure, will lead to a massive police crackdown. The PCC knew this. By staying in the shadows they could force

these coercible police back into line, as implicit subjects of the PCC's will, without adversely disrupting their own interests.

Back in Ângela, Beto, Felipe and I eat our lunch. "I wouldn't come here at night", says Beto. He feels insecure, but this was still the neighborhood where he grew up and where his family home is. He isn't worried that he doesn't personally know the drug dealers running things like he did so many years ago. Now it was much worse. Just the simple fact that he had grown up there, that everyone knows him and what he does for a living was material enough. It would just take one person to spread the word to the wrong people that he was hanging out there again, he said. This was why, well before the current crisis, he had to leave the community and work three moonlighting jobs in order to move to a middle class part of the city. There was just no other way to make sure he and his family could be safe.

We finished our feijoada, paid Beto's friend and said good-bye. Back in the Blazer, we headed north towards the headquarters downtown. I watched the red-brick of Ângela slowly fade back to the concrete and wide streets of the city.

REGULATION(S) OF KILLING

Policing is widely understood, both empirically and theoretically, as a core function of the state. As such, most of what we know about police has been produced with some significant assumptions about the state in mind. In particular, it is generally presumed

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that police are the only body that may kill and arbitrate killing, routinely and without retaliatory violence from contesting parties, as a means of establishing and maintaining a socially legitimate legal order. A state that controls these terms is, in other words, the ‘ideal’ kind of subordination. This outlook on policing often carries with it a set of prescriptions for what policing can and should be.

Based on three years of ethnographic fieldwork with police detectives in São Paulo, Brazil, this dissertation examines an urban circumstance where killing and the arbitration of killing is not solely the realm of police action. Not so different from other cities struggling mightily with urban violence, São Paulo is a city in which killing, and the regulation of killing, occurs via parallel and normative logics of violence. To examine this puzzle, I focus on two aspects of the work of police detectives as undergirded by a set of urban, spatial and political conditions under which killing has become prolific. I am profoundly interested in why people die, and why who allows for it to happen, tells us much more than the numbers of bodies that pile up could ever reveal.

First, I am concerned with the PCC’s spatialized regulation over violence and killing. In particular, I investigate how homicides that carry certain ‘hallmarks’ are presumed to have taken place under the regulatory structure of the PCC. What we might consider a ‘normal’ homicide in São Paulo is the product of an authority with its own governance over the conditions of life and death.

Second, I am concerned with police that kill citizens and how homicide detectives, who must police these police, arbitrate these killings. Police killings are immediately categorized as ‘resisting arrest followed by death’, or colloquially as ‘resistências’. Under this rubric there is a presumption of guilt for the person shot, and a presumption of innocence for the officer who shot them. Homicide detectives are tasked with investigating these killings and arbitrating whether these presumptions are ‘appropriate’. When not appropriate, homicide detectives must overturn these categories -a *resistência* becomes a homicide and the offending police are arrested. I track the ways that detectives navigate notions of deservedness of killing, via imaginaries such as the *bandido* – a differentiated social type, understood as inextricably and holistically criminal, and therefore the legitimate subject of deadly police action.

From the worldview of homicide detectives, I examine the practice and investigation of these two logics at the street-level and particularly as they collide within the homicide division. On first glance, these two logics are antagonistic, indicative of a war between the state and organized crime. Empirically, though, they are unexpectedly similar, carrying overlapping notions and a confluence of perceptions a deservedness of death. I argue that these logics and their practices of killing ‘nest’ in such a way s to create an implicit *killing consensus*, made up of everyday *forms of equilibria*, which to the outside observer mimics a regulatory system in which police are the only body that may kill and arbitrate killing. but in fact. Following the work of Schelling (1963) and others (Park 1927; Scheff 1967), I argue that consensus can be defined by ‘co-orientation’ toward a point of agreement that often occurs via a “conversation of gestures”. That is, a premise

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can be mutually recognized and agreed upon, even in the absence of formal communication. As Schelling puts it in the context of a the Korean war about the Yalu river, which served as a mutually understood boundary:

“If the Yalu River is to be viewed as a limit in the Korean War that was recognized on both sides, its force and authority is to be analysed not in terms of the joint unilateral recognition of it by both sides of the conflict - not as something that we and the Chinese recognized unilaterally and simultaneously- but as something that we ‘mutually recognized’ . It was not just that we recognized it and they recognized it, but that we recognized that they recognized it, they recognized that we recognized it, we recognized that they recognized that we recognized it, and so on. It was a shared expectation. To that extent, it was a somewhat undeniable expectation (Schelling 1959: 40-41- emphasis added).”

Indeed, where it seems like the state has centralized violence, in fact killing and security is being regulated via a point of mutual recognition –an implicit agreement on a general premise (or set of general premises)- between the state and the PCC about who can die, where and under what conditions. Who can die is mutually constructed. As a result, I would argue, fewer people are being killed, and São Paulo’s homicide rate has dropped by upwards of 75%.

But this is a false floor of security. The consensus itself is occasionally killed, rupturing into explosions of violence between these two logics. This conceptualization helps to explain the oscillations of violence and the struggle for security experienced in cities like São Paulo.

FIGURE B. ANNOTATIONS OF BULLET WOUNDS FROM A RESISTÊNCIA IN A CASE FILE.

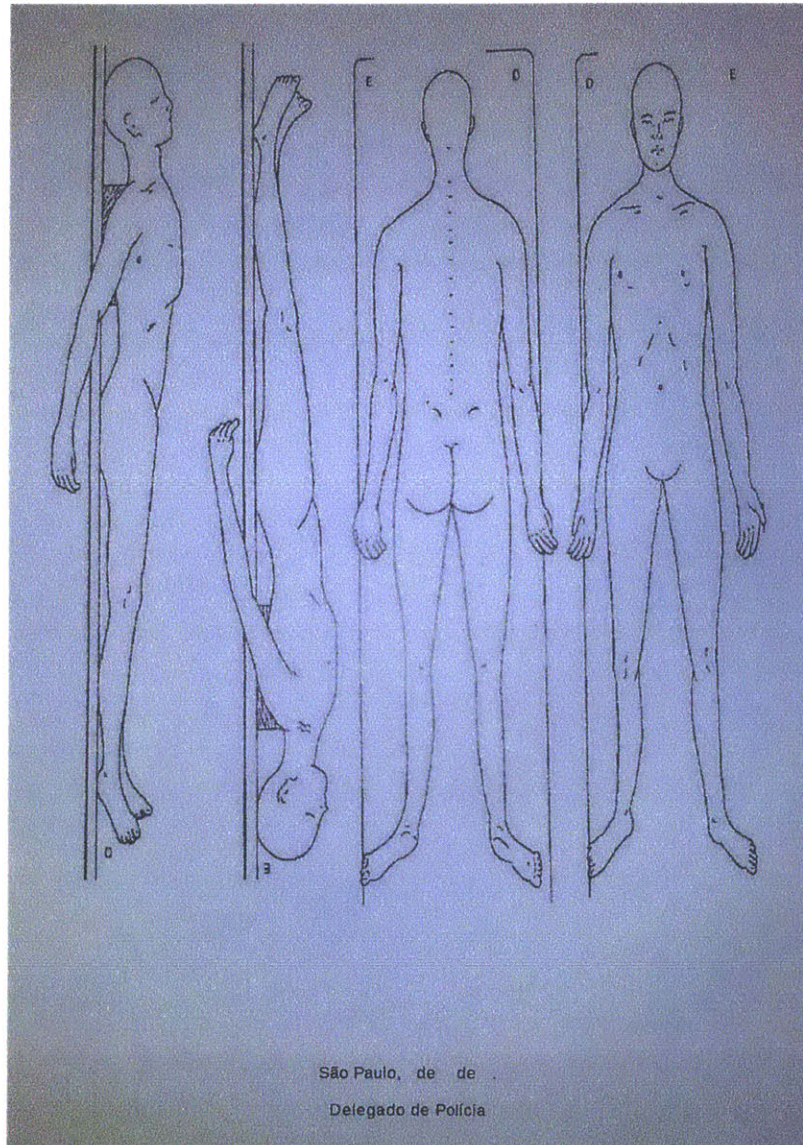


Photo by author

More broadly, though, this dissertation is about the failures of public security and, concordantly, its common prescriptions in one of the Global South's most vital urban centers. Many things have been said about the struggles of police⁴ to contain the violence wracking cities of the Global South in the post-cold war period (Migdal 1988; Chevigny 1995; Cavallaro 1996; Huggins 1998; Collier 2000; Bayley 2001; Call 2002; Ungar 2002; Bailey and Dammert 2005; Hinton 2006; Marks and Goldsmith 2013). Chief among them is the position that violence persists –indeed thrives – because police are corrupt. The recent arrival of democratic governance and related reforms carried with it many hopes, among them yearnings for greater political participation from the poor, decreased inequality, and the breakdown of clientelistic and elite political relations. The nascent ability of citizens to make claims on their elected representatives, to organize in robust civil society formations and to hold the state to account for its disparate provision of services –from healthcare to urban planning and public security- would necessarily level the playing field, create a new and engaged cohort of citizens and usher in a new era of prosperity for all.

⁴ Since this dissertation is about the failure and struggle for a broadly 'public' security, I will often speak of police generically. There are, of course, divisions and types of police. In Brazil, this is distinguished most obviously between police that patrol and respond to 190 (911 equivalent) calls, known as the Military Police, and police detectives –the plainclothes Civil Police- responsible for filing crime reports, investigating them and managing pre-trial prisoners. I discuss the differences between these two institutions in great depth in another publication (Willis 2014). In the São Paulo context, when I speak about 'police', I am speaking about aspects common to both. When not, I use 'beat cops', 'patrolling police' or 'Military Police' to refer to the former and 'detectives', 'investigators' or 'Civil police' to denote the latter.

Yet for anyone accompanying the process, it has become abundantly clear that the democratic panacea has fallen far short of its promises (Comaroff and Comaroff 2006; Davis 2006). But dominant perceptions of that failure place the burden of blame on the shoulders of police who are ever more uniformly fingered for being ‘deviant’, particularly in their attempts to seek of money and/or power (Newburn 1999). Massive breakdowns in urban security in globally important cities like Johannesburg, Mexico City, Rio de Janeiro and Jakarta, as evidenced by vertiginous homicide rates, uninhibited economic crime like robbery, car-jacking and kidnapping, are inescapably a matter of a macro-transformations. They cannot be easily written off as localized deviance, as suppositions suggest.

Some evidence of this is the uniformity of ways that violence has become an urban (and indeed global) concern. Within states with strong militaries, cities have become nodes of security weakness where pressures for transformation meet historical processes of exclusion and local politics. As acute sites of public security weakness, violence has taken root –and in prototypically urban formats. In historically excluded spaces, such as informal settlements and urban peripheries, cities have witnessed decentralized, self-help and community-based forms of security. From Johannesburg to Jakarta and Guatemala City, these have emerged in various configurations, temporalities and normativities, ranging from lynch mobs to ‘problem-oriented’ community-based patrols, para-state militias and organized crime (Percival and Homer-Dixon 1998; Godoy 2006; Goldstein 2004; Moser 2004; Lemanski 2004; Esser 2004; and Thomas 2011; O’Neill 2011; Davis and Denyer Willis 2012).

The more persistent and permanent permutations of this self-help security, such as organized crime, demarcate territory, dominate illicit markets and install forms of governance that carry with them stark notions of morality and social order. Criminals and impunity run roughshod in this environment, leaving many to either finger-point at police or, in counterpoint, to support a police that kills those perceived responsible for the violence (Caldeira 2000; Paes Machado and Noronha 2002; Lemgruber 2004)⁵. These forms of security have become inseparable with the urban experience in recent decades, both as emergent forms of order for thousands of urban residents and as responses to the decentralization of state power following the decline of tightly centralized governments in the 1980s.

In fact, the idea of police corruption has become much more than a passing, dismissive and ill-defined answer for citizens trying to make sense of their everyday insecurity. It has become profoundly substantive in terms of policy, assumption and intervention practice. Via academic discussion, the influence of think tanks, local and international

⁵ In the literature on policing in the Global North, more scholars and practitioners use the term 'deadly force' to describe lethal police shootings of citizens. By contrast, the literature on police shootings of citizens in Brazil and Latin America, which has been advanced in large part by human rights scholars and activists, typically describes these incidents as 'police killings'. The difference is significant. The term 'police killings' carries with it a sense of injustice and illegality that are not present in to the same degree in discussions of police 'use of force' in the North. In this dissertation I choose to use the term 'police killings', 'police killings of citizens' or just 'killings' not because I necessarily agree with the normative undertones, but, rather, because these actions are analytically distinct, not only in terms of how many people are killed, but also in the rationality, governance and mechanisms of legitimization behind them. Police killings of citizens are not about a calculated use (much less escalation) of force. They are, gruesomely but not senselessly, about attempting to bash a perceived enemy into submission- an issue of seriousness that far supersedes notions of injustice, illegality and tempered use of force.

NGOs and international organizations like the World Bank, police corruption –vaguely understood as police abuses of power – has become accepted as the *de facto* problem in violent cities (World Bank 2011). And thus, eliminating police corruption via reform has become the central target of policy makers concerned with runaway urban violence.

All this despite the fact that ‘corruption’ is a normative position. Notions of corruption are informed by a set of common concepts and accompanying prescriptions originating from places like the United States, the United Kingdom and Europe (Bayley 1995). Most of these prescriptions emerge from or in parallel with what Arias and Goldstein have called “the democratization school” (Arias and Goldstein 2010). Three concepts are prominent in police reform debates and projects: the rule of law, human rights and public accountability. Each of these concepts aims to diminish the capacity of police to abuse power in their own way, but the logic of each is uniform. Namely, if you have a) a stable rule of law, b) respect for human rights, or; c) accountable public institutions, police abuses of power will be mitigated, police behaviour will be more responsible and, as a result, *democracy will thrive* ((Bayley 1995; Mendez, O’Donnell and Pinheiro 1999; North 2005; Brinks 2007; Ungar 2009; Uildriks 2010; Weingast 2010).

Yet the link between these concepts with the democratic ideal is also the primary flaw in the reasoning of many reform projects. All operate on a deep assumption, namely that democracy is the path to decreased violence and greater security. The general belief goes that the assumed nature of urban violence, and the actions of police that is subsumed within it, is a question of weak and/or nascent democratic institutions. That is, given

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support via appropriate reforms, these institutions will, in a more or less logical process, consolidate into a stable democratic configuration, democratizing social relations by logic. They posit, in other words, that a lack of democracy can and should be solved with *more* democracy.

That most scholarship has focused on democracy or neoliberalism as the backdrop (if not the causal link) to urban violence is a problem. My contribution is substantively different. I seek to show how insecurity is itself a key condition behind the eruption of urban violence and the emergence (and treatment by police) of groups like the PCC. I step backwards from considerations of democracy and neoliberalism to consider how the breakdown of centralized state authority over violence aggravated existing forms of spatial and political exclusion in the city. I argue that much of the existing research overlooks the breakdown of security so tightly centralized during dictatorships, single party and civil war governments that came with democratic openings in the 1980 and early 1990s. Violence emerged and become prominent because of reforms that pushed back against centralized authority and national security states. But the outcome of the devolution of authority aggravated the urban spaces that have for decades –if not centuries- have been abdicated by the state. Only during dictatorship and other periods of acute state repression was the provision of ‘public’ security remotely evident in these spaces.

In this sense, because violence is emergent from the absence of the state, violence can look and seem neoliberal because of its ‘innovative’ and ‘entrepreneurial’ trappings. But

this is deceptive. Historical and spatial patterns of urban exclusion, as written through processes of urbanization, are much more enduring and historically cogent than a recent history of pressures for, or outcomes of, a smaller and more economically rational state. That an organization like the PCC has ‘self-help’ characteristics is a product of urban and historical conditions of exclusion, and the retreat of a national security state synonymous with centralized authority and repression, that was brought on precisely *by* pressures for democracy. Neoliberal though it may seem, the PCC emerged out of the urban violence that erupted only after democratic forces pushed for the end of authoritarianism –and particularly authoritarian policing. As the security institutions of military dictatorship were dismantled, resources dried up and the responsibility for security fell back to state-level administrations. Self-help organizations that emerged as a result as much more a product of their own strategies for survival than an innovation for capitalist production, or so I will argue.

The real or implied position that democracy –democratic reforms, processes of accountability and public oversight- can and will centralize authority overlooks a critical fact: States are defined by violence and subordination (Hobbes 1660; Benjamin 1978; Arendt 1970; Weber 1962; Sarat and Culbert 2009). Though regularly assumed, security and democracy are not two sides of the same coin. They are often (if not typically) contradictory. If we suppose that democracy comes to pass when institutions function and citizens demand it, we overlook a crucial element. These same contexts lack a key ingredient that is taken for granted in the state formation of ‘ideal’ democracies: a

monopolization of violence (Tilly 1985)⁶. By contrast, states that are engaged in (often ugly) processes of *monopolizing* violence, whether via official policies or public security practice, find themselves consistently at odds with the normative ideals of the democratization school –rule of law, human rights, and public accountability (Bayley 1995; Mendez, O’Donnell and Pinheiro 1999; Bailey and Dammert 2006; Ungar 2009).

Using democracy as an interventionist lens for empirical problems of insecurity creates a difficult paradox. The crucial relationship between states and the monopolization of the means of violence that often undergirds ‘model’ democratic systems (which had their own formative periods of violence) is amplified where, despite procedural democratic processes, the state continually struggles to legitimate itself with violence (Davis 2006). It isn’t by fluke that many of the places that struggle with violence are also places where disillusionment with democracy is great (Caldeira 2002; Holston 2008; Davis 2009b; Ashforth 2005). Nor is it by chance that public security reform policies developed and implemented with a democracy-for-security approach almost always fall short (Hinton 2006; Leeds 2007).

⁶ Some criminologists have argued that the existence of a monopoly on violence in Western states is a myth (Zedner 2006). Many of these perspectives point to the work of David Garland. Yet writing in the 1990’s about Britain and the United States, Garland (1996: 445) cites the “high crime rates” to argue that there is no “state sovereignty over *crime* (462- emphasis added)”. There is little reason to believe that Western states -even with their neo-liberal characteristics- do not still maintain a monopoly over the regulation of decentralized or privatized forms of security and, certainly, larger-scale forms of organized violence. Organized violence, at least of the order being experienced in much of the Global South is distinct from the ‘crime’ that serves as the basis for these claims. No state has, or likely ever will, monopolize ‘crime’.

KILLING FOR JUSTICE

Across political and social thinking, the idea that the state has the right to kill its own citizens is rarely contested. In the work of major theorists, it is explicit or implied that states decide the conditions under which citizens can, and indeed *should*, die (Weber 1962; Hobbes 1660; Schmidt 1985; Mbembe 2003). Death is a matter of sovereign power. The state's ability to kill, punish and discipline with impunity lays the foundation for a state's legitimacy to govern, constructed often via a tax-for-protection social contract with citizens, that must be unwavering in the face of dissent (Hobbes 1660; Tilly 1985; Hansen and Stepputat 2006). Part of the ability to define death is the ability to define and govern the gradations of "life itself" (Foucault 2004). Agamben (1998), in a revision of Foucault's vision of bio-power and sovereign power, has noted that there are zones of 'indistinction' where some lives are deemed expendable. In many nations, the stability of the state's foundation is maintained through legal norms and practices that reproduce sovereignty, discipline and government rationality in the everyday worlds of citizens as a products and producers of security (Foucault 2004). In many such states sovereign power is diffuse enough that it does not require the blunt violence of stones, swords or bullets. Paper and bureaucracy is coercion enough (Bittner 1970).

But as Benjamin (1978) points out, when the paper and bureaucracy of *law-preserving* violence fails to maintain order, *law-making* violence- the brutal violence of bloodshed and death- becomes the necessary means to regain (or create) legal integrity and the legitimacy to govern. Incidents that threaten state power constitute an attack on its ability

to uniquely define life and death. In their exceptionality these events are an assault on the legitimacy of the state itself, necessitating the use of unequivocal armed force to maintain and safeguard the order of things and 'normal' life (Schmitt 1985). As such, what distinguishes the state from all other forms of organization and association is its unfettered claim over life and its concordant ability to demand of its citizens the readiness to die on its behalf (Schwab 1985).

State violence is patterned. It is rationalized and carried out by individuals upon other individuals via the normative apparatuses justified by formally and informally institutionalized social formations. Police agencies are, of course, formal institutions of the state vested with the power and responsibility to use violence to maintain legitimacy and order. Yet situated in their own social contexts, all police forces have their own moral guidelines -notions of right and wrong behavior- that are reproduced in everyday activity (Eriksen 1990). This notion and practice of order traces and replicates fissures of inequality, resulting in criminalized constituencies, bodies and spaces that contribute in disparate ways to crime statistics, inmate populations and marginality. Police violence, particularly in the North, is more subtle than a police that kills, as in Brazil.

Much state violence occurs in forms of letting die (Sarat and Culbert 2009; Povinelli 2013; Wacquant 2008b). In state-society relations, there are relative winners and losers. Losers suffer from powerful processes of marginalization that are magnified by the inequitable provision of public services across spatial, identity, gender and ethnic, among other, bounds. Wound up in social imaginaries of undeservedness, these populations are

routinely bypassed or pushed aside by the institutions and redistributive mechanisms of the state. Indigenous communities on reserves, African Americans in urban housing projects and those forced to build their own homes in the mud and sewage of informal communities of urbanizing cities are all examples (Venkatesh 2002; Davis 2006; Fischer 2008; Vale 2009; Antaki and Kirkby 2009). Structural, everyday and/or symbolic in nature, this violence is quiet and rendered invisible, taken for granted like its victims (Scheper- Hughes 1992; Bourdieu and Wacquant 1992). But this sovereign power to decide upon the conditions of human existence is again indicative of a *necropolitics* of appropriate life and death (Mbembe 2003). Control over life –the ability to kill or let die as the state wishes- is the ultimate deployment and manifestation of power. States cannot recognize any other body with this same authority, lest the state lose its role as a regulator and ‘civilizer’ of the rationales and means of killing (Mbembe 2003).

RESISTING ARREST...

From what we know about police work, which is drawn primarily from analyses of police in the Global North, this monopoly of regulation plays out ways that many would consider common sense. Police divisions responsible for investigating and regulating violent death – which typically revolves around the homicide division - are often the most elite within police institutions (Simon 2006). They garner specialized training and resources, are most experienced police officers at the apex of careers that started at the bottom rung, and a special mandate that supersedes the importance and jurisdiction of all other crimes (Van Maanen 1984; Ericson 1993; Jackall 2005). Homicides and other

intentional deaths are unchallenged priorities (Simon 2006). In New York City and Baltimore, for example, all deaths occurring outside of the medical system are treated as homicides until proven otherwise (Henry 2004; Simon 2006). By extension, the resolution or ‘clearance’ rate of deaths is widely understood to be a reflection of police capacity- a highly politicized matter of the greatest urgency. When urban police are seen to be incapable of resolving a high profile death they may be augmented or superseded by Federal or National authorities. This is particularly true where homicides are being carried out in an organized fashion, either by serial criminals or by groups like organized crime.

On the other side of the coin, police and military⁷ are also the only people allowed to kill as an act of individual deliberation and action (Simon 2006). Police shootings are usually spontaneous – they are not routine procedure, administratively incentivized or socially esteemed among police themselves (Van Maanen 1980; Scharf and Binder 1983). And still, police use of ‘deadly force’ typically lacks grand logic. It has little if any preformulated strategy and, even as victims can often be characterized according to racial and gender characteristics, is not supposed to be in response to an understood or pre-defined enemy, unlike in military procedures (Van Maanen 1980).

⁷ Police and the military constitute the dual pillars of a supposed monopoly. Police are, in theory, the sub-national protectors of state legitimacy. In general theoretical view, police are the primary tie between citizen and state -everyday guarantors of a social contract signed between the ruler and the ruled on the basis of security provision. Yet unlike the military, which is focused primarily on keeping external threats to security out of the state, police are supposed to keep internal threats –threats that tend to be of a legal or ‘criminal’ and not revolutionary nature- at bay.

From what the literature tells us about policing, when police kill citizens it is a big deal (Binder and Scharf 1980; Scharf and Binder 1983; Fyfe 1988; Bayley and Garofolo 1989). Investigators come rushing in; the policeperson involved needs legal defense – which is often provided by their union. Often police are placed on leave or administrative duty. Public inquiries are called. Police chiefs and politicians make statements to reassure the public. Police who have shot and killed a citizen often suffer from long term personal and professional trauma that affects not only their mental state, but also often irreparably damages their career advancement (Artwohl and Christensen 1997; Henry 2004). It can be years, if at all, before the problems –legal, emotional, professional- are cleared up. Even though police have the power to kill, death at the hands of police, seen from nearly all perspectives, is understood as a tragedy to be avoided.

... FOLLOWED BY DEATH

My own research on policing in São Paulo could hardly pose a starker contrast, both in terms of police practice and organizational configurations. In Brazil, state governors control police. This is true even when residents of a city make up the vast majority of a state's population, as in São Paulo or Rio de Janeiro. Typically subordinated to a Governor appointed Public Security Secretary, police are split into three different organizations with three distinct but mutually dependent functions. The Military Police are a hierarchical and military-trained reserve of the Federal Military responsible for patrolling, receiving emergency calls through the hotline -190- and responding to those calls. They arrest individuals either in a response to a call, while on patrol or while

checking a person's identity documents during a stop and frisk known as an *abordagem*. Within the Military Police positions are hierarchical and filled both by advancement and public entry exams. It is not a given that someone who starts at the bottom position – the *soldado*- will reach the next rank, a *cabos*, or the one above it, a *sargento*, over a 30 year career. In other words, the notion of 'entry-level' is meaningless. Lateral entry defines the hierarchy- one can be a brand new Military Police officer commanding a battalion of hundreds if he has a university degree or a 29 year career veteran being bossed around by a 22 year old superior. These are the police that any visitor will see standing on street corners, walking the beat or driving around in a squad car when visiting a Brazilian city, for example. In São Paulo State, home to 41 million people, there are over 98,000 Military Police.

The Civil Police, by contrast, are a plainclothes investigative police that are much less visible and numerous. They are detectives, being responsible for staffing each local precinct where residents must go to file a police report in person. These police are not excluded from patrolling and making unexpected arrests. Unlike the Military Police, there are different occupations within the Civil Police. There are *investigadores* (investigators), *papiloscopistas* (fingerprinters), *escrivas* (scribes/ report writers), *carcereiros* (prison agents), agents (*agente policial*), *fotografos* (crime scene photographers) and telephone attendants (*agente telefonico*). For all of these positions – careers, really- candidates must apply via public service exams. Being successful, they slot themselves into fordist jobs defined by more or less singular functions. To

fingerprint. To write reports, to put manage prisoners, to take crime scene pictures, to investigate leads, or, to answer the telephone.

Bringing together each of these occupations together is a central figure known as the *delegado* – a police chief. The delegado presides over a team of these detectives for a given investigation, and is responsible for making the final determination about a given case. He or she -for there are many women *delegados*- must have a university law degree, is the principal disciple of the law, being, ultimately the gatekeeper responsible for deciding when, and how, to put pen to paper in a given situation. They are not the only voice or person informing how decisions are made, though it is ultimately their signature that attests to a given decision. With its roughly 34,000 detectives over the state, the Civil Police are the focus of this dissertation. For coherency and as a means to protect identities I refer to all Civil Police as ‘detectives’.

The ‘Science Police’ (*Policia Tecnico-Cientifica*) are the third police organization. Within this the Science Police there are number of occupations, ranging from medical examiners to crime scene investigators known as *peritos*. It is the *peritos* that are responsible for the details of a crime scene, including collecting shell casings, taking fingerprints off of surfaces, taking gunshot residue swabs, seizing and testing drugs, blood and other fluids. Peritos, and those whom they work with in their labs, are responsible for the technical and scientific aspects of an investigation, from autopsy to ballistics report, from everything from a home invasion to a multiple homicide. Across

their divisions and labs, these police number in the hundreds. According to one, there are just 20 *peritos* working the homicide and *resistência* beat.

With the exception of the *delegado*, who also must have a law degree, these police from each of these three organizations make modest salaries. They have modest educations, and they come from modest communities. Many struggled mightily to pass exams, finding ways such as by getting up in the wee hours of the night to watch and study via a tutoring program on television. A healthy number had parents that were police before them. Others grew up at the *fim do bairro*- that space at the end of the urban sprawl defined not just by precarious housing, poverty and human resilience, but also by the emergencies that a dearth of public infrastructure fosters –flash floods, mudslides, waterborne disease and violence. *Ângela* was and is such a space; a spatial confluence of poverty, state disinvestment and insecurity- the perfect source of readily expendable and cheap labor. By the technocratic design of police public service exams, designed purportedly to resist corruption and objectify a meritocracy, this is precisely where many police come from.

FIGURE C. THE PUBLIC SECURITY SYSTEM IN THE CITY OF SÃO PAULO

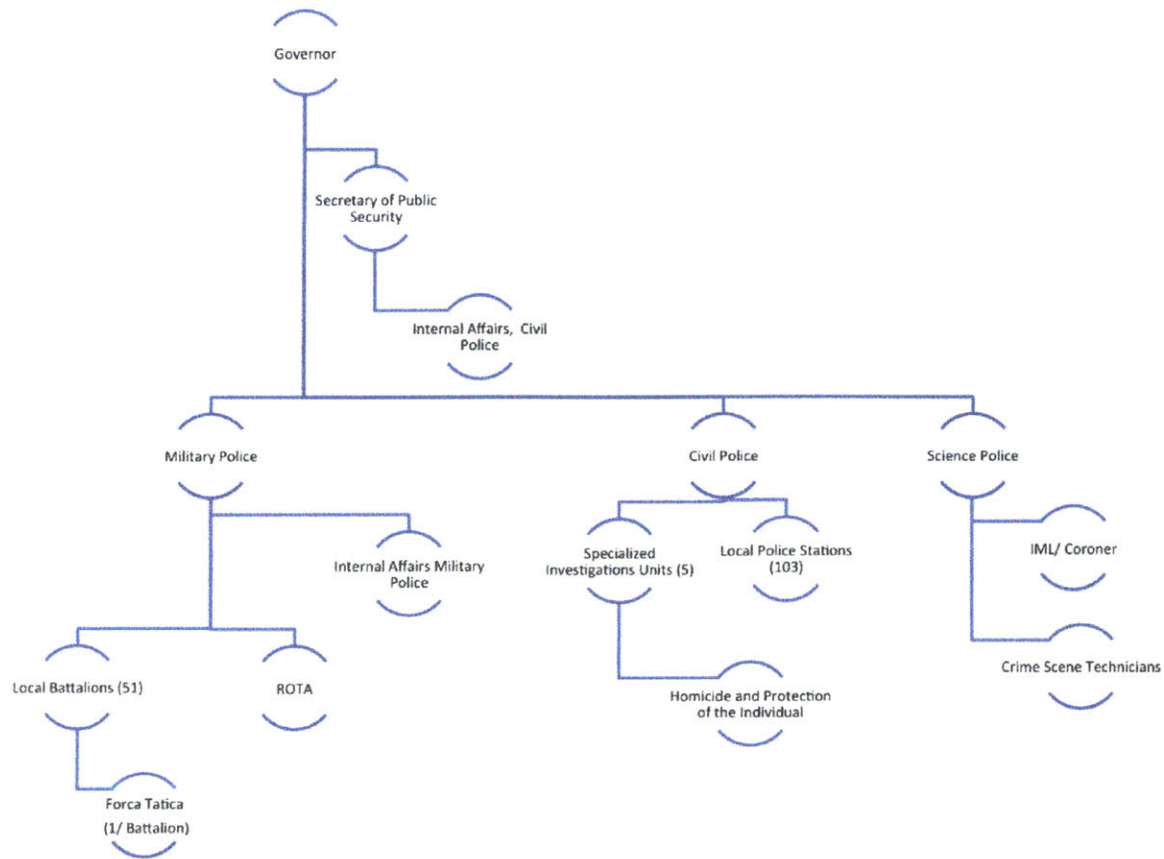


Image by author

Not only does the configuration of the public security system seem a little less than straightforward for many outsiders. The functioning of this system, and the practices of the police within it often defies explanation, especially when it comes to violence. Some of the questions that guided my initial forays were blunt paradoxes: How can police promote human rights, such as the right to life, if they have little control of over the security of their own life? What is the rule of law when there are, in fact, concurrent *rules* of law? What is the nature of police accountability to the public when police themselves

are often accountable to violent groups like organized crime? What does it mean to be ‘corrupt’ in a system where police must (ab)use their power to make their own lives, and the lives of their immediate families, safer?

The empirics of police practice in the city of São Paulo are often jarring: Police – primarily Military Police- kill citizens daily, if not multiple times a day; killing is often celebrated socially and within police hierarchies; the homicide division is at the bottom of the police’ organizational esteem; the most ‘elite’ and socially celebrated units kill the most. In other words, police here do not seek to limit the number of people being killed - they feed it directly.

The primacy given to killing is subsumed in one kind of police practice, categorically known as *resisting arrest followed by death* (resistência seguida de morte).

‘Resistências’, as I will call them, are police killings of citizens, occurring in the line of duty or off, that are a routine practice of policing today in São Paulo. The regularity of these killings is derived, very liberally, from article 329 of the Brazilian Penal Code that makes it illegal to resist the application of the law. This article makes doing so a “crime against the public administration”:

*“Resistência...Opposing the legal act, with violence or threat, of a
functionary competent to execute it or upon one assisting in that execution.
Punishment: 2 months to 2 years detention (Código Penal 1940)”.*

This “law on the books” has come to be practiced not as a crime to be charged against an arrested offender, but as a legal precedent to kill those who as they break that law. In an environment where insecurity is the norm and self defense is not a state of exception but a permanent state of being, it becomes normal for police to shoot and kill. More importantly, though, resistências have also come to be used in cases where the suspects are believed to have committed a crime recently, regardless of whether they have – yet – resisted arrest. Though the law on the books suggests a punishment of two months to two years in prison, most resistências today conclude with a dead citizen (Misse 2011). Resistência is much more than a legal trope delineating the illegality of not bowing before the law. It is both a type of crime and state of being, a noun and a verb, and, thus a *justification* to kill those who are understood as permanently threatening. In São Paulo these killings are not counted as homicides, nor are they calculated in homicide rates. And yet when they are counted as a statistic of their own, the rate per 100,000 is typically higher than the murder rates of countries like the United States⁸.

Those killed in resistências are not victims. They are in official legal title, a “suspect” – *o averiguado*. Criminal in their ‘decision’ to resist arrest, they are presumed guilty in their own death, holding the burden of proving their own innocence –despite the totalized sentence suffered. The *averiguado* is thus criminalized by his own death, until, or rather, if, proven innocent by homicide detectives. The subject of the resistência –and thus the

⁸ A 2012 *O Estado de São Paulo* newspaper article by Andre Caramante reported that between 2006 and 2010, police in São Paulo State killed more people than were killed in “justified homicides” in the United States over the same period. It also pointed out that the rate of police killings of citizens per 100,000 were 5.51 and 0.63 respectfully.

official victim - is the police officer who shot and killed a citizen. Threatened in an attempt to apply the law, the police officer is seen as legitimate in responding with force, irrespective of the degree of that force. Killing someone for resisting arrest is, thus, a completely legal action. It eliminates an individual, defined and judged criminal by his actions, by closing the loop between innocent and guilty.

Until just recently, the practice of resistências contained a deeply rotten paradox⁹. After shooting a suspect, police would typically rush (*socorrer*) the wounded to the hospital in a supposed effort to keep them alive. In the process, they could trample all through the crime scene, taking all manner of liberties to alter the evidence –including moving a body on the premise that the person was still alive when they did it. This practice obscured a great deal. Among the homicide detectives it was accepted, if unspoken, that during the ‘rush’ to the hospital, police might take a slightly slower route in order to make sure that if the *bandido* wasn’t already dead, that they would be by the time they arrived in the emergency room. In this paradox between the expectation to kill and the hope for life, death almost always wins. In 2012, police rushed 379 people to the hospital after shooting them. Of those, 360 died (HRW 2013).

Clearly, resistências give much more than the benefit of the doubt to police officers. They give police a great deal of discretion in the use of force. As such, many police have been in multiple resistências –one police officer admitted to having been in twelve resistências,

⁹ A policy shift in early 2013 made it illegal for police to take the people they have shot to the hospital. I discuss this policy shift at length in the conclusion.

some of which included multiple ‘suspects’. As much as resistências are an inseparable part of policing, as I seek to show, some police seek them out. More notably, there are a number of police agencies that are known and celebrated for practicing resistências as a point of organizational and operational identity. Two agencies stand out in this regard, the Rota Ostensiva Tobias de Aguiar (Tobias de Aguiar Patrolling Squad -ROTA), and the *Força Tática*. Both of these agencies are patrolling police of the State of São Paulo’s Military Police who respond to crimes in progress. Though under the control of the governor, ROTA and the *Força Tática* are both profoundly urban entities. ROTA’s jurisdiction is the city of São Paulo, while a unit of the *Força Tática* exists in each local battalion, limited by that same spatial jurisdiction. The ROTA, though, has a long and detailed history that has included military campaigns as well as everyday policing. The degree of their violence is never in question, and their name has become synonymous with hardline policing policies. They are routinely involved in massacres, including the killing of 112 at Carandiru prison complex in 1991 –which is widely recognized as the genesis moment of the PCC- and the killing of twelve apparently unarmed prisoners on the highway side in a 2002 incident known as “Operacao Castelinho”¹⁰.

Over the years, political leaders have evoked the name of ROTA in public speeches to denote a shift towards repressive policing (Gutierrez 2008). Not just that, they have often been portrayed as *favoured* by swathes of the population, and especially the poor, because

¹⁰ Both of these massacres are consequential for the PCC. The Castelinho killings were shown by subsequent medical examinations to have been execution style. Though the twelve dead prisoners had been shot 61 times between them, none of their guns had blood on them. In addition, only three of the twelve dead tested positive for gunpowder residue on their hands (Jozino 2009).

of their use of violence. During a period in the early 1980's when the post-dictatorship role of the ROTA was in question, the agencies' chief came out with guns blazing. "We – ROTA-are the only thing that criminals fear", he said, "And as the old saying goes, fear leads to respect, which is transformed into admiration and leads to love. (Bezzera in Caldeira 2000 : 171)."

Over time, this "love" for ROTA has evolved into a de facto public policy. This is captured in the now-common term "ROTA na rua", *ROTA on the street* – denoting a top down policy of letting the attack dogs out. When such a policy is in place, residents know what to expect: a high body count with little respect for witnesses, counter opinions or dissention from the media (Barcellos 1992). And not much has changed over the years. In 2012, the former commander of ROTA, Paulo Telhada, was elected to the state legislature with the most votes of any candidate in the whole state. And when months later, a journalist named Andre Caramante from São Paulo's largest daily newspaper criticized Telhada for promoting the practice of *resistências* on his official Facebook page, Telhada responded by inciting his social media followers to respond. They did so with death threats and other accusations. Caramante was forced to flee into exile with his family (Jornal Flitparalisante 2012a).

Slogans about ROTA that glorify their role as deadly circulate far and wide. One of the most common is regularly repeated among the police themselves: *Deus faz, a mae cria, a ROTA mata* – God creates, mom raises and ROTA kills. Similarly, their informal anthem entitled "Hot Lead" has been posted on YouTube. With more than 2.3 million hits, it is

ripe with refrains about dead fathers, sons and *bandidos* who didn't bow down (Apocalipser767567476 2013). Though ROTA are by mandate only a patrolling police force, they increasingly play an investigative role, using public support to overstep their institutional bounds. Today their work includes collecting intelligence and 'anonymous tips', which most other police recognize as the fruit of wiretaps.

The Força Tática is a toned down version of ROTA, carrying less mystique and esteem by those who appreciate a police that kill. Yet with their similar outlook, many police rise through the ranks of the Força Tática to enter ROTA. The differences between the two, however, are distinct to many within the public security system. Detectives from the Civil Police occasionally refer amongst themselves to the Força Tática as the Força *Tragica* – the “Tragic Force”. Though they are often expected to kill like ROTA, the ‘tragic force’ is not specially trained nor well prepared. The result, detectives say, is that they dive headlong into problems and end up causing and killing with abandon. Tragedy, in other words, tends to follow them around.

Taken together, though, police from these two agencies vastly outnumber police who are mandated with investigating and resolving both homicides and the killings of citizens by police. While the homicide division has around 300 detectives across a range of functions, including a hate crimes unit and missing persons, ROTA alone has around 850 police housed in one full *batalião* –a battalion. The Força Tática is not centralized like the ROTA. Rather, each of the 51 police battalions in greater São Paulo has a ‘company’ (*companhia*) of around 110 police assigned to be the Força Tática for that area, and who

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are responsible for patrolling and responding to severe crimes in their jurisdiction. By rough count, there are roughly 5,610 police in the Força Tática in greater São Paulo. Aggregated, there are no less than 6,460 police in the city of São Paulo who are expected, as a matter of duty, to be deadly - 21 times as many police as are tasked with solving homicides, police killings, missing persons and hate crimes.

HOMICIDE POLICE

The work of homicide detectives lies in the midst of this complex and asymmetrical moral topography of violence. Their work is two fold: Investigate and solve murders in the city of São Paulo and investigate and clarify the empirical conditions surrounding police killings of citizens in greater São Paulo¹¹. Not that it is that simple. To start, there are no less than nine different classifications of violent death- found bones (*ossadas*), found bodies (*corpo achado*), suicide (*suicídio*), suspicious death (*morte suspeita*), death to be clarified (*morte a esclarecer*), robbery followed by death (*roubo seguido de morte*, also known as *latrocínio*), manslaughter (*homicídio culposo*) resisting arrest followed by death (*resistência seguida de morte*), multiple homicide (*chacina*), and, lastly, homicide (*homicídio doloso*). Most become the jurisdiction of homicide detectives only when they are obviously a homicide. This is usually where there are visible signs of violence. This

¹¹ The distinction between the municipality of São Paulo and greater São Paulo is significant. The municipality itself has 11, 370,000 residents according to the 2010 census. The boundaries of Greater São Paulo, by contrast almost double that number to 19,973,000, according to the national and state statistics institute IBGE and SEADE.

determination is always made by some other policeperson, such as the local precinct chiefs that must first visit the scene or the police officer who pulled the trigger.

Not just that, the work of homicide detectives begins after someone has, to some degree or another, decided about the jurisdiction, motive and suspect of a given case. The work of the homicide division stretches from initial crime scene review to the moment when a completed file is resolved -meaning either archived or passed on to public prosecutors. The process is split into two operational tasks managed by two separate groups – a group of police that go to the crime scene accompanied by crime scene technicians from the Science Police, known as *peritos*, to take fingerprints, photographs, and take gunshot residue samples from suspected shooters. They catalogue the characteristics of the location, using socio-economic metrics, references to the built environment, ambiente weather, and a description of the micro-location where the body (or, commonly, bodies) were found, whether inside, or, much more commonly, outside. Much of this cataloguing is subjective, inquiring “what was the victim doing at the scene?” or about his or her “social profile”. Detectives then make decisions about possible suspects and formulate an initial narrative about motives that they incorporated in a report known as a *boletim de ocorrencia*, that they create and file on the police intranet. This corresponds with a number that is hard written into a book that lists the digital case number, date, type of killing, name of victim(s), the team responsible for investigation and the local precinct number. This report is then passed on to one of the twelve geographically defined homicide investigation teams, or to a team dealing with multiple homicides, responsible for contacting witnesses, following leads, ferreting out suspects and gathering enough

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evidence to advance the case for prosecution via the public prosecutor – the *ministerio público*.

FIGURE D. THE BOOK OF HOMICIDES, RESISTÊNCIAS, LATROCÍNIOS

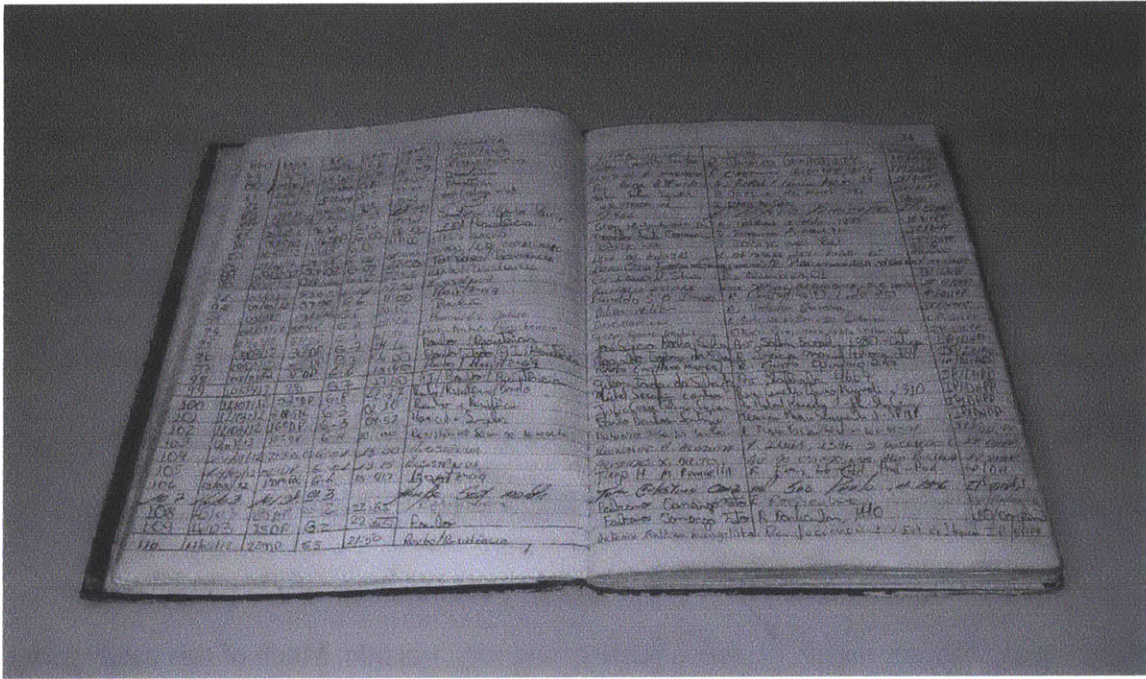


Photo by author

Bureaucratic process and manpower numbers are only a tiny part of the story about police work, however. We often think about homicide detectives as being the apex of police skill, achievement and capacity. Homicide investigation in Brazil, however, is an inversion of this assumption. At best a police career in homicide is denigrated and devalued among police. At worst, the homicide division is where idealistic but feeble young officers begin and are stripped of their illusions or where tired old careers awaiting their pensions go to spend their last days. Homicide investigation, in short, is at the very

bottom of the organizational hierarchy. It is a place that police avoid in favor of jobs in local precincts and specialized divisions such as the organized crime (DEIC) and drug investigation (DENARC) divisions where police say illicit rents are plentiful. In the homicide division resources are scarce, pay is standardly poor, autopsies (*laudos*) take two months at *minimum*, and, as a result, police themselves often show little personal investment in the midst of thousands of cases a year. Homicide detectives are very much set up to fail.

As a result of perceptions about the lack of importance of their work, homicide detectives have a great deal of discretionary space within which to make decisions (Lipsky 1980; Herbert 1996; Alpert, Macdonald and Dunham 2005). How cases proceed, or not, is often the product of the police interest and the existence of a defining piece of evidence, in a particular case. Some detectives have had multiple police in multiple cases arrested for fabricating stories to cover up what are arbitrary killings of citizens. Some have never arrested a fellow police officer. Unsurprisingly, their notion of who is a criminal – a *bandido* – who is deserving of death, and why, are much the same as their fellow police who do the patrolling, and, for the most part, the killing. They are inclined to believe that, as the saying goes, *bandido bom e bandido morto* – ‘a good criminal is a dead criminal’. And yet they often do make integral distinctions between when a *bandido* can, and cannot, be killed. This informs when they choose to arrest their fellow police, and when they do not. Even from their devalued position, these are the agents of the state responsible for arbitrating the appropriateness and the inappropriateness of killing.

Whether in the decision to arrest a police officer for killing, in their decision to leave work during a period of violence, or their choice to hide from organized crime, police behavior occurs at the scale of the individual. But the repetition of behaviors across individuals reflects much more – a social system of understanding within which a range of choices are possible. A police officer can make many decisions from a spectrum of possibilities. But all of these possibilities, and the decision of police to do as their colleagues do, evokes the ways that the behavior of individuals is productive and a product of social relations. As Perez (2005) has argued of suicide in Cuba, “To decide to die was not simply or even principally to respond to a lack of alternatives but rather to choose one alternative among others. It was a choice made for complex personal reasons, but always in a social context and as an enactment of cultural models (Perez 2005: 8).”

In other words, that a police officer can choose to be violent or not in his interactions with organized crime is one thing. That he may be forced to be violent or to kill, as I will discuss in chapter 3 in the case of Rafael, represents a much more significant structuring of social behavior. That individuals will make decisions is a given. That they have certain decisions more or less made for them is another. In São Paulo it is taken for granted that police can make decisions about acting, behaving and practicing police work in ways that are deeply detrimental to the overall integrity of a system destined for the greater public. That much is not questioned. I am interested then, in the range of behaviors and decisions that are both open to police and taken for granted. To look to Perez (2005) once more, my analysis seeks to cut into how PCC governance of homicides and police killing of citizens, and the arbitration of both of those kinds of killings, is often unremarkable

and taken for granted in the work of homicide detectives. Via repetitive and otherwise unremarkable actions of individuals, I present here what I find to be the socially patterned behavior and everyday conventions of homicide detectives and other police situated inescapably in the context of violence in São Paulo.

NEO-SECURITY

In many cities around the world, historically marginalized polities have been left to devise their own security measures. In the absence of a more appropriate redistribution of public security over much of the 20th century, but acutely following the downfall of authoritarian regimes with tightly held central power, this has spawned entities of *neo-security* that have become both powerful producers and regulators of violence in cities. Unlike the vision of Blok (1974) and Volkov (2002), who see these groups as “violent entrepreneurs”, I argue that these groups of neo-security are not necessarily neo-liberal, even as they exist in a context in which neo-liberal restructuring is often occurring. Rather, neo-security formulations are non-state security solutions emergent from and indicative of a context in which (primarily urban) spaces and constituencies have been left to their own devices. By way of historical and social divisions, as apparent in processes of urbanization, urban segregation and regional disparity in the state’s provision of public security, these formulations use violence as a means to bring about decentralized forms of security –even as they may be violently destabilizing to others and draw upon illicit economies as forms of revenue. Neo-security formulations range in size and complexity, from street gangs controlling a few blocks to sophisticated organized

crime organizations that control swathes of urban peripheries and entire city-sized informal settlements. These groups have little if any revolutionary goals, even as they often destabilize cities in profound ways as they struggle for control over security as asserted via space and notions of identity. Even where these armed groups are not evident in dramatic ways, it is clear that police in many countries increasingly fail to contain violence and crime. This is clearly evidenced by a proliferation of forms of ‘self help’ security in much of the developed world but particularly in Latin America (Goldstein 2004; Volkov 2002; Dowdney 2003; Godoy 2006; Davis 2009b; Davis and Denyer Willis 2012).

Of all of these forms of decentralized security the presence and influence of organized crime groups is most jarring. Building on Paoli (2002) and Tilly (1985), I understand organized crime to be a security-oriented collectivity, often membership and identity based, and usually with subdivisions of labor that are engaged in the provision of goods and/or services deemed illegal by states. Owing to their capacity to transcend the state, these groups are increasingly conceptualized in terms of sovereignty or their state-like characteristics (Humphrey 2004; Latham 2006). Militarization and powerful allegiances with urban constituents on territorial and identity lines mark them as ‘new imagined communities’, ‘social sovereignties’ or ‘phantom states’ that seem to coexist in parasitical ways with the state of police and elected government (Rodgers 2006; Davis 2009b). These groups have reshaped cities in dramatic ways, both by fracturing control over space and installing alternative forms of governance, but also in how they write violence at the scale of the city (Davis 2009b).

Yet these groups have also occasionally made cities *less* deadly. Truces, pacts, and other implied or formal agreements between multiple armed groups, or armed groups and police or the state, often sends a precipitous homicide rate into steep decline virtually overnight. This dynamic is on display in El Salvador where the two dominant transnational *maras* have agreed, on the condition of receiving better accommodation for their imprisoned leaders, to a ceasefire. In the span of one year, the homicide rate has declined by around 60% -no small feat for a place where as recently as 2009, 14 per day died in homicides (Carlos and Bennett 2012; Dudley 2013). In Medellin under *Don Berna* following operation Orion, the centralization of violence has a similar effect. By eliminating rival groups, or uniting fractured armed groups under one banner, almost irrespective of how nefarious the banner, eliminates the economic, spatial and identity rivalries that typically contribute to civil-war scale homicide rates (Rozema 2008; Civico 2012). But, not subsumed or regulated by the state, these pacts form and break apart in cyclical fashion, causing shockwaves of violence and creating otherwise baffling statistical spikes. Absent the state's provision of security, many of these neo-security groups have taken it upon themselves to also tax their constituents just like the most 'effective' states do (Tilly 1985).

THE PRIMEIRO COMANDO DA CAPITAL

In São Paulo the dynamic is no different. One armed group has become ubiquitous with (in)security in recent years- The Primeiro Comando da Capital (PCC). The recent trial of *Surviving São Paulo*

25 police involved in the Carandiru massacre has related the degree of brutality that occurred that day and sowed the seed of the organization. Of the 112 dead, eighty-five prisoners were shot and killed in their cells where they sat defenseless. A crime scene investigator (*perito*) recalled the horror during his testimony, where he told of having the feeling of free-flowing blood washing against his calves as it ran inches deep over the floor (Novaes and Magalhães 2013).

As prisoners regrouped from the trauma, continuing as before to be responsible for the provision of their own clothes, hygiene products, and food –including cooking it-, as well as cleaning supplies and the cleaning itself they united behind a new mantra. In 1992, a group of prisoners drew up a sixteen-point statute outlining a new system of order, justice and brotherhood among all (Appendix 1). The *estatuto* outlined a vision for unity and identity among prisoners under the protective banner of a new organization to be known as the Primeiro Comando da Capital. “The massacre will never again be forgotten in the Brazilian conscience,” it reads, “...because we, the *Comando*, will change the way that prisons are inhumane, full of injustice, oppression, torture, and massacres...[members] will respect and hold in solidarity all (other) members...any attempt to divide the brotherhood will lead to excommunication and punishment”.

But not only was the PCC a network of prisoners suffering through the violence of the prison system. It was also a group of men, primarily from lower socio-economic backgrounds, emergent from the poverty and violence of the urban peripheries of São Paulo. As the PCC’s imprisoned leader, Marcola, testified during a 2006 parliamentary

inquiry, the *raison d'être* of the PCC makes a great deal of sense vis-a-vis the brutal reality of prison violence and urban exclusion through the twentieth century:

“We are all sons of misery, all decedents of violence, from childhood we have been accustomed to live with it, in the misery and the violence. In any favela you’ll find a dead body, lying there all day. What I’m saying is that violence is normal for prisoners. This is normal. So, [prisoner groups] come along in an effort to restrain this normal violence. What do they do? They prohibit prisoners from certain behaviors that are otherwise normal, but that in this place infringe on the space of others... (CPI 2006 : 25).”

The PCC’s moral system, originally enshrined in a 1992 statute, was updated in 2011. This new statute builds on the same self-protection sentiment while outlining in more stark terms the nature of punishment surrounding the organization’s entrepreneurial push into the drug trade. As the trade has become every more lucrative, the organization has increasingly cracked down on those seen to be cheating other members (Appendix 2.) As one public security official explained to me, this same moral system –complete with tribunals, judges, a defence and executioners- is today in place in 135 of 153 prisons in São Paulo State. The remaining handful are for incongruent groups: the mentally ill, women, sex offenders, former police and foreigners.

This self-protection rationale wasn’t confined to the prisons for long, however. By 2002, and through the channels of what Wacquant (2001, 2008a) has called a prison-ghetto

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‘symbiosis’, the PCC was making an indelible mark on the outside world. As members returned to their home communities they set up new hubs, each under the same moral order and connected via cell phone with leaders in the prison system. “Peace among criminals” agreements were forged making non- PCC violence de facto *illegal* (Biondi 2010; Feltran 2011; Sinhoretto, Silvestre and Lins de Melo 2013). In quick succession, the number of homicides declined in the high homicide areas that had inflated the city rate since the early 1990s. The number of multiple homicides involving three or more people known as *chacinas*, previously a fixture in the periphery, plummeted. Within three years, parts of the city like Jardim Ângela, Capão Redondo, Brasilândia and Sapopemba saw decreases of more than 80% (Denyer Willis 2009; SEADE 2012). During interviews in 2006 and again in 2011, I spoke with residents who told of a conflicting environment in which they felt safer than ever to walk on the street, and sleep with their doors and windows unlocked, but nonetheless burdened under a new system in which they needed to see, hear and speak no evil of everything coming to pass all around them (Denyer Willis 2009; Denyer Willis and Tierney 2012).

For the most part, the PCC has laid low in terms of the visibility of their violence, focusing instead increasingly on flying below the radar. As one police officer told me, it is in their security and business interests to be as ‘muted’ as possible in order to avoid public attention. This strategy has paid off in spades, allowing the organization to develop into a sophisticated organization. According to PCC documents given to me by a public security official, the organization has at least eight territorial *sintonias* –divisions- in each of the North, East, South, West and Central regions of São Paulo, as well as one

for each of the metropolitan areas surrounding the city (known as the ‘ABC’ after three major satellite cities – Santo André, São Bernardo do Campo and São Caetano do Sul), the port city Santos, as well as for two or three cities in the interior of the state. Each of these *sintonias* has up to seven sub-*sintonias* of its own that divide labor into a number of categories. These include divisions managing social assistance (*Ajudá*), balances of retail drug in/outflows (*Prazo*), activities like robberies and larger scale drug transfers (*Progresso*), a bi-monthly and mandatory raffle for houses and cars (*Rifa*), the membership register, including recordings of new members, punishments and members reincorporated after punishment (*Livro*), and lawyers (*Gravatas*). All of these *sintonias* and sub-*sintonias* are coordinated centrally with leaders in the prison system via cellphone. The use of phones is ubiquitous. A 2013 effort to block and register cell phone calls from a prison with 2000 inmates found that in a nine day span 1,513 cellphone chips were used within the prison (Ventura 2013). By this measurement it isn’t even surprising that a recent parliamentary inquiry revealed that 800 cellphones are seized per month in the prisons of São Paulo state (CPI 2009).

Even as the organization has flown under the public radar, it has occasionally caused widespread unrest. At least two major episodes of urban strife and crisis have been caused by the PCC. Both of these episodes occurred following incidents where the PCC felt its system of security was at threat and in ways that defied the otherwise normal equilibrium with the state.

In May of 2006, the PCC coordinated what is now known as the ‘Mother’s Day

Violence'. Over four days PCC affiliates assassinated more than 50 police officers, prison agents, almost all of whom were off duty at the time. They attacked police stations and banks with bombs and gunshots, and burned more than 85 buses. For 100 hours, this global mega city lay silent— a modern day ghost town. In response, vigilante death squads, which police themselves acknowledge were made up of off duty and plainclothes police, killed upwards of 492 people (Cavallaro and Dodge 2007).

Since those attacks, which were supposedly quelled by an agreement between politicians and leaders of the PCC housed at Presidente Venceslau state prison, there had been no exceptional spikes in violence. For six years, the city benefitted from a relative peace as the PCC stayed underground, attempting to not draw attention to its increasingly lucrative activities with high profile violence. Until 2012. In one evening in May, ROTA killed six PCC members while following up on an 'anonymous tip' of a meeting underway at a car wash on the east side of the city. In a matter of days, the PCC retaliated, killings upwards of twenty police in a span of weeks. The Public Security Secretary declared the killings to be unrelated to each other, dismissing the existence of the PCC while implying that it was a natural process of 'debt collection' for corrupt cops. This incident kicked off a new crisis in which the PCC, Police and off duty police engaged in retaliatory police killings and 'cleansings'. It lasted six months, leaving around 106 police dead, and hundreds of citizens -purportedly PCC members- six feet under.

Very little has actually been known about the PCC, however. Until November of 2012, at the height of the violent feud between the PCC and police, public security officials had

vehemently denied that the organization was anything but a myth. They argued that the PCC name was but a media fabrication and an enigmatic ploy to drum up readers with drama. That the PCC did not even ‘exist’ until just recently has also been a product of methodological obstacles in the academic community. Until just recently many researchers dismissed arguments about PCC governance and regulation of homicide as a ‘conspiracy theory’¹². Many of these dismissals had credence because they came from scholars inclined towards statistical analyses. Yet the PCC cannot be easily detected in body count -many researchers rely on data that obscures both the processes of killing and the production and representation of the numbers by those gatekeeping them.

As a result, knowledge about the PCC had been mostly confined to the margins of discussion on public security. Only anthropologists or scholars methodologically sensitive to the social processes of the shadows had been advancing public debate (Souza 2007; Dias 2009; Denyer Willis 2009; Biondi 2010; Feltran 2010; Telles and Hirata 2010; Feltran 2011). But by late 2012 an outburst of international coverage of the violence, from CNN to the Financial Times, had put the influence of the PCC on the map (Romero 2012; Darlington 2012; Roberto and Vituri 2012; Leahy 2012). Yet still, politicians or police does not openly discuss the PCC in public conversation. Some major media outlets will not refer to it by name, choosing to only to call it a *facção criminosa* – a criminal faction. This dissertation is likely to be the first major publication in English to discuss the organization, its pattern of governance and its broader influence on the

¹² Such dismissals of the PCC’s existence are common. One such incident occurred during a question and answer session with a well-known Brazilian academic during a public presentation at a major American university.

public security system in substantive detail.

DETECTIVES AND THE KILLING CONSENSUS IN SÃO PAULO

In this dissertation I seek to contribute to a handful of debates by showing that the empirics of policing relate a much more complex reality than is both generally presumed and evident in the literature. I seek to contribute to at least three debates. First, I aim to advance knowledge on states that are not subsumed by dominant definitions (Rotberg 2002; Koonings and Kruijt 2004; Comaroff and Comaroff 2006; Clunan and Trinkunas 2010; Müller 2010). In particular, I seek to show that there are often multiple socially legitimate ‘orders’ of killing. More specifically, I seek to illustrate how, despite the plurality and apparent antagonism between these orders, a deeper analysis reveals a number of symmetries between states with histories of social and spatial exclusion and an increasingly powerful cohort of organized crime groups that are often fuelled by the international drug trade.

Second, I seek to reorient the discussion about police reform in violent cities. By moving beyond the ‘democracy school’, I hope to bring new scholarly emphasis to the centrality of policing to the resolution of urban violence. I do not seek to promote strategies of aggression, more killing or even more police on the street. Rather, I want to suggest that police reforms should cautiously give police forces *more* power, as opposed to *less* –as many reforms advocate. These reforms should give primacy to both the diligence of investigation and to the integrity of that process being informed by evidence and not by

the moral outlook of individuals. For the structural changes occurring in places like São Paulo, we need to look to similar contexts, and not to the ideals and discourses of the North for solutions.

Third, I seek to advance a discussion about the pattern of violence in cities of the Global South that are on the receiving end of powerful forces of transformation. By engaging in a deeper analysis of the conditions under which killing occurs in São Paulo, I hope to show that the fragmentation of the regulation of death is often inescapably spatial. Histories of urbanization, political regimes and police violence all relate a connectedness of the current modularity of violence with antecedents.

The rest of the manuscript is structured as follows. In Chapter One, I engage with considerations of ethics, method and episteme. In Chapter Two, I contextualize my argument via an analysis of contemporary pressures for transformation and the local historical antecedents evident in the pattern of urbanization, state-society relations and police reform in São Paulo.

I turn to the investigation of homicides by detectives in Chapter Three. I seek to show that the logic of homicides, consistent in the ‘normal’ homicide of young men in peripheral spaces, reflects the PCC’s regulation of life and death. The arbitration of homicides by detectives reveals serves as a window to examine the PCC’s system of punishment and the scope of its control over distant parts of the city of São Paulo. In Chapter Four, I examine the logic of police killings of citizens as arbitrated and

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rationalized by homicide detectives. Here I look at how the insecurity that all police cope with, not the least of which while off the job, coincides with the formation of a deserving subject of killing –the bandido. I then reflect on the ways that these two logics are bound together with everyday forms of equilibria in Chapter Five. I show that the logics apparent in both resistências and homicides are often complementary. These points of semblance have allowed the PCC to become a regulator of death that is morally nested within the public security system. The convergence of notions of deservedness suggests that the governance of killing is in fact the product of an implicit consensus between the two logics. I then shift my focus to when that consensus is killed, and the format of violence that ensues at the scale of the city between the two dominant logics of killing.

Lastly, I begin to conclude with some reflections about the trajectory of violence in São Paulo. I revisit my decision to publish an Op-Ed in the New York Times in the midst of the PCC-police violence, and discuss the fall out of that decision in terms of policy shifts and new alignments in police practice. I conclude by suggesting some new directions for the research and advocate for an emphasis on those assumed to be powerful in cities struggling with violence.

One: Ethics, Episteme and Method

“It is forbidden to kill; therefore all murderers are punished, unless they kill in large enough numbers to have the trumpets play behind them.”

-Voltaire (1771)

When a detective named Henrique turned to me one afternoon while we stood outside the station and said “o povo brasileiro pode se foder” –*The Brazilian people can go fuck themselves*-, I found it both shocking and an apt conclusion to the situation he was in. We had just come back from a scene in which two police had been riddled with bullets. We had seen one of them dead and bleeding in the morgue, his arm shattered and grotesquely disfigured by the gunshots that hit his forearm when he had raised it to try to defend himself. The other was still alive after being shot more than ten times, and was now reclined in an emergency room bed. When the detectives had visited him he was talking to his wife on the phone and dividing up his belongings for the kids. He didn’t want them to fight over this stuff when he was gone, he had told the detective taking his statement.

With those words of frustration and metaphorical self-stimulation Henrique was expressing not only his anger at feeling hung out to dry by his fellow countrymen and women, but also his feeling of helplessness in the face of assassination. As police people were being killed left, right and center, there had been no substantive defense in the media, from politicians or in civil society for the lives of fallen police. To the contrary - He could almost certainly picture himself on that table in that morgue—with only police

Ethics, Episteme and Method

people and their families to mourn his departure. Well before his death at some unforeseen point in the future, standing on the front step of the Civil Police headquarters, it was clear that his life was already expendable.

This isn't to say that Henrique wouldn't say something so abrupt normally. He told me on different occasions that he really enjoyed beating people up, that it was a good stress reliever. But there was another side to Henrique that was more difficult to see, mostly because he didn't admit it to anyone. In fact, there wasn't much need to talk about his own history because it wasn't novel given the similarly complex backgrounds of his colleagues. Growing up, his father drank away most of the family's money on cheap swill *cachaça*, and often exploded into drunken fits of violent rage. Henrique was so poor as a kid that there was often only "rice and onions to eat". Forget paying the rent. Given the nature of urban poverty, one can imagine the kinds of conditions that Henrique grew up in. And yet, he managed. He managed to pass the public entry exams to become a police detective because he got up at 5 am every morning to watch a free public TV program about studying for those same exams, beating out tens of thousands of other people tenaciously fighting to get a low paying, unsafe, low prestige occupation, but that comes with job security and a pension –if you survive to that point.

In many ways this dissertation is a project in search of 'ethics'. The empirical world of police lays bare many of the normative presumptions that make dominant ethical positions possible. How one may judge and evaluate the behavior of police is the central thrust of this work, thorny as the issue is. And it is thorny. It shouldn't surprise anyone

that I saw police doing many things that, given my own ethical bounds, I considered deeply disturbing and, frankly, wrong. In the station I saw police kick, beat and emotionally abuse prisoners. Threats of physical and sexual violence against prisoners and to prisoners about their families were common. On one occasion, a police officer asked me “Você já viu o saco de plástico?” -*have you ever seen the plastic bag?* – referring to a form of faux-suffocation involving a plastic bag over the head used to make prisoners confess that leaves no marks or outward signs of abuse. Thankfully, I never saw anything of this severity –though it seemed at that particular moment in one case that I might. I carry with me the intimate knowledge that this kind of activity remains common as a complex and taken for granted function of policing in a profoundly violent city.

One point is crucial here. My witnessing police violence, just as I accompanied and heard many horrific stories about the killing of both the PCC members and police, does not mean that I agree with or condone violence. Much to the contrary. Whether we call this violence ‘institutionalized’, ‘everyday’, ‘symbolic’ or ‘structural’, the point is much the same: violence is an inescapable part of the contemporary social world in the city of São Paulo. I seek to acknowledge the difficult nuances of ‘why’ violence exists and is focused on certain politics, without glorifying, justifying or advocating for it.

This means setting aside certain assumptions and looking for the sense in practices that, on face, seem senseless. In *Flammable*, Auyero and Swistun (2009), make a particularly poignant statement: we rarely see ethnographic texts –larger, social science texts- in which people hesitate, make mistakes, or are plagued by contradictions; subjects who are

angry and happy, scared and courageous, violent and violated, subjects who know and don't know. In short, ethnographic subjects often come together too neatly, belying the moral complexity of deeply nuanced and contradictory social environments. And yet this is the very heart of understanding subjects mired in the victim-perpetrator 'complex'.

There should be little doubt that police detectives are all of these things. I hope to relate the ways that police are profoundly imperfect –as we all are- not because I believe they merit our sympathy or our scorn, but because they merit some of both and a lot of something else in the middle isn't easy to make sense of. There will be loose ends. Even the most exemplary of police do and say things that are harsh, shocking and undoubtedly worthy of scrutiny and oversight. But if that oversight departs from a distant moral location, it will do little good. These police are mired in a deeply unenviable position where they are distrusted by most, hated by many, and wished dead by some. The things that they say and do cannot be separated from their uniquely paradoxical social position as people entrusted to keep society safe, even as they themselves struggle to defend themselves from society.

But as John Van Maanen once put simply to me in a conversation, individuals are not the point of this research or of my analysis. My research seeks to look beyond the violence manifested by individuals to find the deeper forms of legitimation and justification of its 'necessity'. Though the choice to use violence or not is still in the hands of individual police, the chance that a police officer would never use violence are very limited given his (and much less often, her) circumstances. A system in which a copious amount of

violent death occurs on a daily basis, as wielded both by those in public positions and by an organized crime group that has come to represent a public, demands an analysis that is attentive to the normative boundaries of such a context. As I will discuss in depth in the coming chapters there are circumstances in which violence comes to police in their homes and they are virtually forced to kill, or, if not, be killed.

This research will doubtless raise questions about how incongruous the conditions of policing in places like Brazil are vis-à-vis what we know they are (and what we think they should be) from the vast body of research on police to date. In examining not the forms or incidents of violence, but the conditions and rationales for it, I am questioning both the inequity of security in the contemporary world, but also the exportation of ideas and normative positions that are embedded in the powerful (and secure) side of that inequity. I seek to find a more apt and just path towards a more 'public' security that acknowledges the violent manifestations of the struggle for security of those that have none. Rather than locating police as 'corrupt' and members of organized crime as 'evil', I seek to unearth some answers about what induces the violence of both groups.

DEPTH OF FIELD

This dissertation is the product of more than 15 years of intellectual discovery and analysis in Brazil. This all began in 1997, when as a teenage exchange student I arrived in small town Brazil with no knowledge of Portuguese, and little more attentiveness to the country than what their *futebol* skills had told the world (once again, I might add) in the

recent World Cup. Over more than a decade, I struggled to think through how the nuances and paradoxes of Brazilian social relations -who is welcome, who is not and why- collided with the joviality and nation-building of carnival and championship *futebol*. They seemed to be contrasting mechanisms of exclusion and belonging. In my memories and confusions from living in Brazil in 1997 are seeds of this current research, posed as questions: Why was the Civil Police officer among the least popular of the men in the service club that hosted me? Who were “the guys” –“eles”- that once put a friend in the hospital, deciding as he left the country club while dawn was breaking, that he deserved to be beaten to a pulp? Were they the same guys –eles, again- that people spoke about who used to wait outside the local social club to assault young people as they left - before they were “cleaned up” by the police in the early 90’s? Why were the prisoners in the local jail, which was just down the street from where I lived with a host family, always sitting on top of the walls? How come one of the most popular guys in the Brazilian high school crew that I hung out with managed to get away without punishment, when as an under-aged driver he struck and killed a man on a motorcycle?

At first I set out to understand how people were getting by in the face of violence. I sought to study the urban poor and the ways that violence shaped how urban dwellers were relating to each other in the city. This led me to the unmistakable influence of the PCC in São Paulo. A friend who worked in a community on the urban periphery had told me about this mysterious organization that was reshaping the community in profound ways –allowing business owners to get by without being held up daily, letting people walk down the street at any time of the day or night, and, most importantly, keeping

people from dying violently. Not that they weren't terrifying to deal with. Fresh from the PCC's attacks on police in May of 2006, rumors swirled about bloodthirsty PCC members decapitating people and torturing those believed to have ratted them out (*caguetou*) to police (Holston 2008). True or not, it didn't much matter, to me or to the people living in the community. That research became the basis for my 2007 master's thesis. And yet I was left with many larger questions. How did the PCC and police co-exist? Why was the state so apparently disinterested in investigating and 'solving' organized crime? Why were police so 'corrupt'? I decided to shift my tack away from understanding the PCC, towards interrogating a different kind of normative system –that of the state.

The epistemological heart of this dissertation is the ethnographic fieldwork I carried out alongside police detectives in the city of São Paulo over three years, from 2009-2012. I make my claims to knowledge based on countless hours of watching, conversing, listening and thinking alongside police. I was alongside them as they listened to classical music while writing a report about a double murder, while five of them stood in a circle and stared at a bloodied and dead colleague lying on the mortician's cold granite slab, as they told mothers that their sons had been killed by the police officer(s) that just walked by and as they, more than once, watched videos of transvestites –purportedly Argentine-having sex. This manuscript is as much about trying to put together these kinds of varied and apparently paradoxical happenings of the everyday of police life, as it is an attempt to study and make sense of how these dissimilar practices of the state coalesce into an identifiable source of power in the city.

My fieldwork with homicide detectives seeks to interrogate the empirical lack of subordination to the state that exists in the city of São Paulo. Homicide police, we often presume, are the core of state legitimacy and integrity, charged with overseeing and controlling the most destabilizing form of violence: killing. After months of accompanying police detectives in neighborhood precincts, I began researching the work of detectives of the *Departamento de Homicídios e Proteção a Pessoa* (DHPP). At first this arrangement was informal. Police put me in touch with their colleagues in DHPP, and I began spending time with them as they attended to case files, spoke with witnesses and their families and took statements from suspects. I spent many hours just reading files about recent murders to gain an understanding of the typical trajectory of a case from body on the street to defendant before the jury. I followed the ways that detectives collect evidence, send out notices for people to come and give statements, communicate with prosecutors and judges to obtain authorization for a search and seizure (*busca e apreensão*), and, if all goes right, eventually make an arrest. This was, in part, an effort to understand the formal and bureaucratic channels of legality that constitute the word of law.

Early in 2012, I was prompted by some police to make my research stay within the police formal, and to have it authorized by the chief of the Civil Police. I wrote a letter, had it cosigned by my advisor and sent it via the official channels. My project was approved in remarkably short order, less than two weeks after I submitted a request. As to why I was allowed to conduct this research in such a revelatory location –whether to ‘tell their side

of the story’, because not many people had even asked, or because it was simply the right time and the right place, I was never know. But this formality gave my research a new kind of legitimacy among police, who for the most part accepted my presence alongside them, evolving as trust does over the months ahead. I spent most of my time between the two branches of DHPP, one which goes to the scene, makes initial inferences, arresting suspects as necessary, and writes the first report, and, the other, which receives this initial report as moves into secondary investigation.

Over the course of the research I found many supporters for my research. In many cases, I was pleasantly surprised to find that within this reviled institution were many sensible individuals of the type that, all things considered, I found smart, amicable and genuinely interested in improving public security *for all*. There were, as in any place where people are trained to be leery, many police that showed they were suspicious about my presence –at least a first. Looking back, I can see how a few detectives that I was first placed with tried to control the message. It didn’t take too much to see past claims like “we have a resolution rate of 78% in São Paulo state.”

Most of these detectives warmed up to me. Readers are right to notice that there are few people in particular –Beto, for example- that opened themselves more fully. I don’t think they did this because they sought attention or tried to influence my outlook. Some did talk about feeling like their story wasn’t being properly told, and that, instead, it was routinely talked about in terms of corruption and human rights abuses. As an outsider less constrained by formal and informal rules of disclosure, they hoped that I might have

something 'better' to tell the outside world. Others were curious, wanting to know all about police in Canada, like the conditions and pay of police there. *Did police get overtime? What about those red uniforms and the horses? I heard it is true that in Texas, anyone who kills a police officer is given the death penalty. That's true, right?*

Over three years I spent around 1,450 hours -the equivalent of roughly 121 twelve hour shifts- accompanying detectives. I did this in chunks. For the first couple of years, between semesters at MIT, I visited stations and spent a total of about five months accompanying police. In 2011-12, I did this for more than a year. There were some weeks where I spent upwards of 60 hours with police. Other times because of travel I would be away for two or three weeks at a time. This fieldwork was primarily arranged around the two shifts that run from eight to eight, morning to night and night to morning. I stayed on shifts for between four and eighteen hours, depending on the circumstances and the course of events. Sometimes there was so much going on that nearly a whole day would pass before I knew it. Other times, I would follow police out the door as they left early to go home, knowing that those busy days would more than even things out. On other occasions these night shifts would uneventful, and police would retire to the bunks in the change room to sleep a little. Once, as everyone else slept I watched one of my committee members being interviewed on national television about violence in Brazil. Generally, things were so busy that I regularly stayed overnight, leaving sometime after the subway station opened after five in the morning.

My focus during these hours was three-fold: Listen and watch police as they undertook their routine tasks, to have conversations with police about current events and their understanding about things that had happened in the station, and, lastly, to observe how detectives formulate decisions about right and wrong, given the prominence of violence and the influence of powerful groups exerting pressure on them. For the most part, I wrote my fieldnotes only after being at the station. In the early days of my research I found that writing openly drew a great deal of attention from police, who themselves are trained to take note –literally and metaphorically- on others. They generally do not respond well to the idea that they are being observed, much less that their every move is scrutinized. It wasn't always possible to leave my writing until the end, however. When something really important happened or if there was an important conversation or quote, I would try to write down the words immediately after by walking away discretely or going to the bathroom. This clearly affects how I am able to relate my evidence, whether in narrative form, in quotes or as recalled from my fieldnotes. When I use quotes, they are the best representation of what the exact words that were said.

For parts of the research I lived in São Paulo, but much of the time I lived in a favela in Rio de Janeiro with my anthropologist wife and daughter and commuted for weekly trips. This often meant going straight from a graveyard shift in São Paulo to the bus station for the six hour ride Northwest to Brazil's other big city. In the midst of the crisis period we moved to São Paulo. This was a nervous time when police were being killed almost every night –or at least it seemed as much. The place we rented was within walking distance of the station, on the other side of a raised overpass and on the way through a local

transvestite sex worker stroll. I recall being quite nervous about being seen entering and exiting the station –and police also mentioned that I should be cautious- for fear of being ‘mistaken’ as a police officer. Of course, during the 2006 attacks the exact room at the entry to the station where I was most of the time had been bombed, albeit without casualties. So there wasn’t much certainty that being in the station was necessarily safer. Things were a bit different now, though, at least because security and speed cameras covered every millimeter of the block.

My anxiety during this time was also fed by my being placed in the middle of a case involving some suspicious ROTA activity. As I relate in Chapter Four when a detective used my name, national foreigner ID (*Registro Nacional de Estrangeiros*) and home address, as a counterbalance to ROTA claims about a PCC member, I found myself in the middle of this all. It wasn’t much piece of mind that I was found to be good leverage against a police force whose main currency is, frankly, killing. When I told her after coming home very early one morning, my wife wasn’t too impressed that this had happened *and* that they had the address of the place where we sat at that moment. Thankfully, nothing came to pass.

Readers will also notice that I make a number of claims about how the PCC functions as an organization, and as a mechanism of security and governance. I make these claims based on two forms of data. First, building on my Master’s research, I undertook interviews with a number of individuals living in areas controlled by the PCC in 2006. During this time, and on additional visits to the same community in 2011, I went on long

walks through the community while accompanying individuals whose public service job required them to do home visits every day. During this time I also interviewed a PCC member whose son was a high ranking leader known as a *piloto*. In those days, immediately following the attacks, there was still very little knowledge –social science or otherwise- about who and what the PCC was, how it was organized or what its local influence on communities was. This work was not as ethnographic as it could have been, partly because I was terrified with every bit more that I learned about what the PCC was all about, and there was no knowledge about how they would receive researchers. That research would be the basis for my 2009 chapter in Gareth Jones and Dennis Rodger’s edited volume *Youth Violence in Latin America*.

Second, as I describe in depth in Chapter Three, contacts in the public security system provided me with hundreds of original documents seized from thumb drives of PCC members. These documents included spreadsheets with weekly breakdowns of marijuana, crack cocaine and freebase cocaine sale by area code, membership lists containing everything from names, PCC membership number and position(s) held in the organization, to the names of god fathers, drug debts by individuals, and lists of those killed by the organization and police. My previous and current research made many of the documents intelligible, both in terms of understanding the use of language, the organizational hierarchy and the economy of the drug trade. It is from these two sources of knowledge, that I make my claims about the structures of PCC authority and moral governance.

This research might not have been possible for someone without my particular gender, racial and foreign background. Though there are many women in the Civil Police, it is an overwhelmingly masculine institution. Women working in the institution are often forced into either proto-masculinities or into clichéd feminisms. Not only that, they are often shielded from sexual and violent excesses by their male colleagues. And, though the Civil Police is more diverse than ever, particularly in terms of race, religion and even sexual orientation, it remains favorable to those deemed socially dominant in society – heterosexual and light-skinned males. As a foreigner, I do not carry with me the same awareness of the violence of the dictatorship years. Real or perceived, the Civil Police have been a very contentious institution. Detectives are trained, formally and informally, to be suspicious, untrusting and round-a-bout inquisitors of people. They are often bothered when they cannot locate and make sense of someone. At least twice I was accused, half jokingly, of being a spy –though it was never clear for whom. As a foreigner I was sometimes a curiosity and a novelty. Questions about polar bears, Niagara Falls and cold weather abounded. Once, a police officer told a prisoner that I was a Canadian, and that I was here to take the bandidos back to feed them to the polar bears. My presence doubtless fed into a powerful discourse of modernity at play in Brazil – a discourse that often positions that (and who) which comes from the “*primeiro mundo*” as ‘better’. This likely had some bearing on how I was able to get access, develop trust and to move past many of the troublesome images and insularity of these police. As such, I have also chosen to write much of the text using the first person. I do both as a recognition of my position within the research, as well as a form of relating my findings in tune with the impressionistic mode of telling (Van Maanen 1988).

THE DECEPTIVE WINK

If there ever was an institution in which Geertz' wink analogy was apt, it is with Brazilian police (Geertz 1973). This true in part because ethnography is a way of knowing that values precise and contextual details upon which the significance of an eye closing in one way or another can be divined. But it is also about an institution –a whole system, however individualistic, of public security in fact- that wants no one but those who it define as legitimate to understand the significance of its winks. Not only are police part of a sub-culture with their own norms of interaction, they are a subculture bent on being secretive and, in the Brazilian case, on being deceptive. There are, in other words, at least two kinds of winks. These are also an example of Goffman's dramaturgical interpretation (1959) playing out at an organizational scale. It evokes two kinds of performance, that of a "front stage" intended for outside consumption – in this case nodding at the powerful and globalized discourses of the day¹³- and a backstage of routine practices not acutely visible to (and often withheld from) outsiders.

The deceptive wink intends to shield police from outside scrutiny. As I and other researchers were busy looking at police with lenses of accountability, human rights, and democracy, they were winking back –creating human rights training, forming community participation councils, and graduating press officers savvy in the language and idioms of

¹³ This wink is outward facing and deftly coordinated. Examples abound, especially in public presentations by press officers and high level leaders. For an example: http://www.polmil.sp.gov.br/paginas_pm/mnu_institucional/downloads/SmarterCities_10-11-11_v3.pdf

rights and democracy. Too often, researchers have fallen for the ploy. On the outside, police institutions were trying to depict an image of calm and gradual reform, complete with impressive rhetoric, brick and mortar community policing stations with fresh paint and new signs, and meetings between citizens and their police, where police could be held to account.

Yet lost in the allure of that wink is the rich contextual detail of everyday policing. For all of the discussion in the literature about what has been wrong with police in places like Latin America, fewer and fewer novel answers have been forthcoming. Most of the new ideas about police have come from groups on the outside looking in. What has been glaringly missing is knowledge about the ways that police in Brazil and other countries struggling with violence wink at each other, and what that symbolizes in terms of norms and practices –something that can only really be discerned by watching, conversing, thinking and listening to it over and over and over again.

My use of a bulletproof vest is some indication of where I fit in alongside police. Police themselves don't much wear them, except in situations where there is acute reason. So, mostly, I was given a borrowed vest. But wearing it in or around the station wasn't encouraged. Some detectives worried that it would draw attention and questions as to who I was –better to keep it marginally hidden but still useful. They asked that I use it when we were out and about going to scenes. But I once got heartily laughed at when we visited a police officer's wife's restaurant and I stepped out of the car with it on. There was no question that police knew that if something happened to me on their watch they

would be screwed. It didn't matter whether authorization for me to do what I did came from the top. They knew the cold reality of scapegoatism in a reactionary organization. But at the same time, they didn't want me to be unlike them and to stick out like a sore thumb. As it is more generally for police, it was better to keep a low profile, fly below the radar and *just get by*.

My dissertation is more or less that: an attempt, via ethnography, to understand how the practice(s) of policing, seen from behind its opaque and deflectory veneers, relates a certain configuration of power in the city. I have sought to apply my years of experience in Brazil to leverage access into a subcultural realm to see the city and its violence from the perspective of those mandated (expected, in fact) to make it safer. It is an effort to better understand how power is produced through the habitual, routine and repetitive -the 'everyday'- of police at the bottom of the public security pyramid (Scheper-Hughes 1992). I am interested in how these 'street level bureaucrats' as Lipsky (1980) calls them, denote a threshold between the state, complete with its mechanisms of authority, and society, which is, at least in theory, subordinated to it.

TWO: Urbanization, Democracy and Getting By

The urban challenges and violence that have come to pass in many cities of the Global South over the last three decades are often explained in terms of two distinct but not inseparable forces of structural transformation: democracy and neoliberalism. These two forces of change serve as powerful conceptual backdrops for making sense of ‘new’ and pressing empirical phenomena that have emerged in a period when the relationships between states and citizens are being dramatically reshaped (Davis and Denyer Willis 2012). Often lost beneath the focus of these two analytical lenses of violence is a third no less important factor: history. In other words, I seek to add an analysis of how the historical trajectories of cities alter and constrain the ways that democracy and neoliberalism unfold, particularly vis-à-vis violence. In this chapter then, I use a historical lens to examine so-called neoliberal and democratic urban conditions of violence in São Paulo. I demonstrate how democratic transformations have brought the inequities in São Paulo’s space and state-society relations to the fore and have contributed to the breakdown of public security and the fracturing of control over life and death in São Paulo. Historical patterns of governance and urbanization are physically inscribed on the spatial form of the city. Not only that, those spaces are themselves indicative of historical patterns of inequitable state-society relations. Neither democracy nor neoliberalism alone –nor both combined- can be used as a defining explanation for the emergence of the sources and logics of violence seen in São Paulo today. A greater emphasis is needed on two historical factors –the pattern of urbanization in the city and the political position of the police.

Debates about urban violence are crowded with democratic and neoliberal interpretations. For those scholars emphasizing the importance of democracy, the focus has often (if implicitly) been on what has *not* changed vis-a-vis expectations for the way political systems should work in 'third wave' democracies (Huntington 1991; Caldeira 2000; Ungar 2002; Chevigny 2003; Hagopian and Manwaring 2005; Scheper-Hughes 2006). Efforts to make sense of democratic shortcomings often hinge on the idea that fragile, failing or nascent democratic institutions of newly (re)democratizing countries have struggled mightily to overcome and reform the inequitable, enduring and historically-rooted patterns of clientelistic and concentrated power (Zaverucha 2000; Caldeira and Holston 1999; Gay 1990a; Gay 1990b).

This is particularly true when it comes to democracy's 'incompleteness' and discussions of urban violence (Arias and Goldstein 2010). In terms of the ever greater prominence of violence, a great deal of emphasis has been put on the 'un'rule of law and the failure of basic legal measures. The inability or unwillingness of states to assure that law is "fairly applied" (O'Donnell 2004: 33), and thus failing to guarantee citizenship and other civil rights across a more or less equitable plane has led to an outpouring of so-called 'rule of law reforms' (Mendez, O'Donnell and Pinheiro 1999; Trubek 2006; Tulchin and Rutherford 2006). Indeed, the absence of rights that is made so obvious by police killings of citizens, of rampant urban homicide rates, and out of control economic crime, has led many scholars to push for democratic and rights-based reforms that envision rights and

public accountability as a stepping stone towards a consolidated and *democratic* rule of law (O'Donnell 2004).

Put differently, what many scholars see in urban violence is the frailty of democracy and the intransigence of past forms of undemocratic governance. Politicians are seen to be deeply clientelistic and engaged in unholy deals with elites and drug trafficking groups, often securing votes in exchange for piecemeal benefits and spin-offs (Arias 2004; Arias 2006; Gay 1994). Even under a this new democracy the urban poor must continue to make do in spite of public policies that blatantly benefit the powerful over the relatively powerless, just as in decades past (Buds and Teixeira 2005; Kingston and Power 2008). For their part, police in the Global South continue to be violent, relying on practices of repression that harken to the way things were done during authoritarian government. Torture, extortion and police killings continue seemingly unabated, while prisons have become spaces where rights are systemically violated as they overflow their capacity (Pinheiro 1997). Democratic citizenship, it seems, is a far-fetched ideal that history refuses to cede (Mitchell and Wood 1999).

In the other camp, many scholars have positioned the violence of cities as an unintended outcome of neoliberal structural adjustments, such as the streamlining of economic flows and the decentralization of state services to increase their 'client' efficiency (Rudra 2002; Portes and Hoffman 2003; Comaroff and Comaroff 2006; Wacquant 2008; Kurtz and Brooks 2008). All of these are indicative of a global deepening of capitalist rationales and a related emphasis on accumulation and deregulation. Neoliberalism is often understood,

then, as *an ideological perspective and a practice, in which human well-being is understood to be best assured by liberating individual entrepreneurial freedoms and skills* (Harvey 2003; Auyero 2009; Harvey in Thomas, O'Neill and Offit 2011).

Research in cities of the Global South has overwhelmingly demonstrated the ways that this ideology and practice of removing social safety nets, slimming public programs to free up state efficiencies, and enticing global investment at the expense of local industry have cut particularly sharply in the wellbeing of the urban poor (Auyero 2000; Davis 2004; Davis 2006; Ferguson 2005; Roberts 2005; Crankshaw 2008). From new free trade agreements that privilege corporations over citizens and the privatization of public services, including health care and urban transportation, many scholars argue that neoliberal reforms have dramatically altered the way states relate to their citizens. The consequences of market-oriented reform are particularly deep, some say, for public security and cities (Comaroff and Comaroff 2006; Lewis and Thomas 2011; Springer 2010; Davis 2012).

In academic debates, the outbreak of violence and insecurity is often understood as a two-fold manifestation of neoliberal transformation. It is both symptom and solution. It is at once a reaction to the withdrawal of a more tightly controlled security system shocked by drastic and decidedly un-participatory policies that often led to a great deal of deprivation (Koonings and Kruijt 1999). At the same time, however, some have argued that neoliberalism is also manifested in the forms and patterns of violence that emerge, many of which reflect neo-liberal rationales in their 'innovative and entrepreneurial' trappings

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(Volkov 2002). The forms of violence that we see emerging, they argue, are appropriating these neoliberal reforms and recommissioning their substance, with “...parallel modes of production and profiteering, sometimes even of governance and taxation (Comaroff and Comaroff 2006: 5)”. Self-help justice, private security and community patrols are commonly cited examples of security solutions that seek order in spite of the state (Taussig 2003; Goldstein 2005; Godoy 2006; Pine 2008; Davis 2009). This has also been true of the ways that the wealthy seek to distance themselves from real or perceived sources of violence and crime via built spatial barriers like walls and gating or the ‘disembedding’ of cities (Rodgers 2004; Lemanski 2004; Libertun de Duren 2009). But how neoliberal influences have structured violence and the responses to it in São Paulo is a point of some debate, as I will explore.

TRANSFORMATION AND SECURITY

São Paulo’s urban violence became possible because of a set of particularly urban conditions woven together by both democratic and neoliberal transformations that saw state power rolled back dramatically. As Davis (2006) argues, democracy itself has played a central role in undermining the rule of law in Latin American cities. In São Paulo this is indeed the case. Democratic reforms of policing that sought to repeal state power - power that had been tightly centralized in a national security state— actually eroded the capacity of the public security system. In the absence of authority and a practical ability to control violence and to ensure (or rebuild) a rule of law, violence emerged at a large scale.

Through the 1980s and early 1990s, the Brazilian state was in retreat thanks to neoliberal influences (Melo 1995). Yet for the pervasiveness of neoliberal adjustments, the sources of violence in São Paulo are too slippery to contain conceptually within neoliberal tropes. While violence has been made possible by the prominence of neo-liberal logics that have seen non-state security solutions proliferate, many of the responses to violence defy neoliberal classification due to their collective nature, their security-formative actions and their relative lack of prominent economic rationale. In other words, those that appear to recommission or ‘appropriate’ neo-liberalism with their violence, such as the PCC, do so only deceptively. While they exist in a neoliberal moment, they are not necessarily neoliberal in logic. Indeed, it is alluring to confound people’s everyday strategies with ‘entrepreneurship’ and ‘innovation’.

The differentiating factor is that many of the organized modes of urban violence are formative of security. Rudimentary forms of taxation, such as the membership fees of the PCC, should not be construed as revenue streams for capital accumulation. Rather, they are a coercive means of maintaining the legitimacy of an organization that need assert control over a disparate membership spanning an expansive territory – the prison-urban periphery nexus. ‘Taxation’ and security are locked in a circular relationship, that subsequently allow for the exploitation of other economies as a means to expand influence. In other words, prominent logics of violence like the PCC can only be understood via a ‘neoliberal’ model of explanation if we define neoliberalism as anything that exists in the absence of the state, and ignore the economic rationale for neoliberal

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modes of organization. This is true because for the PCC, self-preservation and other moral modes of governance supersede economic rationales. Indeed, part of what my research demonstrates is that the PCC is much more likely to use violence to defend its system of security, rather than to defend its economy. The moments when we see violent crises emerge in São Paulo between the state and the PCC are moments when the system of security upheld by the PCC is perceived to be under attack, rather than when their economic systems – such as drug trade revenue – are under attack. This security logic does not fit within typical neoliberal lines – an economic agenda, and with the so-called benefits of freedom, individuality, or free-market ideology. While it is a form of self-help, what I will demonstrate is that self-help organization in São Paulo emerges not from neoliberal rationale, but instead emerges from historical patterns of marginality, both spatial and political, aggravated by prolonged insecurity. While neoliberalism has more recently shaped some of the forms in which marginality exists today, neoliberalism in São Paulo cannot be understood independently of the history of the city.

Indeed, often lost in the noisy democracy-neoliberalism debate is another integral (and indeed structural) component that shapes both the violence and the patterns of democratic and neoliberal restructuring: historical trajectories. Here then, I examine two key historical factors that are vital to consider: the patterns of urbanization and the political position of police.

First, the witch's brew of democratic reform and deepening neo-liberalism was aggravated by a much deeper characteristic of Brazilian society – structural inequalities

built directly into the layout and pattern of urban state-society relations. Not only was the state in retreat, but the first spaces it left behind, especially in terms of public security, were those that had long histories of getting by on the margins of the state anyways –the so-called ‘brown areas’ (O’Donnell 1993). In the absence of regulation, services and other public benefits, residents of the urban periphery had historically made do in ways that mirrored neoliberal rules of the game much before neoliberalism became the name of the game. But in the late 1980’s and 1990’s, with a state in desperate withdrawal, historically marginalized places like Jardim Ângela became the focal point for a new battle for security and order.

Second, police have been at the heart of a long, tempestuous and bloody history of violence spanning slavery and political dictatorships (Holloway 1993). During these periods of acutely centralized power and repression, police agencies have often been the sharp edge of the government knife. On behalf of their political handlers, they have carried out untold violence and have become a focal point of disdain in the historical and collective memory of citizens. Not only that, police have often found informal ways to attempt to assert ‘justice’, as is well seen in the increasing traction of extermination groups operating in spaces of the urban periphery.

POLICE: COUNTER SUBVERSIVES AND...DEMOCRATIC CONTEMPORARIES?

In 1964, following years of peasant uprisings, student protests and labor unrest, the Brazilian Military deposed elected President Joao Goulart. In the face of the communist threat then prominent in Cuba, the Military sought to make the country a “bulwark of Western Christian Civilization”, protected from grassroots revolution from an increasingly dissatisfied rural and urban poor (Serbin 1998: 5). In a few short years, and through a series of executive decrees, a national security law, and other laws, the Military centralized power and brought all local police forces under their control (Huggins 2000). This U.S. backed military dictatorship was fueled not only by a powerful (and globalized) anti-communist discourse. It also benefitted from CIA training and resources from IBM (Huggins 2003, Huggins 1998). And if any state agency was particularly central to the repressive politics of the time, it was police.

Brazil’s federal dictatorship assumed a heavy-handed and deeply inquisitorial type of McCarthyism based on ferreting out and arresting alleged subversives (Serbin 1998). Much of the focus was on obtaining information. Police –and especially the Civil Police– relied heavily on torture as a means of obtaining intelligence about subversive networks, the identities of dissidents, their political objectives and their violence tactics. Over the course of the dictatorship some 50,000 people would be arrested, thousands would be tortured and hundreds killed. Torture was so widespread that it was difficult to not meet a Brazilian who had not come into direct or indirect contact with a torture victim or a political target (Huggins 2000).

In order to sustain counter-subversive intelligence operations, the Federal government centralized power by sequestering law enforcement bodies across all jurisdictions. The approach to centralization was two fold, but complementary. Some agencies were simply brought under a new umbrella of federal-local cooperation where each played decisive roles in intelligence sharing, operations planning and anti-subversive strategies. The Civil Police became information peddlers, counter-subversive intelligence specialists and secret agents burrowing into the student and labor movements (Huggins, Haritos-Fatouros and Zimbardo 2002). The Civil Police's own agencies for political repression, such as the *Departamento de Ordem Política e Social* (DOPS) –Department of Political and Social Order- were drawn into the national apparatus and became important sources of intelligence and information (Huggins 2000).

Other police agencies saw dramatic new political alignments and reformatted institutional controls. In 1969, the Federal government transformed the patrolling police forces into Military Police, making them state-level reserves of the increasingly powerful federal military. Still officially subordinated to state governors, the Military police became responsible for searching out ideological insurgents and political dissidents. Both of these police agencies – military and civil – were coordinated through new federal-state strategic units known each as *Destacamento de Operações/ Centro de Operações de Defesa Interna* (DOI/CODI). Each unit had its own specialized divisions, including a 'hunt and capture' group, a planning team, an information team, and a team for 'elimination' of subversives (Huggins 1998; Huggins 2000).

The DOI/CODI units, as well as DOPS of the Civil Police, became especially central to repressive dictatorship policing. A series of high profile assassinations carried out by these agencies, such as that of the journalist Vladimir Herzog in 1975 and of a student named Alexandre Vannuchi Leme in 1973, cemented public opinion about police agencies as vital to dictatorship control (Serbin 1998). Later, as the Military government decided to loosen its grip on power and to open up the political system, the DOI/CODI and DOPS police agencies became the focus of profound revelations about the scope and type of torture practiced and the forms, and numbers, of assassinations carried out in the name of political order (Arns 1985).

In the late 1960's São Paulo began to witness parallel forms of so-called 'justice'. Extermination groups known as *esquadrões de morte* (literally, 'death squads') shadowed the work of formal political police agencies. These groups, which were made up of off duty police, also believed themselves to be fighters of common (as opposed to political) crime. In fact, early extermination groups were made up primarily of off-duty Civil Police, headed up by a man who would later become the head *delegado* of DOPS, Sérgio Paranhos Fleury. It was this same extermination group that would eventually find and kill the federal government's most wanted political dissident of the time, a man named Carlos Marighella (Manso 2013).

Tragically or not, the imagery of the death squad became a point of fascination for many. On the margins of formal policing and criminals, these vigilantes (*justiceiros*) became celebrated figures for their supposed effectiveness in defense of 'good'. In 2005, one well

known *justiceiro* and self-claimed leader of the “real” death squad in the late 1960’s and early 1970’s published a memoir (Correa 2005). Known as *Correinha*, Astorige Corrêa was a Civil Police investigator who was among the first to dedicate his life to tracking down *bandidos* and killing or arresting them on his own time. He was arrested and tried for 97 homicides in 1972. Before that, he was a high profile figure that repeatedly made front-page headlines for hunting down well known fugitives. Since then, extermination groups have held a divisive position in society, supported by those who expect police to kill those perceived to make them feel insecure and vociferously denounced by those who oppose police violence.

Even as *justiceiros* like *Correinha* were arrested and sent to prison, others sprang up. Military Police and other associated former police-types increasingly became involved¹⁴. Homicides as problem solving – the killing of supposed *bandidos* by off duty police- became increasingly considered as a crime fighting and social control mechanism (Manso 2013).

In the early 1980’s, the military government began to acquiesce to political reforms and democratic elections. In the lead up to local elections in 1985 a number of institutional

¹⁴ Some suggest that the more current iterations of death squads, outside of times of crisis, are made up of former police who were fired for transgressions or who are retired. Some other examples, such as of a former Military Police officer known as “Cabo Bruno”, have become common knowledge and indeed, points of mysticism. Cabo Bruno was believed to have killed more than 50 supposed *bandidos* in the early 1980s. Tried sentenced to 113 years in prison he was released in 2012 after serving 27 years in prison. Thirty-five days later he was assassinated outside his home. Reports from both the Federal Intelligence Agency (Agencia Brasileira de Inteligencia -ABIN) and the Civil Police suggested that the killing had been ordered by the PCC (SBT 2013; Agencia Estado 2012).

changes were made to dictatorship police agencies. Post-dictatorship and democratic reforms of police sought to dismantle the intelligence and security apparatus of the national security state. In particular, reforms focused on pulling apart the collaborations between federal and state police institutions where power and counter-subversive operations were most tightly concentrated. In 1983, the DOPS unit in São Paulo was extinguished, leading to the creation of a new unit focusing on organized crime known as the *Departamento de Investigações sobre Crime Organizado* (DEIC). DEIC became responsible for investigating the types of crimes, such as bank robberies, that had often sustained political dissidents during the dictatorship.

For their part, the DOI/CODI units that had been hubs for centralized strategy and resources for coordinating local and federal law enforcement were eliminated, and the local and federal agencies returned to their respective jurisdictions. The Military Police of São Paulo receded into a role as reserve of the federal military –rarely drawn upon, but nonetheless formally subordinated to the federal government¹⁵. The Homicide and Protection of the Individual Department (*Departamento de Homicídios e de Proteção à Pessoa*), where my research is based, is also a product of reform from this same period. In 1986, it became a specialized unit of its own, mandated to focus on homicides in a period when crime was rapidly increasing.

¹⁵ This is a major and ongoing political consideration for those who doubt the possibility and capacity of the Federal government to carry out another coup d'état. More importantly though, it underscores the fragility of current debates about police reform and the need to 'demilitarize' the police in order to make them more accountable and less violent.

Though there were many aspects being changed, there were many that were staying the same. Some argue that the violence of the police has become much worse (Pinheiro 1997). Despite reforms, police agencies continued to be seen as relics of the dictatorship believed to be practicing the same sorts of violent activities as though reforms had not taken place (Caldeira and Holston 1999). And indeed they did. Ethnographic research carried out with the Civil Police at the end of the dictatorship and soon after in Rio de Janeiro and São Paulo found many of the same practices continued, unhindered, particularly within the Civil Police (Kant de Lima 1985; Mingardi 1992). Police continued to torture and extort with impunity, both as a functional means of holding prisoners to account, but also as a way to cover up ever gaping holes in police capacity and lack of resources (Mingardi 1992). Not only that, those holes and ever-apparent institutional weaknesses of the 1990's further embedded the informal modes of justice of extermination squads and the 'instant solutions' of on-duty police. Infamous extermination squads like the *Pés de Pato* of Jardim Ângela became routine and increasingly territorial and local actors. On-duty police began to kill much more often as growing feelings of insecurity allowed them to conjure up an imagined landscape of bandidos running roughshod as a justification (Barcellos 1992).

New struggles with *organized* bandidos, like the PCC – also made possible because of a retreating state - presents a new and inescapable challenge for these same police.

Historical legacies of policing, and the continued violence of police, has ensured that the Military and Civil police remain exceptionally contentious and divisive actors, even as the dictatorship of thirty years ago becomes ever more distant. Not only that, historical

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patterns of policing continue to underpin the forms, justifications and also perceptions of who police are and what they can and should do, especially as democratic and neoliberal forces have become more and more apparent. The forms of violence that exist in São Paulo, such as extermination squads made up of off-duty police, and the moral regime of the PCC, are not without their own deep historical and political logics.

URBANIZATION AND THE SPACES OF A WALL

But these sources of violence are also emergent from another historical pattern, the social and physical construction of urban space. The violence of São Paulo is reflected in urban space and the patterns of human settlement and state-society relations that undergird it. Among scholars, there is substantively little debate about the spaces of segregation, inequality and violence found in the urban form of São Paulo. For the most part, scholars understand São Paulo as having urbanized according to a more or less clear socio-spatial pattern. This is defined by a ‘center’, of and for the rich, that has been the dominant focus of urban planners, but which came at the expense of a ‘periphery’, of and for the poor, where regulation, zoning and urban services were almost non-existent (Ribeiro and Lago 1995; Rolnik 2000; Adorno 2002; Cardia and Schiffer 2002; Hughes 2004; Holston 2008). Notwithstanding the obvious socio-economic heterogeneity and porousness of these spaces, the center and the periphery they remain the vital social and spatial identifiers for urban residents (Torres et al. 2003; Arantes 1996). Yet the center and the periphery are as inseparable as they are distinct. These two spaces and the forms of social relations that they reflect are mutually constitutive, united in an inseparable but deeply

divisive relationship between realms of (in)formality, (in)security and (il)legality (Rolnik 1999; Telles and Hirata 2007).

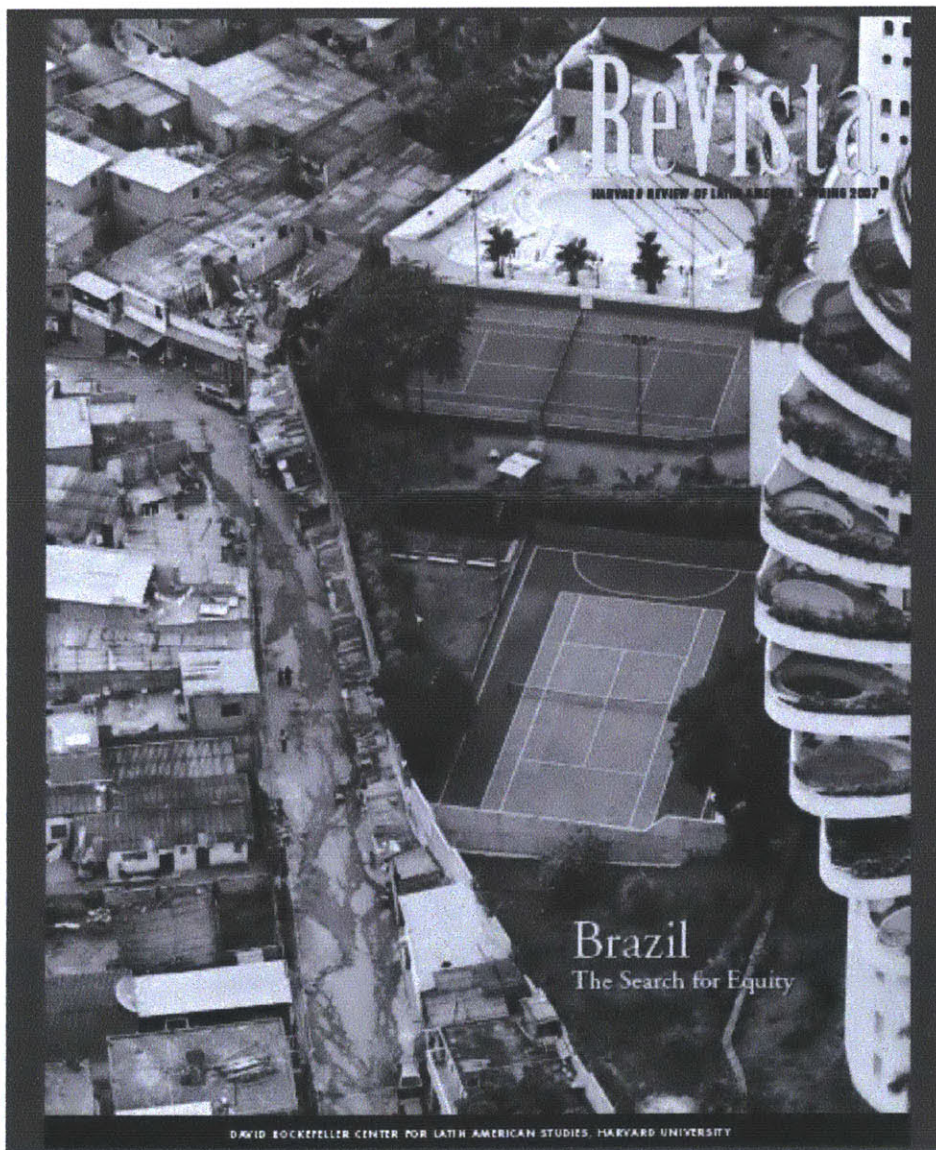
In recent times, though, there has been a push to recognize a new dynamic in São Paulo – the prominence of walls. Much research has examined or taken for granted the growth of gated condominiums, new elite suburban neighborhoods and the fortification of the existing built environment as a force remaking the city (Caldeira 2000; Batrusic and D'Ottaviano 2009). On this there is decisively little disagreement, with the consequences being that the center-periphery pattern has more often than not been either assumed and unquestioned, or relegated to a secondary or tertiary position in many urban analyses.

Much of this debate, or, rather, general lack of debate about the importance of walls in São Paulo, has been subsumed by one iconic photograph used by major universities and other international publications. This photograph has come to symbolize what is seen as the increasingly stark spatial dichotomy of the city of São Paulo. In this image the urban opulence and orderliness of the *Morumbi* neighbourhood, sits side by side with the asbestos roofing tiles, bare brick homes and effluent covered asphalt of *Paraisopolis* – '*Paradisopolis*', a community of self-built homes on unzoned land that had previously been unoccupied.

On the Morumbi side a towering gated condominium, complete with swimming pools on balconies, seemingly rises above the 'informal' community, which is just feet from the meticulously tended gardens, championship tennis courts and a tidy *futebol* pitch.

Separated only by a thin and rather feeble looking concrete wall, against which some Paraisópolis homes abut and indeed rise above, these two neighbourhoods present the viewer with an inescapable conclusion: there are two urban 'Brazils', a rich and a poor, divided by a wall.

FIGURE E. PARAISÓPOLIS FAVELA ALONGSIDE A MORUMBI CONDOMINIUM, CA. 2004.



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Graham Denyer Willis*

Indeed it is as though Teresa Caldeira was looking at this very photograph when she declared São Paulo to be a *City of Walls* (2000). When Caldeira wrote about urban segregation, deindustrialization and the patterns of residence of the rich and poor in São Paulo it was the early 1990's – a time when gated condominiums and the fracturing of cities between private residential fortification and 'slums' was becoming acutely prominent. Caldeira put forward the idea that 'fortified enclaves' are "superimposed" on what she calls a second wave of São Paulo's urban development – the center-periphery model – in which power and wealth is concentrated in central districts and the poor are relegated to the "hinterlands". Caldeira aimed to make more complex what she saw as a simplistic dualism of the center-periphery pattern that had become prominent in thinking on cities. She sought to do so by demonstrating how the social segregation of the center and periphery was being rewritten by the immediacy of these enclaves alongside poorer areas in ways that typified concerns about security and insecurity in the city.

In São Paulo, the condominiums of Morumbi, and places similar, had recently sprung up, and a new pattern of exclusive urbanism was emergent. Structures like the Morumbi condominium evoked this pattern – dense, elite, heavily fortified, but still within the city. But the pattern was also peri-urban. Exclusive residential developments such as *Alphaville*, were planned suburban subdivisions modeled after the North American 'ideal', but complete with gates, fifteen or twenty foot walls, electrified razor wire and a bevy of closed circuit surveillance cameras. These new fortified urban elitisms, whether

in the city or transplanted to the otherwise poor suburbs –where land was cheap- were threatening to radically remake urban relations in spatial if not explicitly social terms.

This ‘new’ urbanism of luxury opposite poverty was also dominant in discussions about segregation in cities in the United States and other Northern countries, as well as other countries of similar economic might in the Global South (Purcell 2003). To scholars and planners from Rio or L.A reading Caldeira’s work, the enclave argument made considerable sense. The analysis of ‘walls’ fed into an active debate in American urban sociology that was deeply concerned with the disposable, marginal or refuse spaces of post-fordism, the newest mode of capitalism (Wacquant 2008). The preeminence of ‘Citadels’ and ‘enclaves’ alongside the ‘hyper-ghetto’ or ‘planet of slums’, drove a great deal of analysis about inequality, race and class in the city (Whyte 1947; Wilson 1987; Massey 1990; Anderson 1990; Marcuse 1997; Venkatesh 2000; Davis 2006). In fact, the similarities between the experiences of American cities were close enough that Caldeira made empirical comparisons to Los Angeles and conceptual –if rather implicit- linkages to the ‘Los Angeles school’ of urban sociology (Davis 1990; Soja 1996). This contribution was replete with concerns about the implosion of public life, the preeminence of private space visible in super-luxury condos, walled shopping malls and elite suburbanisms. For many, then, cities were ‘dual’ – one on either side of a literal or metaphorical wall.

To make matters somewhat more interesting, though, it turns out that Caldeira *was* looking at that same iconic image –albeit at least a decade earlier (2000:248, Figure F).

Though taken from virtually the same angle, and with almost the exact same scope of view, the image shows some substantive, and indeed revelatory, differences. Most notable is the lack of housing on the Paraisópolis side. Only a few houses are present, the street is unpaved, and much of the terrain is unoccupied, appearing almost rural. It is still in the process of being urbanized.

A comparison of these two images, hinging on the incompleteness of that urbanization, tells us something more about the history and trajectory of urban settlement, the pattern of urbanization, and the status quo of housing and living conditions in this mega city. By focusing on the notion of enclaves, what became lost in Caldeira's work was a continued conversation about the periphery and the center and the enduring, decisive and mutually constitutive relationship between the two. From the 1980s to today, when enclaves have dominated the conversation, novel forms of social mobilization –but not necessarily hopeful ones- have emerged prominently from the center-periphery pattern.

The primacy and relevance of the center and periphery analysis endures in large part because of history, and more specifically, in the social relations embedded in patterns of urbanization. Much of São Paulo's urbanization was defined by people organizing their own solutions – such as in self-built housing – and not by urban planning and centralized regulation. The historical and wealthy parts of the city agglomerated in a central area in and around downtown benefitted from formal urban planning initiatives and regulation.

FIGURE F. PARAISÓPOLIS FAVELA ALONGSIDE SAME MORUMBI CONDOMINIUM, 1992.

Urban Segregation



PHOTO 7. Morumbi, unequal neighbors, 1992: the individual swimming pools of these apartments overlook the favela below. Photo by Celio Jr., Agência Estado.

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In fact, São Paulo's business areas went through a series of phases in which centrally planned sites of business were more or less set aside –not redeveloped- in favor of 'starting fresh' with a new model of planning –larger avenues, bigger blocks, straighter streets, for example. The phases of business districts, including downtown's *Centro* (1910), *Avenida Paulista* up the hill (1960), *Avenida Brigadeiro Faria Lima* (1990), and most recently *Avenida Nações Unidas*, are the key examples (Coy 2003; Campos 2004). Deeply written in the architecture, zoning and other markings –like walls- of these spaces are historical moments and notions of modernity (Holston 1989).

Yet as planners and their political handlers fretted with central areas where wealth and business were concentrated, many residents were left to fend for themselves. Poorer urban residents sought solutions for their housing problems by occupying vacant land further and further from the central areas and slowly built their own homes (Perlman 1979; Holston 2008). Outside of regulatory mechanisms, legal guarantees and the urban services of planned developments, the city expanded in almost concentric circles. Some estimates suggest that a majority of homes in the city –up to 65%- were built 'illegally', either on occupied land or contravening zoning mechanisms (Rolnik n.d.).

Like for Beto's family in Jardim Ângela or people in places like Paraisópolis, the rules of the game were self-made and success was nothing if not self-assured. In the absence of the state, you could count on nothing but your own will and means to survive. As a result, most people, including police, understand that the periphery is a place historically made in spite of state regulation, planning and governance, and characterized by a will to make

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do against the forces of marginality and exclusion that have historically privileged the central and wealthy areas at all costs.

In São Paulo, not all informally built housing is subsumed by the idea of the *favela* – a concept commonly transplanted from an abundance of important studies of Rio de Janeiro (Perlman 1979; Leeds 1996; Goldstein 2004; Arias 2006; Fisher 2008; Perlman 2007). In São Paulo places like Paraisópolis -densely packed between existing condominiums, railroad tracks, hills, sewage dumps, or other man-made or natural boundaries- are the exception. Residents of the periphery recognize them as a sub-category of precariousness in the *normalized* landscape of self-built housing that constitutes much of the urban region. Within this larger structure of housing, the favela typically occupies those undesirable niches within the sprawl, at the dead end of valleys, in and around drainages, in the crevices between roads and creeks. Within the periphery, there is talk about *favela* spaces and some even speak in terms of the ‘*favelão*’ -‘hyper’ poor and precarious spaces- seen as distinct from the larger environment of (nonetheless) self built homes. For São Paulo the favela is less about hill (*morro*) and street (*asfalto*) like in Rio de Janeiro. It’s image, visibility and discourse is muted by flatter terrain- except for the sharper hills and valleys that become more prominent further from the center in every direction. What results is a different relationship between the favela and the city than that which has been presumed and transplanted from other Brazilian cities. In São Paulo, the favela is the periphery, but the periphery is not the favela.

Even as other spatial restructuring has occurred in São Paulo, such as the emergence of elite and fortified urbanisms, much has stayed the same –especially for those in the periphery. Those who have the conditions to move from violent spaces and to protect themselves from real or perceived violence can do so. But for every person who manage may manage upwards (and spatial) mobility, thousands cannot. These others are constrained by factors such as location of work, poor transportation and physical mobility, place-based belonging, limited economic resources and a bias towards the status quo. In response, in keeping with the ‘self made’ pattern of urbanization that has defined the periphery, those who suffer from violence, and those who wield it, have almost always been left to deal with the problem themselves, while they remain almost invisible and intangible to those at the heart of decision-making in politics and urban planning.

The exclusionary conditions under which this city expanded in the absence of state services, including but not limited to security, continue to resonate. People getting by and making do on their own cannot be disaggregated from the process of urbanization. The way people manage at the everyday in spite of a lack of support mechanisms from the state is, in many ways, the *meaning* of residence in the periphery. This is woven into social relations. Until ostensibly public services like water, electricity, sewerage and health care arrived, communities often got by only by group mobilization and collective solution finding and, eventually, the expansion of some state provision. Social movements pushing for housing rights, such as the *movimento sem teto* (the roofless movement), foregrounded other collective solutions (Caldeira 1986). Tapping into

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mainline electricity wires, or making rainwater run-off and sewer troughs often occurred through *mutirões*, a form of collective action and cooperation to benefit individuals or the community that requires the hands of many. Raising a concrete roof, a task impossible for a small family, is one such example.

The simplicity of the Morumbi/ Paraisópolis image is deceptive because it obscures not just the status quo of housing, but also the forms of power, belonging and governance that exist on either side. Everything on the ‘other’ side of the wall –the Paraisópolis’ of the city- is rendered invisible -despite its sheer and daunting size and despite the obvious presence of walls throughout the city. In their dualizing outcome, ‘powerful’ images like that of Morumbi/Paraisópolis obscure scale, history and the qualitative processes that define the spatial terms of urban inequality in cities like São Paulo. One would not surmise from this one image, for example, that walled condominiums and neighborhoods occupy just a tiny (if economically oversized) fraction of the urban space.

More importantly, though, a focus on walls and segregation leaves us with major questions as to why and how. Why is such a flimsy and ambiguous wall observed? How does someone born and raised on one side of the wall –usually the subaltern side- come to transcend it in profession but not residence, as in the case of police, and to defend it, sometimes by killing, from those on the same side?

Following to some degree the work of James Holston (2008), my research, then, examines how the social dynamics emergent from the dominant urban form are still as

relevant, if not much more relevant, than ever. Unlike Holston, though, I am somewhat less hopeful about the outcomes “insurgent” citizenship. A qualitative examination of these two kinds of spaces, their histories and their social relations provide us with a different and much more grounded, if terrifying, kind of ‘dualism’ -a dualism in governance and security provision, premised on the use or threat of violence. Left to fend for themselves, citizens certainly do make claims on the state for services, landownership and rights as a history of social movement successes show (Caldeira 1986). But when the provision of security is not forthcoming, and the voices of citizens calling for safety are not heard, they inevitably make and succumb to other means of rectifying their insecurity. In the PCC realm of security that I examine throughout this dissertation, appeals to ‘justice’ are far from democratic, in spite of an occasional and decidedly opportunistic “rights talk” (Holston 2008).

Indeed, *Paraisópolis* is well known as a PCC community. In late 2012 it came under a Military Police ‘saturation operation’ during the police killings -especially after a ‘hit list’ of police names was found there (Rodrigues, Godoy and Cardoso 2012). Weeks later, ROTA celebrated when they killed the PCC ‘leader’ in Paraisópolis on a local highway (Tomasz 2012). Homicide detectives themselves often talked about not being able to go in without a convoy of cars and guns, or the explicit permission of those –unspoken, but at least one of whom was now dead- who are in charge. Indeed, there has been speculation that ROTA had waited for the leader to leave the community, knowing that it would have been a disaster to have killed him in his own element.

Today, much of the significance of walls is not for their ability to keep the poor out. Walls and other physical-cum-social boundaries, *do outro lado do Rio Pinheiros* ('the other side of the Pinheiros River), for example, have become signifiers of identity (Pimentel 2013). These 'walls' have become a sort of spatial limit of identity and belonging, carved out of years of exclusion and exception. It shouldn't surprise anyone that given enough time, enough violence and enough suffering, that exclusion and boundaries might give way to an alternative and socially-bounded form of security and governance.

And on the other side of the wall, the formal mechanisms of the state, feeble and dysfunctional as they often are, continue. The planning, service provision and zoning regulations that have defined the height and lot size of those elite urbanisms, come from a much different legal constitution. This legal system is under guardianship of capital and small 'p' police. The police's defense of this realm of legal governance is thus not just moral, it is also reflected in space. Where state forms of regulation -criminal, planning, labor, real estate, etc - have rarely benefitted residents, residents rarely observe them.

HISTORIES AND FUTURES

All of these factors, deeply rooted in the history of urbanization and the state-society relations it suggests, point to why a group like the PCC had the territorial and social space to develop. More legitimate in social orientation, the PCC's security rationale resonated for the communities –deeply spatial constituencies- that never really benefitted

from 'public' security. Much to the contrary, police were deeply contentious and violent in their presence. Democratic reforms, which rolled back a state in which security was paramount, aggravated that fact. Given the histories of exclusion that accompany São Paulo's urbanization, I find it difficult to claim that neoliberal reform has deepened the consequences of daily life for the urban poor. Unskilled and service labor – the bread and butter of the periphery – rarely ever benefitted in important ways from regulation or public services historically. And yet the ways those urban peripheries have grown and the ways that self-help forms of security have emerged in these same places can *appear* neoliberal. But 'self-help' cannot be neoliberal if it has defined lives on the margins for decades -or centuries. As the experience of São Paulo shows, the ways and practices of people getting by, often via mobilizations and collective forms, to achieve the most basic of needs, like housing and security, occasionally take shape in ways that offend Northern moral sensibilities. How they do so, and why, however, cannot be neatly explained via neoliberalism. Instead, we need recognize the historical experiences of policing, politics, space and place making as equally (if not more) powerful than emergent pressures for structural change.

THE LOGICS AND CONSENSUS OF KILLING

In the next three chapters I put forward a set of key findings about the structural borderlines of police practice, or how police carry out their work and act on and off the job in the violent context of São Paulo. These findings reflect a set of structural conditions that orient the logics and practices of police in ways that defy our knowledge of cities, governance, violence and policing to date. First, a chief finding of this research is the idea that policing occurs in an environment –a prototypically urban environment- where control over life and death is splintered. The city’s two primary sources of violence – police and the Primeiro Comando da Capital (PCC)- seek to order social relations in substantive ways. In attempting to structure when crime can and cannot occur, each source employs a normative logic to the use, deservedness and severity of its killing. Both use their violence to assert a set of moral conditions for citizens to adhere to. Killings by both police and the PCC are structured by a logic that, in their own way, deems death to be both important and expedient.

Indeed, for both groups killing is the ultimate method in which to delineate their own real-world boundaries and moral systems of right and wrong. Police killings often target those perceived to be irreprehensibly defiant of police logic. This logic often utilizes a characterization of ‘evil’ used in wider social discourse about an imaginary criminal figure known as the *bandido*. The PCC uses violence in much the same way, as a means to protect the integrity of an self-protection underworld organization that has asserted

itself as a defender of the moral interests of those living on the margins of society, particularly in the prisons and on the urban and social periphery of the city of São Paulo. For them, 'evil' is often the police, who too often kill with impunity and malice.

There is still some assumption that the criminal violence that continues to overrun cities, particularly in the Global South, has little or no organization, beyond the economic (Moser 2004; Skaperdas et. al. 2009). This is misinformed. There is a qualitative story to be read in each of the thousands of violent deaths that occur in this city every year. Who dies, where and under what conditions reflects a dualism of killing in the city and an accompanying regulatory structure. Aggregated, these stories trace a complex saga about human survival in a city destabilized by the absence of a single legal order and its accompanying legal practices –what we might call a rule of law. Instead of one single legal order and a monopoly on the legitimate use of violence, there are, in essence, two. The state, in the dominant Weberian understanding, is almost nowhere to be found.

More telling though, is how these two logics come together and break apart. Far from parallel powers, notions of who can be killed can overlap owing to an implicit consensus about a subcategory of deservedness of death. Under this consensus, those whom the PCC defines as morally reproachable are almost always also considered morally reproachable in the eyes of police and homicide detectives. Converging notions of who can die means that the PCC are often left to their own devices to continue killing and governing killing –as long as the subjects of this killing do not upset notions or cross acknowledged boundaries of deservedness and innocence. Occasionally, these logics

abrade –as when police begin to kill PCC members in ways that are not deemed appropriate, and PCC members, in return, rapidly expand their killings of police. When abrasion occurs, the implicit killing consensus breaks apart, giving way to blood feud-like violence.

A second key finding is that violent death itself is devalued by the state. Public morgues overflow. Coroners are reduced to using steak knives to perform autopsies (Machado and Benites 2013). This empirical reality is acute for homicide police, who find themselves in the figurative basement of an already deeply derided police institution, somewhere near the internal affairs division. There is little institutional demand or incentive to make the lives of those who are killed most often –young, poor, modestly educated, often *negro* or *pardo*¹⁶ men- worth something in death. They have few resources for investigation, autopsies take months to conclude and channels of public accountability only engage when a high profile murder occurs, usually when notions of deservedness and innocence are destabilized. Otherwise, detectives are left to flounder through hundreds of cases a year with little capacity to do justice to life. In the absence of credible technological tools, institutional incentives or well-trained support staff, detectives lean heavily on one key resource –their own ability to make sense of the death by detecting and piecing together a storyline.

¹⁶ There are contrasting notions of race in Brazil, particularly when it comes to Afro-descendants. Outside of a growing community of individuals vocally self-identifying as black (*negro*), there are many euphemisms for being afro-descendant. Two of the most common are *pardo* and *mulato*. In police work, it is typically the police officer who identifies and categorizes the individual they arrest.

The regularity of death is one of the reasons that the PCC has been able to gain strength here. The PCC arose as a means to protect young men from violence, first in the prison system and later in the marginal urban spaces of the city. In the absence of public provision of security, the PCC found traction in insecurity, and spread quickly by offering the promise of relative security for those made insecure by, and in the absence of, the state. They have since come to redefine when death can and cannot occur in this constituency of the forgotten and forbidden.

Today the PCC is widely recognized by residents of their communities, by the police that work there and by scholars doing research in these spaces, as the overriding, if under observed, rationale behind São Paulo's massive homicide decline. Today, the state has little capacity to regulate homicides on its own, particularly in some parts of the city. In these spaces – those that were left to struggle mightily with high homicides in the past – the state has *de facto* delegated and indeed become dependent on, the PCC's dominion over the regulation of life and death. Or so I shall argue.

THREE: Homicide: Regulations and the Practice of 'Normal' Killing

It is Friday evening. The Homicide Division's black and white Chevy Blazer screams through the streets, parting already tight lanes of traffic with sirens blaring. Drivers pull their cars overly lethargically and not a moment before the Blazer zips by with only inches to spare. For 35 km east of downtown, this continues. The team of four Civil Police is coming back from Cidade Tiradentes, the final municipal district on the extreme Eastern flank of São Paulo's urban periphery. There, the team left behind what some claim is Latin America's largest public housing complex, a region of 220,000 residents dominated by austere and angular six story concrete blocks built in the early 1980s. Among these bastions of state-led urban planning is a blanket of self-built homes- one and two story terracotta brick and concrete structures that occupy most of the constructible space in between. This decidedly non-public blanket augments the 40,000 public housing units with thousands more that flow down into the valleys cutting decisively into the topography of the area.

Planned as a dormitory community, Cidade Tiradentes has a lot going against it. The commute to downtown is more than two hours each way on public transport. With a median income of \$432 USD a month, and with only 2000 jobs in the district itself, there is little promise for economic security. Services, including public security, were available

only sparsely for many decades. On its website, even the local sub-office of São Paulo's mayor recognizes the challenges:

“Even if they came begrudgingly and without any other options, many people came to Cidade Tiradentes dreaming of their own home. The fact that they never found adequate infrastructure and few opportunities for employment has made Cidade Tiradentes a place of transience, a place of passing and not of destination (Subprefeitura 2013).”

These are the conditions of disillusionment. And they have been consequential. In 2000, the district had a homicide rate of 107 per 100,000- more than eighty times the rate in the wealthy areas of the city (SEADE 2012). Along with peri-urban districts in the Southern and Northern sides of the city, Cidade Tiradentes was synonymous with violence. But gradually, something changed. Once a major contributor to São Paulo's high homicide rate, these districts hastened a dramatic drop almost overnight. By 2004, the official homicide rate dropped by three quarters in the district. By 2009 it had plummeted by 88% per cent. Cidade Tiradentes mirrored the pattern in many other historically violent communities that are now in the foreground of a homicide rate that has declined by 76% for the city as a whole over the same period (SEADE 2012). In this place of unbridled disenchantment, there seemed to be something positive happening, at least in terms of security.

The drama apparent in these statistics is intoxicating, especially in an age of numerical benchmarks and quantitative inference. The hope for positive change –the bias towards hope (Davis 2009a)- and violence reduction in cities of the Global South relies too heavily on categorical comparisons and not enough on the practices and power structures behind both the problem in question, and the definition(s) of the categories in question. Homicides, and what we divine from them, are not simply a question of counting –even bodies are no universal measure (Andreas and Greenhill 2010).

In São Paulo, from the street, there can be no mistaking the lack of congruence between the number of bodies, how they got there and, much later, how they are counted. For the group of detectives that had just returned from Cidade Tiradentes, having wrapped up the initial processing of a dead body on the asphalt of a dead end street tucked in at the bottom of one of the steep valleys in the region, this was apparent. Back in the station, they have a story to tell their colleagues: *“You could just hear them yelling at us,”* they told the other police in the station. *“Just their voices. But you couldn’t see them. ‘You’re trash’. ‘You’re going to die’, they kept yelling at us from up on either side. If they had started shooting at us, that would have been it.”* Now safe in the confines of the precinct, seemingly far from that dead-end street, the police joked loosely (if darkly) with their colleagues about the modicum of escape from their dim predicament. *“If they had started shooting we would have had to kidnap a little girl and hide behind her to get out of there,”* one of the police officers half-heartedly kidded. Confronted with that reality, they hurriedly snapped their four or five photos, took fingerprints from the body and hustled

back into the SUV. It took them about fifteen minutes, they explained, from car door open to car door closed – at least a few minutes faster than usual.

In this chapter, I examine why homicides happen, their spatial correlates and how they are investigated in São Paulo. Building on the work of Sudnow (1965) and Garfinkel (1949) on ‘normal crimes’, I argue that behind the practice of a ‘normal homicide’ in this city is a system of moral regulation that governs the conditions and deservedness of these deaths. This is evident in the investigations of homicide detectives, bearing certain hallmarks and markers that hinge on cues of a ‘routine’ victim. Confronted with this complex system of governance over killing, these detectives approach cases of violent death with a certain acknowledgement and resignation to the conditions that underpin these homicides. The “body count”, the resolution of individual cases and the statistical outcomes, do not just fail to penetrate the organized production and regulation of homicide in this city, they obscure it decisively.

I first look at the emergence of the PCC as a response violence in the prisons, and, later, to homicide in spaces of the urban periphery in São Paulo. With data from interviews, internal PCC documents and discussions with police I trace the internal structures of punishment that have allowed the organization to become so dominant in regulating violence and security. Secondly, I look at how the work of detectives reveals a distinct pattern of organization in much of the homicide in the city. I seek to show that the organizational and spatial backstory, obvious but inaccessible, both limits the capacity of detectives to undertake a complete analysis and dissuades them from asking bigger

questions, promoting resignation. Lastly, in the lead up to the next chapter, I point out that the logic of killing employed by the PCC both undermines and occasionally complements the investigations being undertaken by of homicide detectives.

I structure this chapter into six sections. In the first two I discuss the ebb and flow of homicides in the city. The third section presents the structure of punishment and discipline under the PCC system. In the fourth I shift my approach to look at how the investigation of homicides by detectives interacts with the PCC's politics of punishment and governance of violent death by looking at a) the pattern of 'normal' or routine homicides that characterize the PCC, and b) how the PCC's decision to choose forms of punishment other than killing may actually *help* police detectives. Finally, I summarize and begin a discussion of the ways that the regulation of homicide by the PCC and detectives is 'nested' into what I call a killing consensus –the topic of Chapter Five.

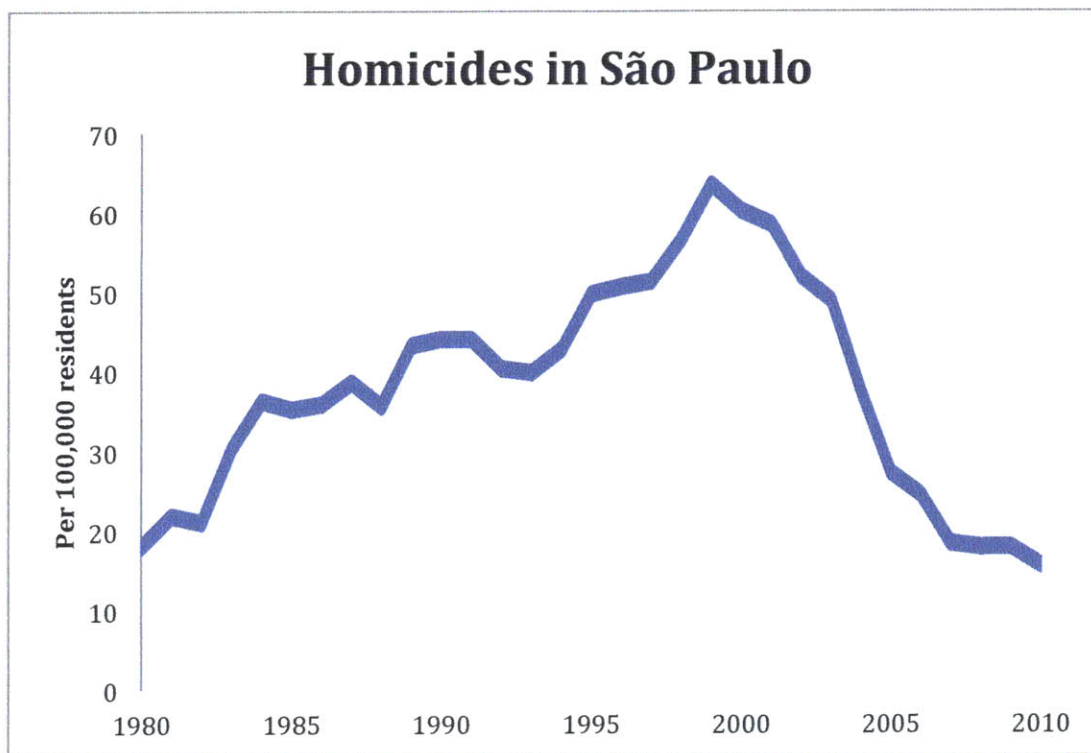
HOMICIDE BEYOND THE BODY COUNT

There can be little doubt that homicide has been a fixture in the urban history of São Paulo. Through different eras, deadly violence has been central to the maintenance or centralization of power. Different dead bodies portray the modes and techniques of power through historical periods, from the slave beaten into submission, to the tortured political dissident and, today, the young man, perforated with gunshots, who lies bleeding on the street somewhere distant from *Avenida Paulista*.

Quantifying these homicides can be difficult however. From the *Coroneis* of colonial Brazil to shadowy dictatorship police who ‘disappeared’ people as much (or more) as they killed them, to recent assassinations of off duty police, the production of statistics is deeply intertwined with the exercise of power. In the contemporary period, a period in which public security is particularly frail, there should be little doubt that the numbers released by public security entities are adjusted, manipulated, sub-categorized or poorly represented to convey rosier images of public security (Lima 2008). What the public, scholars and anyone else who cares gets is a body of numbers replete with caveats - things known, things not known, things assumed. Many of these caveats are left out of public discussion, creating illusions of knowledge that are treated as fact. The ‘state of statistics’ makes it difficult to discern anything but general trends, or, more pessimistically, what leaders want to portray.

If we can use general trends as departure point, some very modest inference is possible. Analyzed by Waiselfisz (2012), the homicide statistics of the Secretary for Public Security from the last forty years show two different periods. In the first, from 1980 to 1999, the number of homicides in the city of São Paulo rose dramatically, from a low of 18 to a high of 63 per 100,000 residents. In the second, from 2000 to 2010, homicides declined more dramatically, around the same amount but over half of the time (Waiselfisz 2010). The question, then, is *what changed so severely around the year 2000?*

FIGURE G. HOMICIDE RATE IN SÃO PAULO, 1980-2010.

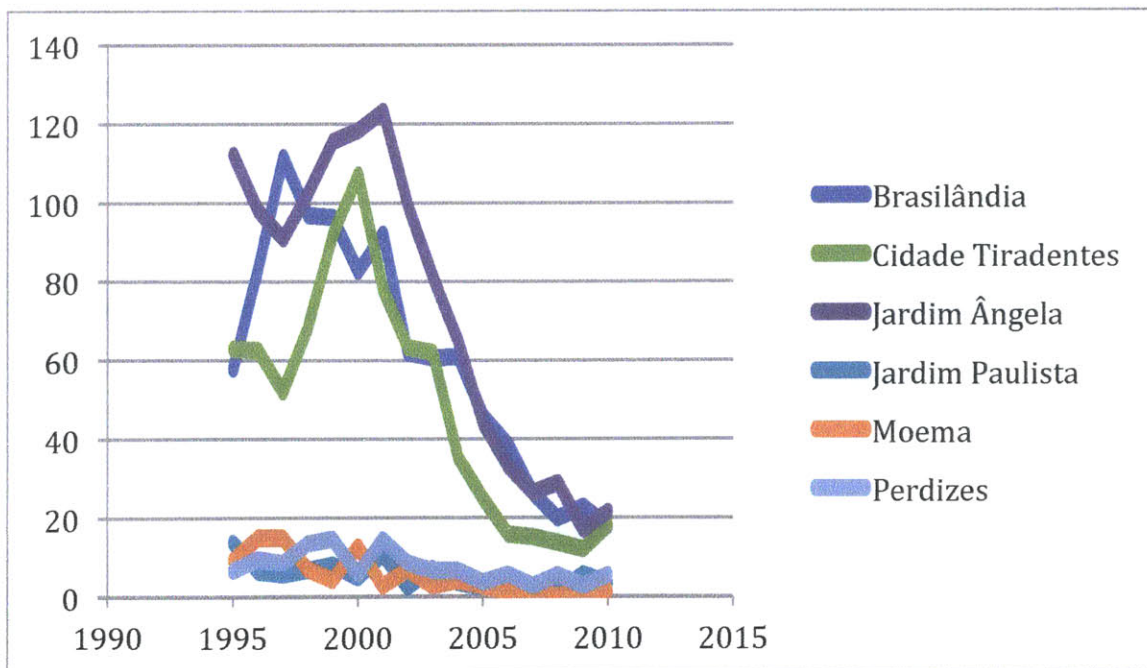


Graph by author with data from Waiselfisz 2012

This dynamic shift suggests that control over violent death has consolidated or strengthened in the years since 2000. Yet amidst prospect and hope for a policy success, there remain few answers for the reason(s) why. One way to interrogate the positions and to advance our knowledge about the conditions of violent death is to look more deeply at who was being killed (and not killed) during these two analytically distinct periods. Who died violently, where and how in the former period is useful for examining *who is not dying* in the latter. A glance at one constituency in particular – young men – helps to elucidate the nuance of this apex and apparent decline.

Across the world, young men are often most likely to be homicide victims (Tardiff et al. 1994; Preti and Miotto 2000; Eze et al. 2011; Bateson 2012). This is no different in urban Brazil. Young male involvement in gangs, drug trafficking and other criminality is a double-edged sword of violence and victimization. Men between the ages of 15 and 29 die at rates that far exceed other demographics (Cordeiro and Donalisio 2001; Reichenheim et al. 2011; Gonsaga et. al 2012). Imaginaries of violence feed off of this pattern, leading to police profiling of young men such that they become preordained as criminal, and meriting of death as a result. One analysis argues that young men in São Paulo during the 1990s were around twenty times more likely to die from homicides than women of the same age (Maia 1999).

FIGURE H. HOMICIDE RATES (/100,000) IN CENTRE VS. PERIPHERY DISTRICTS



Graph by author with data from Seade 2012

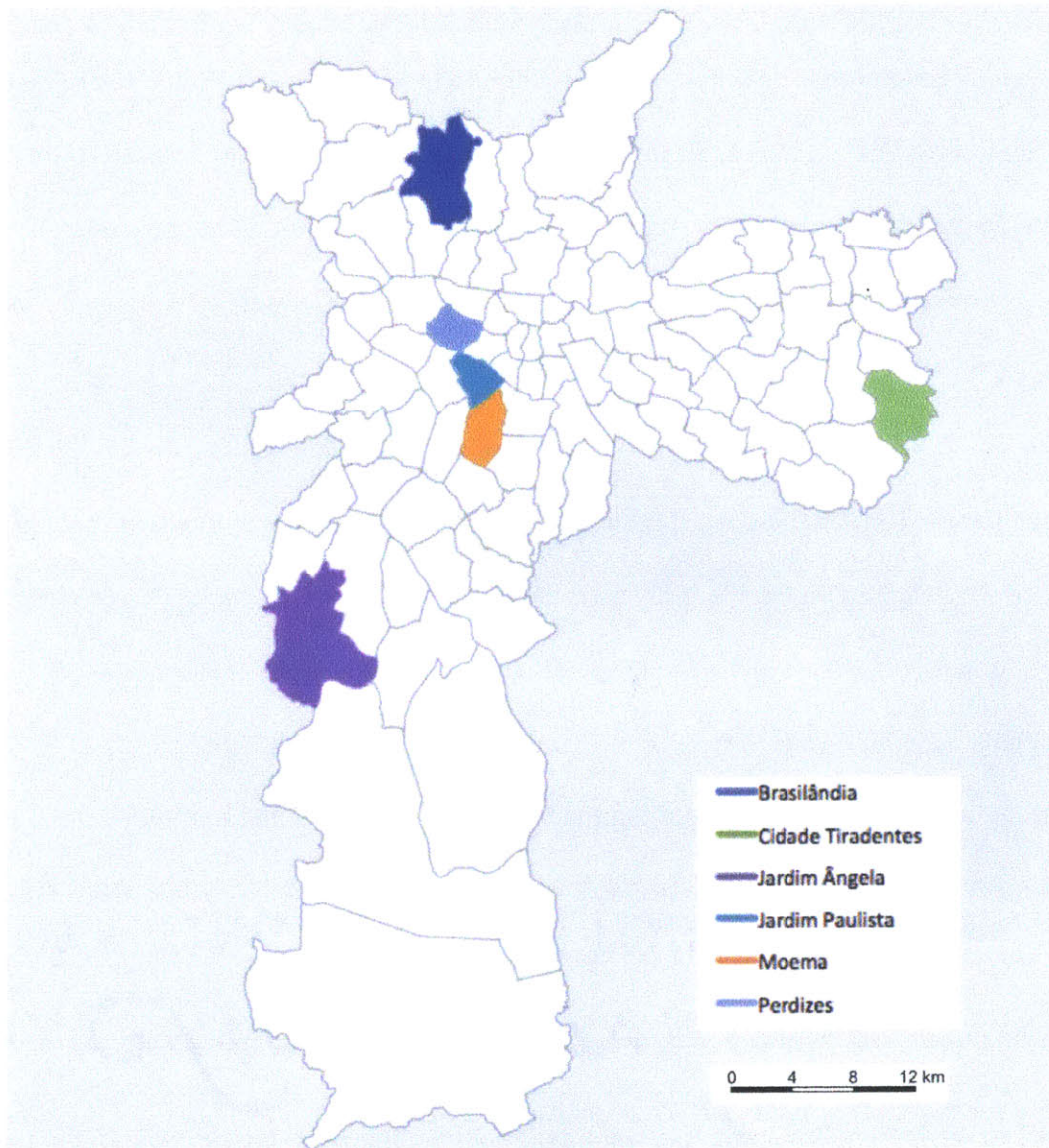
There is also a distinct spatial component to homicide victimization (Gawryzewski and Costa 2005). A great deal of research has shown that places on the urban periphery, like Jardim Ângela, Cidade Tiradentes, Capão Redondo and Brasilândia, contributed disproportionately to the number of homicides in the city. The distinctions are stark: the most violent districts having recorded rates of homicide 60-80 times higher than those of wealthy districts of the city (Seade 2012). Concentrated in those areas, and even knowing that the numbers are likely under-estimated, Manso (2000) argues that as many people died in São Paulo in 1999 - 9,027- as during the Kosovo conflict occurring during the same period.

If quantitative inference into this period is helpful but flawed, qualitative insight is revelatory. In these civil war like conditions, young men -just like Beto in Jardim Ângela- had to be almost exceptional to a) not get involved, and b) not be killed by the violence. In these places so consumed by violence in the 1990s and early 2000s dead bodies were so routine on the street that they became a nuisance (Denyer Willis 2007). Known as ‘hams’ (*um presunto*) the normality of these dead bodies transformed the perceptions of even the most hopeful and strident of people. Manso recalls a reaction to violent death of Father Jose Dillon, the priest of a parish on the south side of the city:

“Father Dillon went to pull his car out of his garage one morning. When he opened the door, he saw a body spread out right in front of his house. In a hurry to leave, he thought at first: ‘why did this guy have to die on the doorstep of my house? The police is going to take hours to get the body out

of here and I'll be late." He surprised himself with his own reaction. He was entirely accustomed to seeing bodies on the street (Manso 2000)."

FIGURE I. LOCATIONS OF DISTRICTS FROM FIGURE H IN THE CITY OF SÃO PAULO



Map by author

If this violence was 'normal' for those living in the periphery, so was there a 'common sense' understanding of who killed, who died, and why. Violence was splintered between warring gangs, each of whom fought for control of the small bits of turf increasingly central to the economies of drugs and belonging. Rivals of the worst kind, these groups directed their violence at each other and those accompanying them. Multiple homicides (*chacinas*) were common as killers sought to eliminate witnesses and others likely to retaliate. Deeply decentralized, these neighborhood level battles destabilized all residents, both by opening up space for generalized criminality and by leading to regular and sporadic shootouts in public spaces. Streets, parks and sidewalks weren't safe at any time, day or night.

Not that these killings were devoid of order. The moral borderlines of much of this violence were defined in largely individual terms, as the defense of *honor* (Manso 1999). Ideas of deservedness of death were broad, flexible and unregulated under this view. Individuals or small groups were able to decide who merited death, culminating in clashes between contrasting ideas about the legitimacy of death –and more killing (Manso 1999). Add to the mix roving vigilante groups of off-duty or former police and on duty police with a propensity to kill and the picture of homicide in urban São Paulo of the 1990's is crowded with a multitude of contradictory and conflictive groups all fighting for moral, economic and security space (Fernandes 1991; Pinheiro and Adorno 1993).

The consequence of this violence was all consuming. Detectives who grew up in high homicide areas recalled that virtually all of their school friends and acquaintances who had been wrapped up in the violence were either dead or had been missing for years. Those who escaped the violence –almost surely because they committed it themselves– ended up in the warehousing wasteland that was, and largely continues to be, the Brazilian prison system.

HOMICIDE AFTER THE YEAR 2000

Today, all parties agree that São Paulo is the midst of something exceptional in terms of homicide decline. Young men are dying much less, and the parts of the city that had eroded into civil war-like circumstances, have rebounded in remarkable ways. There are two schools of thought on why so many fewer people are being killed violently. One position espoused mostly by analyses using statistical inference points to a number of impactful shifts in state public policy. The other, mainly backed up by qualitative field research, examines the neighborhood level changes in the places where violence was vertiginous through the 1990s.

In the latter camp, studies have found that almost everything is responsible. One such study asserts that, even despite the sharp nature of the change, many factors have contributed. These include demographic changes, unemployment rate, state budget for education and culture, health and sanitation, and the municipal and state budgets for public security, firearms seized and incarceration rate. All were found to be statistically

significant in the reduction of homicides. In this analysis, one of the only variables not found to be significant were police arrests (Peres et al. 2011).

Paradoxically, though, a study of descriptive statistics by the former head analyst of the State Secretary of Public Security argued that improved policing methods were the key factor (Goertzel and Kahn 2009). This study drew comparison between the decline in homicides in New York, arguing that, among other changes, ‘saturation units’ were deployed to hot spots, increasing the number of arrests, and, by extension, the number of people imprisoned.

International organizations have also jumped into the fray, eager to find positive examples and ‘best practices’ in homicide reduction. Drawing on the same statistics from the São Paulo Public Security Secretary, the United Nations Office on Drugs and Crime (UNODC) praises the decline, noting its similarities with places like Medellin, Colombia (UNODC 2011). This high profile support did not go unnoticed. When criticized, the Public Security Secretary publicly cites this study as a defense of its of its role in the homicide decline. This is in spite of the fact that the UNODC has done nothing to empirically validate the public security policies or the statistical categories behind the change (UOL 2012a).

On the other side of the pitch are a cohort of primarily Brazilian anthropologists, sociologists and urban theorists (Miraglia 2008; Denyer Willis 2009; Feltran 2010; Biondi 2010; Hirata 2010; Telles and Hirata 2010; Sinhoretto, Silvestre and Lins de Melo

Graham Denyer Willis

2013). Though a minority in terms of following, these researchers posit a much different story, from the ground up. Gabriel Feltran (2011) puts the general claim of this body of research succinctly:

“With the coming of the Primeiro Comando da Capital –the principal criminal organization in São Paulo- to Sapopemba, centralizing all of the drug trafficking activities and supervising the organization of crime, it has become much more difficult to kill. You need authorization. You need to try all the other possible coercive measures. You need to know that those other sanctions don’t work. You need, as the very last possibility, to participate in a debate –an extralegal trial managed by local members of the criminal underworld and presided over by PCC ‘brothers’ (irmaos). This model emulates a real criminal trial, with defense and prosecution witnesses, judges and lawyers. It has become the standard throughout the urban periphery of São Paulo. (Feltran 2011: 76)”

In sum, this group of scholars argues that the PCC, not the state, has the unique ability to define the conditions of life and death in São Paulo’s periphery. This ‘alternative dispute resolution’ mechanism is proving deeply consequential (Dias 2009). As the data of the Public Security Secretary also reflect, homicides are down dramatically in each of Jardim Ângela, Cidade Tiradentes, Sapopemba and Brasilândia –among many other urban districts. These are the same places that scholars have found the PCC to play an

unmistakable role in terms of social and community relations (Miraglia 2008; Denyer Willis 2009; Feltran 2010; Biondi 2010; Hirata 2010; Telles and Hirata 2010).

PUNISHMENT UNDER THE ‘PCC’

Nothing could be more important than understanding this experience and the changing balance of power in the urban periphery of São Paulo. The PCC is at once a product, a producer and a regulator of violence. What we know about the PCC, made clear by this vanguard of scholars, provides much needed insight into the forms of security and governance that are not subsumed by the formal institutions of justice and legality of the state. In these places, so characterized previously by an absence of central authority, the PCC represents a channel of authority that is now more or less uncontested. Relative security, notions of solidarity and social assistance, are pillars of this authority (Dias 2009). Police, forever seen as unreliable, unaccountable, violent and/ or corrupt, have been replaced by a social order complete with its own norms, notions of justice and modes of punishment.

Some years ago, this was different. When residents did seek out police to deal with local violence, the police would resolve it in a temporary fashion if at all. By contrast, seeking out the authority of those involved with the *tráfico* -drug trafficking- could resolve something permanently – even if in deadly ways. This binary of success and failure in ‘justice’ created a de facto choice in security provision for residents: state or non-state.

This choice was formative. When residents found their insecurity reliably resolved by

one authority, they continued to seek it out at the expense of the other, consolidating, over time, the legitimacy of that authority (Feltran 2010).

PCC governance can be understood in terms of a social space. Undetermined in its boundaries yet firm in its norms, it stretches from the hundreds of prisons in São Paulo (and increasingly beyond), over swathes of the sprawling *paulistano* periphery with its millions of historically excluded residents, to the day to-day activities of a major criminal syndicate. Recognized for its relative fairness, it permeates the fairness of line-ups on family visitation day at prisons and presides in prisons where not a single baptized PCC member is housed (Biondi 2010). It allows residents of the communities it governs to sleep with their doors and windows unlocked (Denyer Willis and Tierney 2012).

Not just that, PCC power is diffuse and decentered. As one resident once told me, people in these same communities regularly speak of the need to be *surdo, mudo e cego* –deaf, mute and blind. Shutting the window as we spoke in her kitchen, she elaborated that this is not just because of a fear of members of the PCC, but because the power of the organization resides in the eyes, ears and mouths of everyone in the community (Denyer Willis 2009). Another resident told of a stirring incident in the local health post. A doctor there had been unkind to patients, and was known for disrespecting the needs of people in the community. Eventually, this broke a threshold. The PCC forced the hand of someone in charge, and, within days the publicly employed doctor was transferred and replaced with someone more considerate of the needs of the community.

The PCC's legitimacy is thus deeply woven into social relations. Those who live under this system engage in a form of self-governance. Even where the PCC is not explicitly present, its norms are. The PCC notion of right and wrong is transcendent and diffuse both for those understood to be within the '*familia*', meaning not necessarily the *irmaos baptisados*, (baptized brothers) but also for all of those people living under the PCC's code.

Pervasive in its presence, authority is consolidated in such a way that dissention is not possible. Those who live in the communities controlled by the PCC are accountable to the organization, and also to their peers residing under the same terms. In this sense, a structural shift has come to pass in São Paulo. The exercise of violence in the periphery has ceased to be defined by individuals –the 'honor' orientation of killing in the 1990s– and is now unquestionably the dominion of a 'central' authority.

And there should be little doubt that it is a central authority to many. In 2012 I got know a public security analyst who had been working intimately with intelligence and strategic investigations of the PCC. He was struggling to keep his head above water in all of the data they were collecting and, for lack of workers and distrust in many police, were not using. He gave me copies of flash drives seized directly from PCC members. In them were hundreds of documents of all manner of substance.

These detailed almost everything –enough to discover the identities of hundreds of PCC members, their positions within the organization and how much drugs they were usually

given. It seemed enough to dismantle the whole organization with a diligent and coordinated investigation. There were revenue documents, such as excel spreadsheets detailing the balance of sales of freebase cocaine, marijuana and crack cocaine by week and month, itemized by region. These same documents included the amount of money spent to pay for family visits to prisons, and other purchases on cell phones, vehicle rentals and laptops, among other things. Other documents itemized the quantity and type of drugs given to hundreds of members for street resale, including any existing debts.

There were membership rolls, with lists of hundreds of names with membership numbers, last prison locations, dates, neighborhood on the outside, role in the organization, names of 'godfathers', and punishment, if any, including the names and positions of members involved, and the dates of the judgment. Also included were copies of internal communications, known as 'salves' from the leaders, that highlighted new developments in terms of regulations, discipline and new benefits –such as the possibility to apply for a loan.

Other documents reported the inventory of resources on hand. This included a list of vehicles, their condition and under whose care they were in. More importantly, there were lists of the stock of the 'gun libraries' where members could go to get a gun. Within these inventories and other documents were and the stipulated conditions for lending. These outlined for what kind of business, whether a simple armed robbery or a bank heist, a weapon could be borrowed – “no one shall be given a machine gun for a car-jacking”, one point relates. Not only do these documents show a means of organization,

they relate a centralized control over the use of violence. Not only is ownership of guns centralized but diffuse, it comes with a set of regulations about the conditions under which those guns may be used. The PCC has, in other words, its own system of gun control.

Perhaps most telling, these records related in thick detail the different modes and gradations of penalty employed by the organization. Punishment is not arbitrary, nor trivial. This is ensured by one of the divisions of labor within the organization.

Disciplinas -disciplinarians- are baptized PCC members responsible for upholding the norms of the system¹⁷. Their work is two-fold. On the one hand, they are responsible for regulating the moral economy of the organization -following up on lost money, drugs, missed membership payments, delinquent debts, improper violence on the part of members and any other number of contraventions to the PCC statute. On the other hand, they are also empowered as judges, both of contraventions of the rules by members, as well as by those living in the community under the system of the “family”.

Rarely, if ever, does a single individual decide punishment. Especially in crimes of moderate or high importance, a number of *disciplinas* take part in deciding on the verdict

¹⁷ The PCC admits new members by ‘baptism’. Though the processes is not well known, the documents and my discussions with police revealed that two baptized members preside. Their names are formally recorded and they become inseparable from those they have baptized. They become responsible for them not only as “godfathers” -*padrinhos*-, but are also responsible if their ‘godson’ runs afoul of the rules. In a single case, both godfather and godson can be punished, if it can be shown that the godfather has not guided his protégé well enough. This structure of accountability evokes an organized and hierarchical system in which almost everyone is implicated and connected.

of the crime –guilty or not- and in deciding the mode of punishment. The system of punishment is different for members than for unbaptized members. In both cases their punishment ranges proportionally to the supposed crime. There are at least three differentiations in the severity of ‘crimes’ committed and the punishments vary accordingly (Feltran 2010). For small crimes –what we might call ‘small claims’- only local members preside. For moderate issues, regional PCC members are brought in by cell phone. For the most the important crimes –unsanctioned murder, theft from the ‘family’, rape, pedophilia, becoming involved with the girlfriend of a PCC member, a complete tribunal will take place, involving a telephone conference call that webs together PCC members in various prisons throughout the state. These more complex cases can take many hours of intricate deliberation. One case, captured by a police wire tap, it took more than 24 hours of deliberation –with breaks in between not counted in that 24 hours of deliberation time (augustoqm5 2012).

For members of the PCC there is a graduated system of sanctions, with specific forms of punishment for first, second and third infractions. Demonstrative of centralized management, one document related this in precise and codified detail:

“For members, first suspension (prazo) is 15 days. If they pay they’re back, if they don’t pay they’re out of the comando.

2nd suspension

90 days automatically

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and 15 more days to pay.

If they don't pay

they're out.

3rd suspension

Automatically out.

And are entered into a period of twenty days as a companheiro. (non-paying sympathizer)

Noted:

Whatever is arranged between the debtor and the system (sintonia) after the suspension expires.

Whatever negotiation takes place between the two parties is to be told in detail.

For recording suspensions, the following details are needed.

Name

Member number

Aliases

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Neighborhood

Date of baptism

Place of baptism

Aliases of Godfather and neighborhood of Godfather

Last three prisons

If they have been punished by the family,

If so, the place and date and reason why

Last three positions in the organization

Day out of prison

Red telephone number

Names of members present

Regional leader

Local leader

Neighbourhood leader

Which book it is registered

The date of suspension

Expiry or if indeterminate

Those baptized¹⁸

¹⁸ The following are the original documents. I have attempted to stay as true to them as possible in my translation and formatting.

The detail of this bookkeeping, both here in terms of 'human resources' and in other documents in terms of revenue, guns and cars, reflect a fledgling but covert bureaucracy. They relate a sophisticated system of authority and hierarchy of the PCC. The organization utilizes many forms of punishment before relying on physical violence. Members that have not paid debts, who are in delinquent in their membership payments, who fail to satisfy any number of other membership obligations, or whom commit a violent crime –such as a murder- that was not previously authorized but is understood post-fact to have been 'reasonable', are subject to a series of non-violent punishments. Graded temporary suspensions are part of this. Complete expulsion is at the end of that continuum. Kicking a member of the PCC –temporarily or permanently- carries with it many real world consequences. No access to a highly lucrative drug economy, less physical protection from violence, and, if sent to prison no access to any of the supplies and comforts guaranteed by the organization. This almost certainly pushes individuals into risk and low margin crimes, either to recoup debts, or to try to make ends meet after being completely expelled¹⁹. Being expelled from the organization makes someone nothing less than a common criminal, still subjected to the laws of the PCC but without any of the benefits of membership. As one police detective saw it, being expelled was second to death in terms of punishment. In a community context where everyone knows everything, this is a perfect humiliation that revokes social status, eliminates a lucrative source of income, removes access to guns and excludes from a circle of belonging.

¹⁹ According to some documents, it is still possible to return to the organization after being expelled. The parameters and requirements of returning are unclear, however.

There are of course many other violent forms of punishment. Killing, as a punishment, is preserved for crimes of the highest order, and only after there is consensus of the guilt of the person in question. An array of violent punishments are utilized for more extreme crimes against the PCC order. These range, from creating the maximum amount of pain without death –like a beating only from the neck down, as a public prosecutor explained to me-, to pain plus moral suffering -beating and put unconscious on a bus to a remote region of the country with a warning to never return-, to the maximum amount of pain plus death – having arms and legs broken and eyes gouged out –as in the case of a pedophile (Feltran 2011). When someone is found ‘guilty’ of the most severe of crimes the punishment is carried out immediately -and not necessarily by a member of the PCC. The person sanctioned to carry out the sentence is often someone seeking restitution in the case (Feltran 2010). These forms of punishment that culminate in killing constitute the apex of a unmistakable authority over life and death exercised both over members and over communities as a whole.

HOMICIDE INVESTIGATION: MAKING KILLING ACCOUNTABLE?

As I have detailed in previously, homicide detectives understand death according to a set of taken-for-granted moral and pragmatic parameters about deservedness, which informs how much they engage their discretionary space to ensure that those who should not die, do not in the future. Homicide police are the dull edge of a floundering public security system tossed asunder by a number of social and structural forces focused much more on meting out violent death than on finding out who kills.

Even with their underprivileged position within the public security system, there is something much more complex at play. A much more formidable force than their fellow police undermines the work of homicide police. The PCC's regulation of death is the single most predominant factor in the control over life and death in São Paulo. Even without the load of having to investigate resistencias, the homicide division would certainly struggle to overcome or disarticulate the PCC's concurrent system of governance.

The relationship between the work of the homicide police and the PCC ranges broadly. At times, this relationship teeters on the edge of violent confrontation, as when the detectives visited Cidade Tiradentes. Other times, the influence of the PCC is implicit. It need not be talked about openly; it is assumed by police detectives that certain forces are evident.

This doesn't mean that the two groups are antagonistic. They do not exist in isolation of each other. Much to the contrary. The PCC system is known to use the formal system of justice as a form of punishment for certain circumstances. PCC members are not 'untouchable', nor does the PCC's decision to have someone killed mean that police will never find or arrest the killers. In fact they do, thanks to resources at their disposal like fingerprints²⁰, security camera footage and anonymous tips.

²⁰ As a throwback to the tightly centralized governments of eras past, every Brazilian is required to have their fingerprints taken and recorded on their national ID card, the *Registro Geral*.

Thus, the PCC's system of justice is not impenetrable by the formal system. Instead they are deeply interlinked. I argue here that they are, in fact, siblings that depend on each other. The PCC system depends on the centralized state power that maintains the prisons – where all PCC activity originates and is centrally regulated. The PCC then, housed in the prison system, is in many ways protected by the same walls that were intended to remove its 'criminality' from the street in the first place. When it comes to homicide, those who are arrested by detectives for killing someone are only briefly exposed to the routines of the formal legal system. Arriving in jail they are once again left to live within a set of norms determined by the PCC –even if those norms are somehow encapsulated within the brick and mortar walls of a state prison. To be arrested by police for murder is to enter a system in which the costs of your imprisonment are paid for by the membership dues of PCC 'brothers' outside. Your survival in the prison is made possible not because of a state justice system that is capable, just or even moral, but rather, by the rules, regulations and social support provided by a criminal organization. As such, making killers accountable and forcing them to serve time in prison, as homicide investigations intend, takes on a whole new significance. But beyond this sibling-relationship within the prison system, the state and the PCC logics of killing are deeply linked in the 'normal homicide'. Or so I will argue.

Though it takes time to find matches these records are combined with prison records. Anyone who has ever been arrested can be easily tracked down, at least in identity.

THE 'NORMAL' HOMICIDE

The vast majority of homicides in São Paulo occur in places far from downtown. Police know these kinds of places by the precinct numbers- 37th, 72nd, 46th, 69th, 24th, 54th - that disguise the names of places well known in the lore of São Paulo's urban violence: *Campo Limpo, Cidade Dutra, Perus, Sapopemba, São Miguel Paulista, Cidade Tiradentes*. These places are on the margins of the city, both geographically and metaphorically speaking –as are their victims of homicide. These victims are drug users, drug dealers, young men of marginal origin –or understood by detectives to be something similar. This real or perceived social position of victims constitutes the *padrao* –the pattern- of homicides in this city. And “*nao tem muitos que fogem do padrão*” – Not many defy the pattern, as Beto once put it.

The normal homicide is largely subsumed by the concepts advanced by Sudnow (1965) and Garfinkel (1949), who argue that the ‘normalcy’ of some crimes, shapes the routine operation and decision-making processes of those within the system. “Normal crimes” are those that meet a certain level of ‘typicality’ of pattern and persons involved. As Sudnow (1965) puts it, of the criminal justice operative, “He learns to speak knowledgeably of ‘burglars,’ ‘petty thieves,’ ‘drunks,’ ‘rapists,’ ‘narcos,’ etc and to attribute to them personal biographies, modes of usual criminal activity, criminal histories, psychological characteristics, and social backgrounds (259).”

The normal crime is one in which the normal characteristics of both perpetrator and victim –gender, space, race and social status- contain an element of redundancy. The predictability of these crimes gives way to a set of socially embedded and taken for granted “unstated recipes” that constitute a status quo of practice. The racial and spatial components of homicide in particular, presumed similar and lacking a deeper engagement with the origin of the crime, come to determine repertoires of treatment for given victim-offender relationships (Garfinkel 1949). With every ‘normal’ victim comes a presumed offender, and vice versa, justifying a regular form of action.

A ‘normal’ homicide – *um homicidio simples* – in São Paulo goes something like this:

It is 10:30pm and I have just arrived for another night shift at the homicide department. A message arrives via the intranet to detectives waiting in the station. The body of a young man has been found in the area of the 101st precinct. He’s been shot multiple times, at least a few times in the head. Witnesses are few, and won’t say much –though just one good one would do. Military Police arrived at the scene at around 7:30pm after an anonymous call to the emergency line 190. They arrived to find the man, apparently dead for some time. They are guarding the scene for the arrival of homicide detectives. The homicide detectives get their things together. One of them calls in a request for crime scene analysts from the Science Police –peritos da policia tecnico-cientifica. They’ll meet them at the scene. They grab their camera, the fingerprinting kit, and load their guns. The team is composed of five police – one delegado (chief), one investigador (investigator), one papiloscopista (fingerprinter), a carcereiro (prison guard), a

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fotografo (photographer), and me. Of the five, one or two put on a bullet proof vest.

From the arrival of the message to the time we are out the door is about 45 minutes.

About an hours drive we arrive at the scene. The perito crime scene analysts aren't here yet. The chief detective shares a word with the Military Police about what they know. They don't know much, other than that the neighbors in the area say they didn't hear anything weird. Which is funny, because the body appeared right as many people come home from work. One person said that the dead man is known around there and that he was involved with drugs, but he doesn't want to be an official witness. The chief asks the investigator and the prison guard to look for security cameras and to acquire any relevant footage. Meanwhile, the fingerprinter and the photographer are struggling to open one of the man's hand, which is clenched shut and snaps back into place when not held with two hands. It takes the two of them to pry it open. Someone else helps to hold it in place while the fingerprinter applies black ink on all the fingers before rolling them, one by one, on to a fingerprint form. The two analysts have now arrived. One walks around to look for capsules. She asks the Military Police if they saw any or marked where they were. They didn't see any, not that it is their job –strictly speaking- to look anyways. The other steps in alongside the fingerprinter to cut the man's clothes off. It takes a couple of them to roll the body over. The photographer takes about seven pictures, mostly of the wounds, the head and face, one or two of the surrounding area and one each of the tattoos on the man's shoulder and forearm. The analyst also takes pictures, which will be part of the report they will file through their own channels. It will join the case file at a much later date. Back from looking for video camera coverage, the

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investigator now fills out the standard 3-4 page standard crime scene checklist. This form assesses many details in a multiple-choice format. It includes categories for everything from characteristics of the body –age, sex, race-, initial indications of cause of death – blunt trauma, gunshots, knife wounds, etc-, ambient environment –wet, dry, humid- and physical location of the body, whether inside, outside, on a public street, among houses, shacks, gated homes, or other domicile possibilities.

In the meantime, the chief stands back and observes, trying to piece together an understanding of how and why this body ended up bloody and lifeless on this quiet suburban street, with him looking at it. Half an hour later or so, everyone is done. We all jump in the car. Someone's cell phone rings. It is the station. Another morto. This one at a precinct on the North Side. The other team suggests that our group process the scene, since we're already out on the street. The chief accepts. The prison guard is driving. He turns on the sirens and accelerates as the Blazer turns onto a larger thoroughfare.

The routine homicide in São Paulo is not a crime of passion, the result of a domestic row or a plight of missing sex workers, though each of these occur in great frequency and need also be of substantive concern. The routine homicide is a violent death with unavoidable markings, some spatial, some gendered, some physical, of a deep and thorough underpinning. For police on the ground the logic behind the hundreds of dead young men is obvious, if taken for granted. There is something calculated, controlled and managed about many of these deaths, evident not just in the unwillingness of obvious witnesses to talk, but also in the repetitiveness of death. The places where bodies are

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found and the states in which they are found –tossed aside with a certain kind of disregard to the abilities of homicide investigators. Nobody is taking time for ‘cover ups’ here. There is something particularly brazen, time consuming and public about the way that these people end up. From all around, there are suggestions of an open secret. Detectives are often left standing on the outside looking in at something that audaciously confronts their ability to control violence. Everyone knows what is at play, even if it isn’t often said. That is until December 2012, when the Public Security Secretary finally went public and agreeing that the “PCC is responsible for a large part of the homicides in the city (Estado de São Paulo 2012b)”.

The tacit but unavoidable nature of this reality is evident in my field notes, which relate the way that violent death, though routine, reflects a high degree of organization, planning and pretentiousness. Whether this degree of organization is assumed or disregarded by detectives it doesn’t much matter.

Even where there is outward evidence of the involvement of organized crime, the response of detectives tends towards apathy. One particular case reflects the barren approach to the routine homicide. I recall:

It had been a long day in the car. One homicide scene and two police killings, plus stops at two public hospital morgues so far. We’ve put about 170 kilometers behind us in a zig-zag pattern across the city since this morning. By now it is getting late. We’re on our way

to the other side of the city for (hopefully only) one more homicide scene. The place we're going is past the sprawl and into the forest. Or so I'm told.

You could smell it when we drove past. Samuel, a police detective, stops the Blazer. There is a truck there from the coroner's office that will take the body after we're done. We get out and chat with the other detectives from the other Blazer that has accompanied us all day. There are also some Military Police there who have been guarding the scene. It isn't clear who they would be guarding it from though. The last few houses were a couple of kilometers back. There is no traffic on this dirt road. So little, in fact, that anyone who drives by would probably be noticeable.

Walking down the road a little bit, we come to a clearing in the trees and the smell. Descending off of the side of the road is wet embankment. It is strewn with bits of garbage, metal refuse, mud and who-knows-what-else. At the bottom is a burned out but relatively new model car resting in a small creek bed. Trees with long vines tower over it. Somewhere down there is a decomposing body. For all of the smell, no one can see it. Someone strings up a rope to help get down. Of the ten police from the homicide division, plus myself, only two of us decide to go down. Someone passes me some rubber gloves. I grab the rope and step down the wet slope.

We were basically on top of them when we realized it. Not one but two burnt bodies, covered in beetles and in an advanced state of decomposition. Up close you could make out much more. Covering them, particularly around their head and upper bodies, were

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what looked like wires –rusted and frayed as they were. “A man and a woman”, the police officer beside me said. “(Pointing) The torso on this one is much smaller.” It didn’t seem so obvious to me. The bodies kind of blended into the mud, their dark earthy tones made similar over time. Somehow, the smell wasn’t as bad this close to the actual bodies. But in the absence of the smell, the sight of the two damp, partly burnt and decomposing bodies was a shocking enough replacement.

The car was down the hill a bit further. It was empty. No seats, no engine, no tail-lights nor a windshield. The police up above surmised about what went over the hill first, the bodies or the car. Without a motor, the car would have had no way to get to this remote place without a rig towing it. If the motor and everything else were removed after the fact, it would have been a heck of a job to get it up the hill. If the car had come after the bodies, it would have run right over them, likely spreading the remains all over the place. It must have been there before, they figured, since people dump stuff like this all the time. They concluded that the car, though burnt and not identifiable outside of brand and model, was unrelated to the bodies. Not that any one of them even went near the car to look for a serial number on the dash or anywhere else.

For the police, the bodies and the scene gave few immediate clues. Plus, it stank. There was an air of resignation and impatience, like the bodies had been there for so long that nothing obvious would come of this. The detectives in the regional squad would pick this up and be better suited to deal with it once the autopsy report comes back in two months time.

But from up closer, you could see a lot. The wires were virtually all parallel and uniform, curving slightly and running under and over both of the bodies. It was tire belting. The rubber had burned away entirely, leaving only hoops of now-rusting tire belting behind. Those tires would have burned hot for hours -if not days- with thick black smoke. The presence of tires was more than a curiosity. These two people were killed by what is known as micro-ondas - the 'microwave'. These two were likely killed after someone forced two or three tires over their shoulders, doused them with some kind of accelerant and set them on fire. They would have been burned alive while standing. This is a form of particularly horrific killing that is used both as a way to create a horrible amount of pain for those suffering it, but also to emotionally shock anyone witnessing or picturing it in their mind's eye. Less well known but not unheard of for the PCC in São Paulo, the 'micro-ondas' is much more commonly used by drug trafficking groups in Rio de Janeiro. It seemed to me, in this case, and despite my obvious naivetés, to be a big loose end.

The police up above, who by some strange effect were getting a much stronger smell, started prodding us to go. Someone tossed down two body bags. One of the men from the coroner's office came down. I grabbed the rope and scrambled up. Someone reached down to help me take the final step up. I took off the gloves. "They're falling apart" moaned one of the coroner workers as he tried to pick up part of the body. They laid out one bag. With the body language of revulsion, he grasped one of the bodies by the spine, picked it up and tossed it on the bag. The arm, head and the all the rest from the first body came flying in soon after.

The conditions of bodies are inseparable from their victimization. Stinking, dismembered, decaying or burnt, these bodies would disincline almost anyone from seeing them everyday, multiple times a day. But condition of bodies also implies their physical location, both in the city, and on the ground where they lie -putrid, foul and visceral in inhuman detail. Found immersed in muck, in fetid streams of sewage, or surrounded by gazing eyes in the midst of a known PCC hot spot, these bodies become the best reason for a get-in-get-out investigation. Beyond a detectives' own notions of disposable lives, the condition of the 'normal' victim is often a perfect excuse to leave as quickly as possible. The two or three emissaries that took the four or five pictures often suffice for the state of the body, filling out the running narrative as to the 'typicality' of the circumstance.

Within this typicality, is the taken for granted taken role of the PCC. That there is some deeper form of organization and rationale behind the deaths does not force police to take extra measures. Quite to the contrary, they may even approach these kinds of cases with less diligence. As for these victims, who are the subject of murder under the hefty and violent moral system of the PCC, they can be located, at least in imagination, as bandidos of the worst order. The PCC, most understand, kill people who did something to deserve it.

This doesn't mean that further investigation of these two bodies won't result in the identification of a suspect or an eventual arrest. The coroners will eventually do a deeper

analysis to try to identify the bodies and the cause of death. If identified, a host of other investigative doors will be opened up, both in terms of who the victims are –where they live, how old they are, their gender- but also in terms of what they are –good or bad people, with criminal records of some variety or not. But this kind of case, onerous and difficult to investigate as it is, is just one of thousands that come to pass each year.

Though it may seem like the onus is on homicide detectives to stem the bloodshed in this city, it is, in large part, out of their control. Their body language and approach to their job mirrors this reality. They may solve many homicides, and arrest those who are responsible for killing. But resolving individual homicides is not the issue at play. Individual resolutions do little to dismantle the system of governance and security that validates them.

LIFE IN THE REGULATION OF DEATH

There is a lighter, if nonetheless troubling, side to routine homicides in São Paulo. As effective governors of death, the influence of the PCC can also be discerned in the numbers of people that are not dying. As may not have been so easy in the past, avoiding violent death in spite of ‘reprehensible’ behavior has been made possible. The scales of PCC punishment and the different moral thresholds serve as both a deterrent and justification for punishing repeated transgressors increasingly more severely. To escape death does not mean you just walk away with your life. In exchange for life, people that are punished by the PCC can face other excruciatingly damning forms of physical and

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emotional suffering. Both Dias (2009) and Feltran (2010) discuss in great detail the ‘judicial’ processes through which life and death hinges, and when it falls in favor of life.

Feltran tells the story of one young man, whom he calls ‘Jorge’. As an 18 year old, Jorge was involved with the local drug trade in a community on the East side of the city. In 2006, Jorge was sent to a tribunal for his involvement in a robbery of guns and merchandise that went sour. Different versions of the story spread and he was accused of taking money from the ‘family’. In what would previously have certainly meant summary execution, Jorge was invited to defend himself from the accusations. If Jorge was found guilty he would have been forced to pay everything back, have been beaten extensively, kicked out of the favela or killed. From a someone at the tribunal:

“They had a debate about whether they would kill Jorge... we all went there, and when we arrived, we saw the guys accusing him, we could see him being very brave right in the middle of everything. They decided that they weren’t going to kill him, but that they were going to give him a correction... He got pelted. Man they tore him up. He got totally depressed about the world of crime, there was no way to go back. Then a guy came by, and I knew that he was the leader of all the traffickers... When I saw him I said: “Jeez, things are really bad.” This guy was really easy going though, and he knew that they wouldn’t kill Jorge, he wouldn’t let them (Feltran 2010; 65).”

They ended up absolving Jorge of the original accusation of treason. This wasn't the first time that Jorge had been punished though. He'd already been suspended for 30 days from working. Because he was involved in another problem, they beat him up and kicked him out of the drug trafficking business, something particularly demoralizing in the view of the community. He could no longer deal drugs and had no more access to the source of income that he'd had since he was twelve years old. Still, he saw it as a chance to keep his life (Feltran 2010).

A CONVERGENCE OF DESERVEDS

In São Paulo understanding the practice of homicide is as important as understanding the product. Why people die, and who allows for it to happen, tells us much more than the numbers of bodies that pile up. In this regard, the investigation of homicide in this city exposes three key social structures that underpin the order and practice of much of the violent death in this city. These three factors are deeply evident in the practices and modes of investigation of homicide by detectives.

First, the PCC is a system of governance and moral order in the urban spaces that have struggled with homicide, police repression and extermination groups historically. In many of these places the rationale of homicide was once connected to notions of personal or small group honor. Today control over this violence is much more centralized and vested in an authority that is well identified and heeded by residents. Beyond that fact that police are widely distrusted and citizens in these places choose to avoid them, reporting violence and crime to police is seen as a betrayal by those in charge locally

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(Feltran 2011).

For detectives, and particularly in terms of homicide, this makes resolving cases particularly difficult. Little faith in the justice system -a problem that transcends the role of police- and a lack of trust results in few witnesses stepping forward. Cases depend, instead on other types of incontrovertible evidence like security camera footage. Stuck on the outside looking in a complex system of social relations, it is an uphill battle for homicide detectives to assert their authority over the conditions of life and death.

Second, processes of governance –codified in formalities of the drug trafficking business, and in social convention- deter violence and limit the need to kill as the primary mode of punishment. As such, behind most dead bodies is a deep and nuanced history of punishment, moral regulation and an idea of deservedness of death. For homicide detectives who appear only once a body ends up on the street, that history is obscured and difficult to access –even if known. Though they see many glimpses of this, and though some police are exposed to the reality of this kind of governance in their own neighbourhoods, their capacity to reconstruct the course of events of a homicide, with all of its social workings and scaffoldings of power, is massively obstructed. This, of course, generates all manners of behavior, such as resignation to the likelihood of a negative outcome and anger and violence directed at those who –even police believe- escape from justice – the *bandido*.

FOUR: Resistências: A Police that Kills

On an afternoon in early 2012, Miguel was roused from his sleep by a noise outside his window. On the other side of the wall he heard a woman and a man in a rushed conversation. “Let go of your purse,” the man said, threatening to take his hand out from under his belt with a gun. Miguel grabbed his gun from his bedside table and got up to look out the window. Not fifteen feet away but lower down than he was, he saw a man taking the woman’s purse. He shouted for the thief to put his hands up. Then, he shot.

Miguel was an active but off-duty Military Police officer, resting from a graveyard shift the night before. As he told his story to the detective at the Homicide Division, it raised a few questions. Did he identify himself as a police officer before he shot? Why did he shoot if it wasn’t clear that the now-dead man had a gun? Was his life, or the life of the woman, in imminent enough danger to merit pulling the trigger?

But for police detective investigating the case these questions were all rather peripheral. Their answers were highly unlikely to reveal a bigger story or any ulterior motive. This was a rather open and shut case – in fact a lucky case – in which a police officer was able to immediately foil a robbery in progress. There was no reason to doubt that the thief was in fact a thief. It was unlike a recent case involving a group of Military Police in which it was discovered by homicide detectives that the group had

altered the crime scene, threatened witnesses and concocted a dramatically different story. This case looked to be, by almost all intents, a more or less normal shooting of a criminal by a police officer – known in São Paulo as a *resistência seguida de morte* (resisting arrest followed by death). For the homicide detectives this *resistência* was nothing out of the ordinary. It would end up just as 546 cases did in 2012 alone – with at least one bandido dead and a policeman seen to be doing his job (Corregedoria 2013).

In this chapter I examine the arbitration of these *resistências* by homicide detectives in Greater São Paulo. I argue that police notions of innocence and deservedness of violent death are shaped by two dominant factors. First, their normative outlook is underpinned by their own experiences of insecurity. This insecurity is itself a product of the plural structure of violence in this city and the rampant everyday crimes that surrounds it. Police find themselves in a place where images and narratives of violent death recur in ways that reinforce a chronic sensation of vulnerability. Moreover, police are not just citizens in a violent city -they are disdained and targeted, despite their deep and personal connectedness to place and belonging in or alongside the types urban space now dominated by the PCC.

Second, police attribute insecurity to the perceived criminals whom they themselves frame in the discourse of the bandido. Part of a much larger good-bad binary at play in urban Brazil, how police conceive of the bandido, and reproduce the idea in their own practice is shaped by both their interaction with criminal types while on the job, as well

as by the constant negotiations that exist between police and bandidos outside of work. In an urban world in which police themselves are widely seen as corrupt and ineffectual, police are often beholden to those deemed ‘evil’ in society. At an everyday scale, police routinely defer and adapt to the violence, real or potential, of the PCC in order to survive.

As Brazil approaches 30 years since the end of the dictatorship, police seem no less lethal than in that much darker chapter of the past. In this chapter I try to shed some light on what has changed. Outside of institutional and path dependency suppositions about police violence, we continue to know little about why police kill so much and why, despite major efforts to reform the status quo, death at the hands of police continues to be so mundane (HRW 2009). In this chapter I point towards two intertwined and prominent questions: How are *resistências* investigated? And, why, despite the Homicide Division’s new mandate to investigate all these cases, has there been little substantive change in the practice of deadly policing?

Homicide detectives are wedged between these two sources of violence –police that kill citizens and the PCC. They are charged with investigating and regulating the killings of both groups –killings that occur everyday and usually multiple times a day. Their practices, observations and moral outlooks about the decentralized mode of violence in the city informs the decisions that they make about when life needs to be defended and when it does not. As police they are no more secure than anyone else. Their own sense of insecurity as residents of precisely the same subaltern spaces that

lacked adequate policing –in fact any state presence- for so long, is what made them ‘good’ candidates for low paying jobs in the police bureaucracy. Now, mandated with making the city a safer place, their notions about the (il)legitimacy of some lives, embedded as they are in larger notions of good and evil, constitutes the moral ground upon which they survey when it is wrong and when it is right for police to kill. Their actions are both substantive and acute: their decisions convey the street level practice of when the state believes it can kill, and when it cannot.

The rest of the chapter is laid out as follows. I first examine the social production of the concept of the *bandido*, its interconnections with notions of the PCC, and the reproduction of this concept within police practice. Second, I examine the forms of equilibria that police use in the face of targeted violence from the PCC, as well as with the unpredictability of diffuse violence in the city, in an effort to make their own lives more secure. Third, I examine how homicide investigations of police killings of citizens regularly bring together these two components - a morally irretrievable *bandido* and police experiences of insecurity, as pillars of police decision-making. Lastly, I look at some cases where homicide detectives overturned both of these ideas, either to find a killing undeserved, or to hold police to account for what they believe is immoral behavior.

THE BANDIDO

The *bandido* – bandit, gangster, robber, drug trafficker, thug, criminal, thief- is a fixture in Brazilian society, research and life in urban Brazil. Studies of democracy, public participation, violence, marginality, space, clientelism, police reform and social movements all point to the centrality of this individual in urban social relations (Leeds 1996; Caldeira 2000; Goldstein 2003; Arias 2006; Holston 2008; Perlman 2007; Penglase 2009; Roth-Gordon 2009). Representations of the *bandido* are often crude and one-dimensional, deploying sweeping and dichotomizing notions of criminality, violence and morality. But *he* is no ‘primitive rebel’ or rural raider (Hobsbawm 1959; Hobsbawm 1969). The *bandido* is a complex social formation that connects many realms of social relations. Wrapped up in this concept are productive processes of bodies, space, place, urban marginality, a built environment, illicit economies and governance. The term *bandido* is deployed in a multitude of forms, each of which holds a key association with crime. The concept reveals an individual (*o bandido*), a social unit (*os bandidos*), an activity (*bandidagem*), a form of governance (*bandido social*), a form of belonging (*somos bandidos*) and a physical and typically racialized face (*cara de bandido*). Building on the work of Garcia (2009) and Misse (1999), I define the *bandido* as a differentiated social type, understood as inextricably and holistically criminal, being incapable of moral retrieval, and therefore as understood by many as the legitimate target of deadly violence on the part of the state.

Though the *bandido* is a plastic social category, it is often held to be static by police. It becomes, as a result, the basis of action and a moral justification for certain behaviors. For police –both those who kill citizens and the homicide detectives that investigate

them- the *bandido* is an assumed category upon which notions of innocence and deservedness of violent death hinge. Not only does this notion factor in to who police kill, it underpins how homicide detectives mediate the identities and the deservedness of those who have been killed. Considerations of whether someone has the trademarks of a *bandido* help to shape whether police decide killings are legitimate or not, and whether they choose to pursue an investigation with extra diligence, to let certain doubts or holes in the story go unaddressed, or to take the more forceful step of arresting the police involved for homicide.

In their investigations homicide detectives typically assemble a narrative about the course of events that lead up to the moment in which the *resistência* occurred. They gather information from witnesses, the crime scene, criminal history –if any-, kinds of weapons used or seized –if any- and other definitive personal features, such as tattoos. Each of these sources of information can contribute to a better understanding of the person killed. This is often contrasted with how the killing occurred –during a shootout with police or with evidence of execution- and other victims involved, if seen to be innocent or not. Each of the categories of information can yield evidence, however subjective, about how to locate an individual vis-à-vis the *bandido* imaginary.

Police judgments about ‘bandido-hood’ are also rooted deeply in a dichotomy of good versus bad. This is operationalized in two different binaries: police versus *bandido* and *trabalhador* (worker) versus *bandido*. Police routinely justify – usually successfully- that their killing was ‘good’ because it took one more *bandido* off the streets. As the

trope goes: “*Bandido bom e bandido morto*” – ‘a good bandido is a dead bandido’.

And when the going gets tough, as when the city is in the throes of violent crisis, some police simplify the equation: if you have a criminal record, you can be killed.

One police officer, who I’ll call Diego, told me how this worked in the 2006 Mother’s Day Attacks. After the PCC set off a series of attacks, killing 52 police in a three-day span, police went on a retaliatory spree. Research found that over the next three weeks 564 people ended up in the morgue with gunshot wounds (Cano and Alvadia 2008). Some of these killings were carried out by on duty police. Other times marauding extermination groups were operating behind the scenes. Sometimes it was a more direct partnership between the two. At checkpoints throughout the city, armed and uniformed officers would stop residents to check their papers. Via radio, they would have colleagues run their name, *RG* (National Identification), and other documents like *Carteira de Motorista* (driver’s license). Finding nothing, they would let the person go. When they found a criminal record, they would also let them go. In the process they would call ahead to off duty police waiting around the corner. In assembly-line fashion, these police would eliminate the men as they came by.

Reports of the same kind of behavior also surfaced in the midst of the 2012 violence.

The chief of the Civil Police summarized the ongoing dynamic:

“In a number of past homicide crimes, we detected that the victims, before they died, had their criminal records checked by the police. This is

very emblematic, but we've had some difficulty to figure out who it was that pulled the record for that victim...but we checked this out and verified that this is exactly what happened (Folha 2012a)."

This linear connection between 'evil' and 'criminal', is what undergirds the notion of the bandido. Killing is often understood as a form of *limpeza* (cleansing) that eradicates the otherwise intractable and destabilizing problem of criminality. For the bandido, redemption is impossible; there is no 're' in cidivism. Evil is preordained. This binary divides society in unhelpfully stark and antagonistic ways.

BANDIDOS AND TRABALHADORES

In the work of police, and in broader social discourse, the bandido is also routinely defined in opposition to another socially constructed category – the *trabalhador* (worker). These two discursive imaginaries are the dominant public platforms for making sense of violence, particularly in the 'high violence' spaces in the *periferia* of this city. In public discourse, the *trabalhador* is gainfully employed, a positive contributor to society who, in spite of the hardship of finding and keeping a job, is morally opposed to taking short cuts through criminality. The worker respects the rights of others, and has the "right to his rights" as a result (Feltran 2011: 24). Her life is valued, demanding protection from the arbitrariness of police violence that occasionally strays from its deserving subject. As a productive member of society, the worker may mobilize through productive channels to make her claims, such as through

NGOs, social movements or union affiliations.

The *bandido* is much the opposite. As police explained on a number of occasions, he seeks the easy way to wealth and power that comes at the expense of others. He detracts from productive society by leeching from ‘good citizens’ and ‘workers’ by robbing and killing with no regard for life itself. He is indiscriminate, defying rules and relying on profits that devalue -if not kill- others. His reliance on violence is not understood as a mode of claim-making but as a superficial search for status that rooted in vices like sex, drugs and violence.

This dichotomy is a useful tool for police. Both categories contain dualizing metrics with which to measure and evaluate their subjects. People who are gainfully employed, holding a *carteira de trabalho* (formal employment book), can be shown to be in the former category. They’ll have a history of employment in the formal sector, a routine income with a bank account and no criminal record. The *bandido* has much the contrary – a criminal record, large amounts of cash and no record of formal employment. Moreover, for police, only *bandidos* leave the house without their national ID card (*RG*) or any other identification.

There is a sense that violent death is the ‘destiny’ of a *bandido* (Feltran 2011). Police act on this notion. Mothers fear for their sons who choose to become criminals (Denyer Willis 2009; Feltran 2011). The media shows only a passing interest in reporting the deaths of those fitting the *bandido* mold –and only then to make the argument, usually

implicitly, that a particular incident has removed two or three bad people from the city. Much of what the idea of the bandido means, and how it is acted upon, was captured one night while I was in the station:

It is the dark of night, around 2 a.m. Police detectives are busy putting together the paperwork of a case that has just gone down. Some hours prior Military Police had shot and killed a young man. A call had come in: stolen car, last seen near the intersection of two streets in an eastern district of the city. Squad cars departed, canvassing the area. Within a short period, they found it rushing down a major road. They gave chase, forcing the car to spin out and blow a tire. Three youths jumped out. They shot one dead, hitting him six times –four times in in the upper body and twice in the scrotum. The two others tried to flee, but were caught and arrested. They were then shepherded into a squad car and brought to the Homicide Division downtown.

Now, they are handcuffed and standing against a wall. Their heads are downcast and their eyes mostly shut. They are around 17 and 18 years old. One has a red, orange and black tattoo of a menacing carp spanning the length of his forearm. The other is wearing a hoodie, which is dried red with blood from an unknown wound on him or someone else. His leg is slightly malformed, probably from having a brush with polio as a child. They have been standing in this position for around four hours now, foreheads centimeters from the wall. In the same main room where detectives mull and sit at desks, taking statements from the Military Police- who likewise loiter carefree. All the police are unconcerned, taking the incident in stride. Some are bothered that

this case will take so long since it involves people being arrested²¹. Usually these kinds of cases are easier. It is much simpler, and much more common when there aren't prisoners to process because there aren't any survivors. One police detective opines as much to me: "It should have been the opposite: two dead, one alive."

Of course, they still need to visit the scene with crime scene analysts (peritos), to take pictures, find the relevant bullet casings and take a written description of the scene. But when there are no surviving suspects they don't need to remand them into custody, to take fingerprints, statements and, in this case, to call their family to advise them their under-aged sons have been arrested. Instead, they would have just needed to apprehend the guns and important personal effects of the dead suspects, to take the guns of the police who shot, have gunshot residue swabs done and take statements for the report for filing in the intranet system.

Occasionally one of the suspects stretches, turns his head or coughs. Though they can hear everything, they know not to look up. Earlier in the evening one of them did, setting off a near riot that ended up with a clipboard landing repeatedly and decisively on each of their heads. One police officer became totally incensed when one of the youths hollered to have them stop. He had an ear condition, he said, and the hitting would make it worse. This officer tore into him in a red-faced rage – how dare he use that as an excuse, he shouted to everyone and no one at the same time. I have the same

²¹ There is an important distinction between arrests of individuals caught in the act and those arrested after investigation. The latter, known as *flagrante*, is the most common type of arrest. I examine the distinction between these types of arrest more deeply in Denyer Willis 2014.

condition, and I am not a bandido. "Don't tell me that," he bellowed, "you rob and kill. I have the same problem, but I don't rob and kill." "Yeah," chimed in another officer, "but maybe we should just call you the retard gang (quadrilha dos deficientes) –you two and your friend who has no balls left." "Next time that will be you" says another detective from the back of the room.

Some time later a detective pulls me aside to ask if I know what the carp tattoo means "It is associated with the PCC", he says." Have you heard of them? Everyone knows they exist, but the state won't say it. They're involved in all sorts of things, like bus companies and samba schools. These young kids, who look so meek now, aren't just that simple. Outside they have no respect for anyone, marauding with guns to steal cars and rob women at gun point". "Se bobear, ta morto ", with these kind of people, he says, if you think twice with them, you're dead.

I move to stand near a detective who is taking a statement from one of the officers involved in the shooting. The case seems pretty clear cut to him. The way he sees it, the youth who was killed had exited the car and started to shoot. One of the others had a gun but didn't shoot. He dropped it after getting out the car. So he was alive. Police were right to shoot the now-dead youth, he claimed. He had resisted arrest, meriting a conclusive response.

"I have to ask this", says the detective, now wrapping up the statement, "for them (pointing upstairs) and the records. How many killings (resistências) have you been

involved in?” The officer responds with a whim: twelve. At a desk adjacent, the other team of homicide detectives is working on a different police killing. I’m told it has something to do with one bandido dead and two that got away.

The paperwork is dragging on. It is going on four hours of work, with at least two remaining. Military Police play musical chairs, filing in and sitting to give their statements before getting up to stand and talk with colleagues across the room, down the hall or out by the elevators. Someone comes in to ask when the report will be ready. The family needs it to take to the Coroner (Instituto Médico Legal) to have the body released for the funeral. A police detective, named Francisco, gets up to talk with them. As he walks down the hallway and I follow him, passing by one of the police officers who had shot the youth in the process.

Outside the doorway to the division are three or four chairs. Three mothers sit in them surrounded by one or two other family members each. Across from them are a group of the police who were involved in the shooting. They stop talking amongst themselves to listen in. I notice that today there aren’t any witnesses loitering in the group while waiting to give their statement as well. Francisco approaches the mothers. “Who is the mother of Andre?” he asks. One woman raises her hand. She has dry eyes and a look of resignation. “Do you know each other?” He asks the mothers. They shake their heads. “Did you know Andre, Ricardo and Felipe to be friends?” he asks each of them. They shake their heads again. No. The other police look on, severe in their dark blue-

grey uniforms and berets. Francisco says nothing. He later tells me they were obviously lying.

The report is still hours from being finished, Francisco tell them. You can wait if you want, he says, but it might just be better to come back in the morning. It needs to be picked up by an immediate family member but not necessarily by you. The family decides to wait for the report. There is no public transport home at this hour and there will be heavy traffic coming back this way in the morning rush.

As we step away to move back inside, a group of other detectives file out with the two young men in handcuffs. They're headed to the elevators. They are all on their way to Fundação Casa, the juvenile detention system. Upon seeing her son, one of the mothers begins to sob. Porque?! She shouts at him. Why!?! To my own shock, she was shouting at her son. It wasn't that she wasn't mad at the police, but rather, it seemed to me that she could see her son's future in the fate of the young man he had been with.

In the eyes of the police, and of the detectives that investigate them, these two young men were prototypical of the bandido. They were caught in the midst of a crime, had guns and fit well within age, gender, racial and spatial lines of *bandidismo*. One had even already been through the juvenile detention system for armed robbery. The tattoo on the other was a dead give away, or so they chose to believe.

All of these markers meant that they were easily slotted into the meta-imaginary of those who destabilize the city. Cast as being responsible for the vulnerability of good citizens and police themselves, these two were sitting ducks to scorn. Given the chance to reestablish some authority over ‘evil’, police took it by degrading, hitting and threatening those they perceived as the emissaries of their own vulnerability.

FORMS OF EQUILIBRIA I

Police are violent, at least in part, because they feel violated and insecure. In their jobs they fail dramatically to overcome crime. And then at home, in the lower-income and spatial margins of the city, they must often find ways coexist with those same forces. In this city, most low level police live in or alongside the kinds of spaces controlled by the PCC. Many, grew up in places like Ângela as Beto did, having found their way into careers as police officers after surviving the violence of their youth. With some light at the end of the tunnel, they studied like mad to pass public entry exams.

This didn’t necessarily get them out of the violent spaces, however. The salary of entry-level police in São Paulo puts them in the fourth of five socio-economic classes (five being the lowest), as defined by the national statistics institute, IBGE. Entry-level police detectives make between \$1,050 and \$1,300 (USD) a month. Upward career mobility is not possible without retaking public exams, and the difference between the salary of an entry level and a 30 year end of career *investigador* is \$320 (Recursos Humanos 2012). Police note that, for a family, it is very difficult to get by- their

salary pushes them into (or holds them in) the types of urban spaces that all too often are under the regime of the PCC.

Life in these circumstances is complicated for police. The rules of the PCC stipulate that interaction with police is not allowed and collusion is punishable by severe beating or death (Feltran 2011). For ordinary residents, reporting crimes to police is also heavily frowned upon, carrying consequences of potential violence and distrust in the community. Not only that, residents are highly suspicious of police because of memorable incidents of extra-judicial killings and ongoing patterns of extortion. For residents, police have always been unpredictable. You never know if they will beat you up, extort you, threaten to kill you or show up later on a motorbike, wielding a gun and wearing a black balaclava (Denyer Willis and Tierney 2012).

These sentiments and perceptions about who all police are also make it difficult for police themselves. To avoid suspicion and unwanted attention in their home communities, they often pretend they are not a police person. Many either conceal their identities or use their second or third jobs to suggest they are something other than police –a taxi driver, a dentist, an engineer, a furniture upholster or a private security guard²². In order to survive, police must avoid tipping the everyday balance between the PCC and police that allows for relative non-violence and predictability to prevail. To speak out, to act violently, or to attempt to repress the activities of the PCC is to

²² These are all second professions of real police that I met while doing research.
Graham Denyer Willis

isolate yourself and to draw a Palm Sunday-like crosshair on your own forehead. And so, many police find solutions by compromising.

One solution is to try to become invisible, forgotten or overlooked. For some police, making this kind of sacrifice is just part of the job description. It takes a deep personal dedication to get and maintain a stable state salary in a place torn apart with violence:

As young guys we used to go hang out on the street and drink beers with our friends and relax. You know, at night. We'd be there, no worries at all. But when you're a police, you can't do that. You need eyes on the back of your head (ficar esperto). You never know when someone is going to come after you because of who you are. You always have to be alert. And you can't do that just hanging out on the street.

And yet, there is more to police insecurity than just trying your best to avoid public spaces and coping with the idea that people will want to do you wrong. It isn't always possible to stay inside or to hide from targeted violence. When there are long histories of acquaintance, respect or kinship, because people have grown up together or even become family, it is impossible to be invisible and forgotten.

Public life and camaraderie is a key aspect of belonging that often precedes and rides underneath police identities. Setting aside deadly differences can be part and parcel of getting along in tricky circumstances. This requires a more active sort of

negotiation in which two otherwise repelling forces choose to find peace beneath the storm clouds of violence. One police officer portrayed these everyday circumstances:

“Here we don’t live in favelas. We live near them, but we don’t live in them. Still you see the traficante (drug trafficker) at the corner bar. You know, he’s there, you’re here (pointing). You’ll have a beer together, hug each other (abraçar) and exchange small talk. It doesn’t much matter that down the street you are Mr. X and he is Mr. Y. It is a cold war. A cold war. You know who each other are but you’re from the same place. You take off your uniform before you come home and you know that if he goes over the top (vai pra cima), you will too.”

If police can manage their own insecurity by negotiating directly with those that may target them, they have more difficulty protecting themselves from the ambient criminality in the city. This threat is much more diffuse and invasive. There is no safety even in the home, the only place outside of the station where police sometimes feel secure. This experience of insecurity is fed by the circulation of stories among the police about police homes being invaded. These stories carry compelling undertones of vulnerability that resonate widely. One police officer related:

“The other day one of my family members, who is a police officer and so is his wife, had his house broken into. When the criminals saw one of his police shirts, they went crazy. Beat them all up. The only reason they didn’t kill them, they said, is because the kids were there...”

He continued:

“...I have nothing in my house, no items or vestiges that show that I’m a police. It has to be that way. I’ve gotten rid of everything. The only thing that is there is my gun and my badge, but I keep them hidden. Because when they break in and see that I’m a police I know it is over. I’ve even told my son that if someone breaks in when we are there, that he should tell them that I teach history in the public school. He understands that he can’t say I’m a police...and it confuses him, but what can you do?”

Not that this is an extreme reaction. The possibility of violence motivates police to adapt their routines profoundly. Not only that, police sometimes willingly set aside their role as a state adorned authority figure because doing so actually makes them more secure. Being passive in the face of criminality, turning a blind eye –*ficar de olho grosso*–, is one way to avoid being singled out. Given the structural paradigm of violence, resignation to the consequences and individual pragmatism often prevails.

But pragmatism isn't just an everyday solution either. It also dominates during periods of acute crisis, when the public security system is failing. Even then, police often decide to make sure that they and their loved ones are safe, above all else. Speaking about the PCC attacks in May of 2006, one detective who worked at the Homicide Division at the time had this to say:

"They told us to stay at the office...that we needed to be there. It was safer. But I was like, 'Fuck that. My mother is home alone. I need to get back to make sure she is OK at my house'. I didn't know if they were going to break in there and shoot the place up. Once I got home and saw she was OK, we locked up the house and barricaded ourselves inside. I came back to work the next day."

When the failure of the system is exposed, police are often the first to flee from its protective umbrella. In these moments the fallacy of the 'public good' behind public security system is most starkly exposed. When the system fails even the police, livelihood and survival become the primary rationale.

It should come as little surprise that while some police choose to be more passive in the face of violence, others react differently. Some police use violence to stare down their insecurity, and even, as a bonus, to make some money on the side. Extermination groups have clear self-protection rationales,

particularly when composed of police in a spatial constituency. Areas of work or residence, or both, often help define these constituencies. Not that space is the only defining characteristic. Any combination of factors can serve as a modus for organization against bandidos. Similar training, a common class background, collective histories of coping with violence, a moral outlook gained from a state-enshrined mandate of authority, the modes of masculinity that are associated with this authority, shared notions of risk -both on the job and off -, access to guns, the allure of a neo-liberal security economy and taking the hope for a more peaceful society into their own hands, can all serve as platforms for police rallying in violent ways. Working out of the shadows, these groups often employ a 'cleansing' (*limpeza*) modus operandi aimed at eliminating bandidos –their professional and personal nemesis of insecurity.

The linkage between police experiences of insecurity and the killing of bandidos isn't always this clear however. Structural conditions often push police from non-violent to violent realms of action. Police who prefer non-violence are often placed in circumstances where they have little choice but to shoot and kill. The regularity of killing contributes to it being understood not as a practice to be avoided, but rather, as a more or less inevitable practice that is part and parcel of controlling the bandidos who threaten the city, its 'good' citizens and the police.

The inevitability of killing citizens pulls in police who envision other solutions. Police who may seek to avoid killing citizens, either because they disagree with the simplicity of the crime equals evil equation, because they are inexperienced, or because they simply don't aspire to engage with this notion of successful policing, are likely to get dragged into the reality of *resistencia* as 'solution'. Much in contrast to other contexts, there is almost no way out of killing citizens (Van Maanen 1980). *Resistências* are validated, expected and institutionally ordained as normal, becoming in a crude way, a whether-you-like-it-or-not rite of passage. Killing is as much a moral outlook as it is part and parcel of surviving as a police officer. This dynamic was well illustrated in one case involving a police officer that I call Rafael:

Rafael came into the homicide department on account of a resistência that had happened earlier that night. It was late and he had been closing up his sister's store – a very modest shop in a very modest community where they sold candy and other sweets at a cottage scale. The retractable metal door was partly pulled down and Rafael was tallying the money earned from the day. It was night and, being off duty, he was in plainclothes. Gun in hand, a young man burst in through the door. Confusion ensued and Rafael was at a loss to explain what came next. In the aftermath, the young man lay dead on the ground, shot nine times.

Rafael lived down the street, in what the head homicide detective described as "one of the worst parts of São Paulo." This community, which I call Villa Andre, was

“horrible”, he said, almost certainly among the most awful places to live in Greater São Paulo. And yet, this community was also less than a couple of kilometers away from some of the most expensive gated communities in all of Brazil –where personal helicopter traffic buzzes from morning and night. I asked Rafael if there were other police that lived in this neighborhood. “Many”, he said, “I was born there, and so I see it differently than most people see it.” Poor it was, he implied, but it was still the place where he grew up, had family, friends and, now that he was a police officer, police colleagues. Was it unsafe? Yes. He put it in a rather self-incriminating binary: “There are basically two choices for police that live in Villa Andre. Become a criminal or leave the community -except it is too hard to get out, and so you make do. All the police that live in the community grew up there. None moved there after the fact”.

Later in conversation with the head homicide detective, he explained that in Rafael’s shooting of the man, he saw someone ‘making do’. Rafael was a young police officer. This was his first resistêcia. He was nervous and so he just kept on shooting, even after the man was on the ground. Was this an abuso (an abuse of force)? Maybe.

The detective told me about a recent case of a police officer being killed after a home invasion. He had been shot just because the suspect had seen his police uniform they said. This kind of thing was bad for police, who end up feeling scared and sometimes reacting rashly to violence. He segwayed the discussion to another case he had worked like Rafael’s. There was some doubt about whether in a particular resistêcia, the officer had gone too far in killing an assailant. As he debated with other detectives

whether the police officer should have done what he did, the phone rang. It was a notification of another case, just like the other one, but where the police officer was dead and the assailant long gone.

The detective continued on with his interpretation of Rafael's case: He was worried about the number of shots. Nine was a lot to come from one police officer. It was a bit excessive. But he seemed to trust Rafael. "He was nervous," he told me. Shooting someone is a big deal, and it is hard to control yourself—especially when it happens in your own place. "He did go too far, but he will learn how to defend himself properly". When all the paperwork was done, he went to have a word with Rafael about what was going to happen next. "You're aware the prosecutor is going to notice how many shots you fired," said the chief. "You need to practice." Just tell the prosecutor the truth, that this is your first resistência. You were nervous because it was your first time. Next time don't shoot as many times, and just aim for the middle.

Another group of police filed in to the room, related to another resistência. Having heard about Rafael's case, these other police had questions. "Quem matou o bandido? (Who killed the bandido?)" asked one. Rafael stood up to acknowledge. "It was you? Congratulations, my man!" beamed the incoming officers.

Killing is routine, institutionally appreciated and, as many police understand it, it serves an important function—to make them all more secure. The inexperience of Rafael is made to seem temporary. The next time he has to kill—which he almost

certainly will- he'll be much more effective. He'll kill in such a way that it both reflects the need of police to have a feeling of control over their security situation while at the same time not raising the ire of those concerned about police killings.

But in empirical terms, killing is a reflection of the real or perceived failure of the public security system. This system is itself a vicious circle for police that wraps together paradoxical kinds of police action. Conflicting police practices -killing, on the one hand, and the need to hide or defer to drug traffickers, on the other - is at the heart of Rafael's story.

For so long, Rafael was squarely in one category of police behavior: trying to just get by in the face of violence. As so many other police, he was confined to one of "the worst places in São Paulo", yielding to the real and imagined threats of the bandidos governing his community. Just as other police described their own lives to me, he was one of countless others who needed to 'dry his uniform behind the fridge' -far from public view. With this shooting, in a situation in which he had determined that he had little other choice but to shoot, Rafael 'matured' into a police officer of a different order: one who kills.

The question then, is not why police officers kill so much. Rather, it illuminates a set of conditions that allow -and perhaps even necessitate- this kind of violence. The ability of police to respond with non-violence, or to seek pro-active and peaceful solutions is dampened when the structural conditions of violence come walking in the

front door. Rafael's experience is a study in contrast, not just between two predominant kinds of police behavior, but also of the greater social context. In a world where police need to hide, and to kill, a yawning gap exists between democratic expectations and the capacity of police to respond to the hopefulness of a better world.

APPROPRIATE DEATH

When it comes to police killings of citizens, detectives must balance the blunt and bloody reality of police insecurity. They often understand this world via a kill-or-be-killed binary, rooted in their own notions of justice. Though police killings may appear to outsiders to run unchecked, there are modes of accountability and contrasting notions of the 'appropriateness' of death. Police can kill illegitimately, and it is the role of the homicide detective -backed by the underwhelming power of internal affairs, prosecutors and his peers, as well as middling methods of evidence collection- to draw the line between an appropriate and an inappropriate *resistência*. This process of adjudication is deeply informed by an imaginary of the bandido. *Resistência* investigations are underpinned by these two conditions – the insecurity of police themselves, which is perceived to come from bandidos - and whether the person killed by police can be located in either the bandido or trabalhador category.

The strength of these categories can shift the outcomes of cases, even in spite of the initial hunches and evidence available to detectives. Even where there are strong indications that a police killing may have happened in problematic terms, the imagery

of a man lying dead with the hallmarks of the bandido can push detectives towards the status quo. As one case suggested:

I was travelling with the homicide detectives to a part of town knowing that in the recent weeks there had been a number of bus burnings and a handful of assassination attempts on police. In the midst of the most recent PCC-police violence, this place had made the news a bunch of times. Today though, there was only one resistência here. One man was dead, shot by a bunch of police after he apparently attempted to break in to a house. But within a few minutes of arriving at the scene, things didn't quite seem like it had been reported in the official message. The homicide detective in charge caught on to a hole in the story that differentiated starkly from that we had heard from police. When the call about the incident first came it, not to the homicide division but to a local police, it was because local residents reported someone trying to break in to a house. Residents of the area had caught the man, who they knew, and beat him to try to teach him a lesson. He was a crack addict, they said, and was known to be involved in low level crime from time to time. They didn't like him much, but they weren't scared of him either.

The actual crime scene where the man was killed by police was on a different street, further down a different road. It was there that this man had apparently exchanged gunshots with police, ending up dead after being shot eleven times. His body, as nearly all others killed in resistências, had been rushed to the hospital where he was pronounced dead. For the detective, the story didn't jive for a couple of reasons. If this

was the same man who was beaten by residents just minutes before his death, where did he get his gun from? There was no report that he was armed and, certainly, residents wouldn't have beaten him if he had a gun. Not only that, there was no evidence of his gun being shot at the scene were he died. If he had shot at the police, which they claimed he did, he had missed everything –walls, houses and police. “Even if he didn't have a gun,” said the detective, in a hushed voice but less than twenty feet from the police of the same unit that was guarding the scene, “the police will say he did. Which is the sad thing, because one of these cops will probably end up in jail.”

The homicide detectives walked past the police who were involved, always courteous but tight lipped about what they observed. I could feel an air of suspicion, on both parts, even as friendly banter was exchanged. At one point, one of the police started talking to me about some attacks on police that had happened a day earlier on the other side of the city. Within a half an hour of arriving we were back in the Blazer, scene scoured, photos taken and on our way to the hospital.

Our next stop was at the morgue in the hospital basement. An attendant came down to the back door to let us in. The room smelled like cleanser. Beside a granite table was a trolley with a body bag on it. One of the detectives stepped over and unzipped the bag. Peeling it back revealed a man around 30 years old, perforated and bloody with bullet holes. His lean brown body looked weathered from scarcity, drug use and/ or prison. His hair was short. On his shoulders, hands and legs he had a number of tattoos: A black and white ying-yang, a scraggly spider's web and another illegible and hastily

done image on his shoulder. On his feet he had a series of barely legible letters- of the quality done by hand with pins and pen ink in prison, one detective pointed out. Each of these was symbolic. The ying-yang was the give away – an unmistakable trademark as spray painted on the walls of favelas, during prison riots and headlining PCC Facebook and Youtube pages.

The tone shifted as the police took pictures of the body. “Those police probably wanted him dead,” the detective told me later as we ate lunch. “When we pull his record, we’ll find he’s wanted for something, maybe even killing a cop.” The lucidity with which he had earlier seen and interrogated the holes in this case gave way to disinterest. The imagery of this man and the power of the symbols that adorned his body –prison, crime, drugs, dead police- destabilized the momentum towards finding the pith of the issue. The people involved in beating this guy were already at the station giving their statements, so that story would come out. There was no need now to push the issue. He’d let this case fall to another detective further down the line. They could decide about the guilt of the police involved. For now, he had decided that this situation –this man- wasn’t worth proactively ending a police person’s (or persons’) career over –not with what could be deduced about the dead man from his own appearance.

Make no mistake, homicide detectives are sympathetic to the challenges faced by police that kill. They are inclined to understand the rationale of these police much more than they are likely to appreciate and align with pressures for non-violence. For detectives there is a fine line between locating the actions of police as immoral and

thus worthy of punishment and viewing a *resistência* as appropriate because it occurred in reaction to a threat to the life –very broadly defined- of police.

Responsibility for arresting police means distinguishing between the omnipresent threat to the lives of police, and police who kill with a nefarious motive other than that which is in the interest of the security of police.

This has been heightened by some new factors, such as access to technology. The regularity of police killings of citizens, and PCC killings of police, combined with a neo-liberal security environment in which private security cameras grab much of the urban world, has meant a proliferation of videos of violent death. On demand, anyone can watch a police officer or a PCC member being executed²³. These videos lay bare the vulnerability and cruelty of both of these groups while also lending a degree of humanity to victimhood.

One evening in the station I noticed Beto watching a two-tone video on Youtube. The video was from a security camera in a hotel in downtown São Paulo. As we watched, the video showed a hooded young man walk up the stairs into the reception area. Not recognizing the threat at first, the attendant approaches the man, who pulls a gun. For a few minutes, they appear to talk as the receptionist pulls the money from behind the counter. Some time later, the man walks down the stairs, cash in his pockets. Seconds

²³ These videos are only as shocking as the comments beneath them, which often devolve into a war of words between police officers and those who support them, and PCC members and those who stand behind them. For examples see:

<http://www.youtube.com/watch?v=kalexLjh4ts> and

<http://www.youtube.com/watch?v=jgtyFFbu2kE>

later, though, he comes back up. This time, followed by a police officer, gun in hand. The man tries to take the receptionist hostage by standing behind him, but the receptionist keeps him from grabbing his gun. They tussle, and the police officer manages to get a clear shot. He shoots, then shoots again. The hostage flees and the man falls behind the counter. The police officer reaches over the desk and keeps shooting, his hands trembling visibly. The man slowly stops moving and dies while lying on the floor behind the counter. The video flashes to a news anchorwoman. She concludes the story by saying “*the man, 29 years, old had a criminal record. The case was registered as an attempted robbery and resisting arrest followed by death*” (Paulinhopitbull 2012). Beto says to me, “I heard this police officer was arrested. But it looks like a good resistência to me. He was scared. You can see his hand shaking when he is about to shoot”. It was unclear to me Beto took away from watching the video, except perhaps a heightened sensation of vulnerability to both violence and internal affairs.

The uncertainty of violence is unnerving to these detectives, who feel persecuted on two sides. On the one hand, there is a loud and raucous population pushing for a police that respects human rights, are more accountable and much less violent. On the other hand, there is a vocal sector of society that sees police killings as the only means of ridding the city of criminality (Caldeira 2002). And yet both of these groups overlook the very personal impact of violence on police people. Once a police officer leaves the station he can't leave the images and experience of violence behind. Once she leaves

the station, the reality of that violence is much more acute, and their actions in response are often deeply scrutinized.

Though some avoid violence by leaving all vestiges of police identity in the station, other police choose to carry their gun with them at all times. This is their way of feeling safer. When a police officer uses a gun off duty, because they are held up or stumble across a crime in progress, it is rarely scrutinized in detail - even if there is evidence of excessive force. It is assumed that if a criminal confronts a police officer, he can respond by killing the assailant – just as in the case of Rafael. These kinds of cases are routine, and even mundane.

One evening in the homicide department, a call came in about two resistências. Two teenage boys had robbed an off-duty police detective as he sat in his parked car on the street where a family member lived. The two boys had told him it was a robbery and shouted for him to get out of the car. In the process, though, they saw his gun wedged between his leg and the seat. One of the boys fired a shot, but it missed. The detective responded. He shot five times, hitting one of the boys in the head and killing him instantly. The other boy was found dead down the street and around the corner, shot four times. The investigation was barely that. Homicide detectives took his statement. Because there were no witnesses, his was the only one with a story, augmented only by five photos, a gunshot residue swab on the detective and the teenagers and the statements given by the police who responded after the shooting. There was no way to

know –nor much interest for- the details. There was no need to ask questions. This was straightforward.

INAPPROPRIATE DEATH: UPENDING THE DISCOURSE

Sometimes detectives make the decision to arrest police for killing citizens inappropriately. And it is usually a decision. When police arrest their peers, it is typically a product of weighing the circumstances and surveying the evidence at hand. It does not necessarily mean that police have killed a *trabalhador* or someone other than a ‘deserving’ bandido. They occasionally arrest police for killing bandidos, too. At the heart of the matter is the amount of discretion and freedom to decide that homicide detectives have. Detectives operate with a large discretionary space. They can choose to investigate diligently, or not. Analysis of blood spatter patterns or different blood types at the scene is rarely, if ever, undertaken. They can, however, call for blood, drug, brain matter, sub-fingernail and other exams at their discretion. Only one of these exams is mandatory –gunshot residue for police involved in a *resistência*. They can choose to sympathize with their fellow police, or to disagree with them and dig deeper for more evidence. It is their decision to search for witnesses and contradictory statements, or to only use the word of the police involved. They make all of these decisions based on their own understanding of the story –or stories- that presents itself to them. The more they appear to make sense, conveying a logical sequence of events, the less likely the detectives are to seek alternative hypotheses. In many cases, it doesn’t much matter what the outcomes is, because either the person is

dead –a subject of a *resistência*- or he is one of the thousands of homicides that go ‘uncleared’ in the city every year. Oversight of police detectives, in other words, ranges from weak and undemanding to non-existent²⁴. The single most important resource for a homicide detective is his moral compass.

The puzzle, then, is why police will occasionally make decisions to subvert the status quo, to support people that conform to dominant notions of the *bandido*, and to arrest their fellow police for something that they do routinely – kill citizens. The large discretionary space and the lack of dependence on evidence means that police make their decisions by drawing heavily on their own moral position. It rests on the shoulders of individual detectives to determine whether they agree or disagree with a particular case, and whether the actions of police merit arresting them for homicide. For this reason, not all homicide detectives choose to arrest police. Many do, however, finding ways to hold up a different moral standard in the face of divergent pressures, most notably from other police, the PCC and, evermore, civil society and new public accountability institutions.

To get the outcome that he or she wants, homicide detectives often need to cobble together solutions for gaps that become prominent because of a lack of evidence, the unwillingness of someone to talk or resistance from a group of police that shelter their

²⁴ Not that this is the fault of those immediately responsible for supervision. These supervisors are functionaries of those above them. My point is that violent death is *structurally* devalued. For those at the top of the public security system, control over death isn’t a source of great political capital. Except in certain cases of *repercussão* –repercussions- it doesn’t much matter how well detectives do their job, since police are doing the killing. It is precisely this fact that has created an opening for the PCC to exert control over death.

colleagues. Since these detectives are almost always set up to fail, they need to be highly proactive to find success. An imbalance in power between influential police agencies like ROTA and the Tactical Force whose role is understood as killing bandidos, overshadows the mandate of homicide detectives. The regular need to question the activity of these deadly agencies means that detectives must have a compelling and outstanding case in order to take the step of arresting police from these places. Failing that, they may need to find alternative channels to satisfy their notion of justice. This puts them in an unenviable David versus Goliath position, where the inclination is to agree with Goliath rather than to throw rocks at him. Overturning the dominant notion of deservedness of death, taking a gatekeeper or two with it, is no small task but it does occur.

A nuanced example of this occurred in mid 2012, as São Paulo was engulfed in violence that pitted the police against the PCC and vice-versa:

In the midst of this new surge in violence, I'd been trying to keep on top of the news. Every day there were reports of police being killed. It was hard to keep up, and the media never even managed all that well. Before going to the precinct for a shift I'd read through the latest stories by Googling 'dead police São Paulo'.

On this particular night the news reports were talking about more buses being burned, another multiple homicide (chacina), and a marked spike in homicides. Nine homicides, including the chacina yesterday they said. Police authorities are now

saying that they recognize there is a connection between police killings and the PCC. They have some evidence, gleaned from wiretaps of PCC members that say police ‘vão sentir o pau’ – ‘will feel the pain’- a phrase apparently coming from the mouth of a PCC leader in a well known PCC district. As I walk to the homicide department I can’t avoid the feeling that I am about as close to the middle of this as anyone.

Three blocks from the station I three or four ROTA SUVs –flashy new Toyota Highlanders²⁵- fly by on the street. Something big was probably happening, I thought. Arriving at the station, I saw a couple of ROTA troops standing sentry, gruff as they are with stern statures and dark and side-tipped berets. The Civil Police officer at the reception gave me a tough time about giving me my pass. I didn’t know him, which was abnormal by now. He was resistant to me being there, maybe because he didn’t know me, the city was full of unanswered questions and probably because the place was crawling with ROTA. Eventually I convinced him to call upstairs to ask if I had permission to go up. He did, and they said yes. He passed me my swipe card, albeit begrudgingly.

I walked up the four flights of stairs that wind up through the inside of this old station. As I stepped out of the stairwell there was a cloud of ROTA troops –probably between twelve and fifteen. Among them was a man in handcuffs. One ROTA officer was

²⁵ Owing to protectionist importation policies that seek to incentivize national industry, imported vehicles are exceptionally expensive in Brazil. A modest car such a Honda Fit, which retails for about \$15,000 dollars in the United States, retails for around R\$68,000 Brazilian Reais –roughly \$30,000 US dollars. A Toyota Highlander is a monumentally expensive vehicle by local standards with a retail price of greater than \$85,000 US dollars. It is a striking marker of status. In a system defined by acute incapacity and generalized insufficiency, this one police agency, which happens to be known for its lethality, is set apart.

holding two long and slender bricks of some kind of drug – that I later learned was 1.5 kilos of marijuana. I said good evening to all and walked past into the office. A mix of people were there, most still getting off of the day shift. One or two had arrived for the night shift. Two detectives were waiting for more information on a case that had happened earlier in the day. The rest of their team was still in the field, dealing with the shooting of a police officer from a specialized unit that went down at a shopping mall. The official line was that it was an attempted robbery that occurred following an ATM withdrawal (saidinha de banco). Not according to some of the police in the station, though. “It was totally an execution,” said one. “He got shot in the face. They took no money. Have you ever heard of someone going around robbing people with a bullet proof car (carro blindado)?”

That a member of an elite unit, this time from the Civil Police, had been attacked was precedent setting. “Now they’ll put those guys on the street. Just to kill,” said one detective. “They don’t care. When there is a hostage situation, they just send in a sniper. One shot, it’s done...”

This incident hit close to home for these police. This fellow worked down the hall and many knew him by nickname. “It sounds like he’s going to die. It hit his lungs. They were trying to stabilize so they can operate. But it’s complicated. His chance of living, on a scale from zero to ten, he was a five.”

It was confusing to me why the homicide department was dealing with this case, since, strictly speaking, no one had died, and the victim was rushed to emergency. Not until it becomes a homicide do these police actually investigate, a procedure that tends to marginalize the importance of the crime scene. And, in any case, this shooting happened outside the jurisdiction of the metropolitan homicide division, having occurred in greater São Paulo. I knew there must have been special orders, but I never had a chance to ask.

Regardless, ROTA was heating up outside the door and attention was turning that way. No one yet knew why there was a cloud of ROTA police outside the door. No message had arrived on the intranet about anything involving ROTA and there was no word of a resistência –which was almost always why they showed up. “They’re deciding what they’re going to say,” said one detective. “How they are going to walk through the case.”

The reason became clear soon enough. Word arrived from upstairs that ROTA had been told to bring a case to homicide – even through there was no one dead. Someone important didn’t want them taking this case to the organized crime or drug units, both of which, police always say, are thoroughly crooked.

As ROTA came in with a suspect, many of the police started jumping all over the him, interrogating him about what happened. One or two were particularly forceful,

screaming in his face “I’m going to fuck you. I’m going to hang you up²⁶. I’m going to fuck your wife, and then your mom if you don’t tell me the truth.” But after awhile, these same police realized that the story they’d been told by the guys from ROTA wasn’t adding up. One of them went to his superior to tell him that there were big gaps in the story. It was too perfect. The ROTA said that the prisoner was a PCC member and that he knew all sorts of things about what had gone down in recent months. They had stumbled across him while patrolling. After pulling him over, they found drugs in his trunk. He then confessed to being a PCC member and to knowing about a meeting when a ‘salve’ – a message to all PCC affiliates – was made that called for police to be assassinated. He told them when he was batizado (baptized) into the PCC, by whom and where.

The suspect, however, had a very different story. He was picked up by plainclothes police, whom he thought were detectives. These police approached him about a debt he owed within the PCC for two machine guns that he’d lost. They asked him about being cobrado (persecuted) with his life for having lost the guns by a PCC member named ‘Duque’. He told them he knew nothing of the story, that he was now living under a different alias and hadn’t had a single interaction with the organization since he had fled prison in 2008. He’d had trouble with a powerful PCC member whose girlfriend he had messed around with. These first police had told him that they would “throw him to the ROTA to kill” unless he could give some information. ROTA took him to his

²⁶ This might be a reference to a certain kind of torture that the Civil Police were known to use during the dictatorship –the *Pau de Arara* (parrot’s perch). There is no evidence that this is still used, but evoking the imagery of this practice is nonetheless powerful.

house and searched, but they found nothing. They'd told him "you'll take these bricks, say they are yours, and you'll take the charge so you don't make us look bad." If you change your story, they had said, we'll kill your wife and daughter.

The yawning gap between these two stories –one simple and logical, the other complex and nuanced- raised doubt and suspicion among the police detectives. At least one of them very significant: What was the suspect's motive to rat on the PCC, especially knowing that he would be back in their midst in the prison in a matter of days?

But he was much less worried about the PCC than he was about ROTA. He didn't want to say everything on paper, or to be recorded. The police from ROTA would be able to read everything, and, he didn't trust that a videotaped statement wouldn't end up in their hands either. Detectives had already prepared the video camera but he steadfastly refused. But the detective found a novel way to get the suspect's story out . The suspect had mentioned knowing about a particular homicide of four people that ROTA had carried out near his home neighbourhood two years prior where ROTA had killed a group of people, none of whom had anything to do with the PCC, drugs or violence. And the suspect knew exactly which ROTA officer had pulled the trigger.

So the detective convinced him to put down most of his version of the story with a novel tool: me. The detective used my name as witness of his statement. This "Canadian sociologist" would verify and serve as a guarantee against the ROTA threats. He could feel good about this because I was there, formally, and the guys from ROTA would also know that. So he agreed to write his statement of tonight's events without details that

undermined ROTA's story. I would approve it, and he would not be prosecuted for everything that ROTA was charging him with, but he could stay the night in the station's jail, where he would be safe from ROTA. In exchange for this, he would also give a complete statement the following day on everything that he knew about the ROTA assassination of four citizens.. In that testimony he could also share everything about what happened tonight. This statement would not be available to ROTA, particularly if he chose to give that statement as a confidential witness.

After the statement was finished and the other detectives took the man away, I asked the detective about the circumstances. Was he a PCC member, after all? Where the drugs his? He's definitely a PCC member, he told me. "He is PCC. Maybe he isn't all that involved anymore, but he is. The smart ones don't carry guns." The drugs were harder to know. "It's difficult," he said, "But I think so." He wasn't worried too much about whether ROTA was fucking with this guy. But he was interested in how this case could help solve the ROTA killing of four people. He spoke about the need to be serious about not letting anyone –police or PCC- "kill innocent people", as they did in that incident two years prior. He recalled to me what he had told the suspect:

"In this report the statement is just basic. They'll have access to this report. Tomorrow at the multiple homicide unit they'll take everything that you've said here and everything else that you know about the perpetrator from the killings two years ago. There, ROTA has no access to the report."

A bit later, the ROTA police came in to talk about how things progressed with the suspect. A conversation ensued about the violent feud between the PCC and police, and the degree of instability pervading the city as a whole but for police in particular. "When he told us about the salve where they decided to kill police, I wanted to wring his neck," said a ROTA officer.

In the homicide division they had been investigating all of the police killings since they started to come in big numbers. More than anyone they were seeing first hand the ways that police had been picked off. The detective recalled one of these. "It is all on film. The security camera shows the police guy getting shot, twice. You can see everything. Him stumbling (holds his arms out, wavering). The bandido walks up, holds his head and... (feigns holding a gun, pulling the trigger repeatedly)."

"For me, a police officer is a police officer," said a ROTA officer, lamenting. "From top to bottom. If one dies we all have to back him up. If not, they will eat us alive."

And yet both the detective and I knew something that the ROTA officer did not. Not even two weeks ago, this same detective had had a group of ROTA officers arrested for killing a member of the PCC. They had taken the man alive from a crime scene in which five others were killed. Along the way to the station where we all stood, they had stopped on the side of a highway and executed him. Much of the event was caught on camera, footage that the detective had actively sought out. Those police were now in jail – a jail just for wayward police- waiting trial.

But to my amazement, the detective brought it up later in the conversation with the ROTA officers. "I was the one that had your co-workers arrested. But I kept a few of them out. There were a whole bunch that stayed behind at the crime scene. Internal affairs wanted all of them. I argued that they were involved." The ROTA officer stood and listened, not showing obvious reaction, almost as though he already knew how and why it all went down the way it did.

Just then the phone rang. A police officer typing a report on a desktop computer picked it up. Another resistência, he said. Police killed a bandido on the South Side. "One less", said the detective. "While on the job?" asked the ROTA officer. "Gooooood".

Homicide detectives do take pride in their job - even if that job is nearly impossible to do. Occasionally they are held up as examples of moral righteousness and diligence for solving certain cases or choosing to stand up to police that kill citizens. One police officer told me about the challenges of being placed in a position that exposes you as a relative enemy to the two different groups. Months earlier this detective had arrested a number of police for a so-called resistência in which the police claimed they were defending themselves from a viable threat. More recently, he had been at the heart of a major case in which police from another high profile SWAT-like unit had been arrested for executing a member of the PCC. These police had ferreted out the PCC member, bringing him into the street. In the process, one of the police decided to end it right there. He raised his gun and shot the PCC member in the head. He failed to kill him

however, and an amateur video taken at the time shows him fleeing away, only to end up dead at a local hospital labeled as a ‘john doe’.

The higher ups in the system wanted someone to take credit for the arrest the group. “The Secretary for Public Security wanted me to do a press conference. There’s no way I want to be recognized for that,” the detective told me. Instead of being propped up as positive example of anti-violence, it was much safer to stay in the shadows. In situations like this, where police have been so violent and there is evidence to show that they overstepped their powers, it is a challenging situation. On the one hand, the detective can decide to overlook some evidence or other factors –but be left to reconcile with his own conscience. On the other, he can arrest police for killing someone that he may agree is deserving of death –something that might even make him feel just a little bit safer. He summed up the predicament pithily, “I’m screwed if I do it, and I’m screwed if I don’t” (*se faço, me ferro. Se não faço, me ferro.*) In a world that pits two relative evils against each other, these detectives go looking for the lesser.. This isn’t because they are pawns that bow in the face of pressures. Rather, they seek pragmatic ways to uphold their hunches - be that in letting hundreds of bandidos die a year, or as they occasionally choose, to find video that allows them to rid the streets of the “corrupt cops that make it hard for the rest of us.”

Arrests of police that kill citizens are neither routine nor exceptional. They do not evoke a new era of police accountability. The overriding considerations are too great, and shared among police. Not only that, the homicide division has gained a reputation

among all police. Alongside the internal affairs division, they are seen less as colleagues with whom to share information and more as adversaries to keep at arms length. The homicide division's ugly step-child position within the public security system is nothing less than a reflection of the value given to life in general. As long as the homicide division is the place where police careers are born and go to die in relative infamy – an inversion of what theories of sovereignty might suggest – their capacity to regulate the killings of both police and the PCC will be muted.

Resistências continue to be used as a vital tool of policing because they are believed to be the only way to manage a population of bandidos that are understood to be beyond moral retrieval. The alternative, to lock them up indeterminately in prison, is to feed the cycle of violence emergent from the depths of prison injustice that started the mess in the first place. Moreover, police believe that this population is responsible for insecurity, both as experienced by all citizens in the city and in their own vivid everyday individual police struggles for safety. The bandido is at the center of a complex imaginary of urban violence. It is *the* hegemonic lens through which criminality is framed in broader society and by police in particular. The imaginary of the bandido structures police practice as though sifting through the population to separate which citizens can and cannot be killed.

This powerful discourse, evident in urban Brazil for decades has shaped social relations in many ways (Misse 2010). Not only serving as a justification for deadly police action, as I have outlined here, the bandido has since become a source of

belonging and security for many whom find themselves trapped within its narrative. This is the rationale behind the genesis of the Primeiro Comando da Capital, a self-protection organization that employs deadly violence as a means to eliminate violent rivalry and create greater security for its members.

FIVE: The Killing Consensus

In March of 2012, a leaked report from São Paulo's Intelligence Division of the Civil Police surfaced on prime time television. News anchors from the Band television network laid out the report's findings: Organized crime and the elite unit of the Military Police, ROTA, were in league. Seeking to avoid scrutiny, the PCC was paying members of the ROTA to kill those whom they wanted dead. The ROTA was carrying out these killings under the guise of resistências. The report outlined a scenario in which a number of recent ROTA resistências were actually hired killings being paid for by the PCC. Disguised as routine police activity, and less methodically investigated as a result, these killings benefitted both parties. Police were paid handsomely, while the PCC could maintain its power and stay out of the limelight. Not just that, it could simultaneously curry favor with a police agency that, quite paradoxically, had been vociferous and widely celebrated in its role fighting organized crime (Band 2012; Barcellos 1992;).

This leaked report is one indication of the ways that the killing of the PCC and ROTA coincide. But this collusion is rarely as public or overt as that which is concluded in the Civil Police report. For the most part, this dynamic is more obscured, playing out implicitly at the everyday level of resistências, homicides and assassinated police. Between the PCC's regulation of death discussed in Chapter Three and the police's killing of bandidos in Chapter Four, it is evident that the state does not uniquely

preside over the regulation of killing. Rather, as I will argue here, that ‘right’ is exercised first and foremost by the PCC, but nested within the normative apparatus of the state. In other words, those who are formally mandated to limit violent death, homicide police, depend on the PCC’s regulation of death as a means to limit how many people are dying in homicides in the city.

And yet the killing of both of these groups envisions a similar and expendable subject. As long as the PCC’s killing does not step outside a set of normative bounds of exception, their control over the conditions and regulations of life and death are implied and banal –more or less accepted, as it were, by the state.

The notion of a bounded expendable group that is defined by their right to be killed without consequence – and the ways that states are made via the ability to define the exception – has been thoroughly theorized (Agamben 1998, Mbembe 2003, Schmitt 1985 and Arendt 1970). Agamben’s claim is that these ‘zones of irreducible indistinction’ (1998:166) -the spaces controlled by the PCC, for example- force us to rethink the state itself. In other words, these spaces (often of governance and territory), provide a window on the hidden inner workings of the state. These ‘spaces of exception’ in the city provide new significance and fodder for Walter Benjamin’s argument that the ‘state of emergency’ is not actually an exception -it is the rule (Benjamin 1978). So what happens when someone other than the state defines the exception?

But these theorizations of the state are premised on the assumption of a tightly centralized power and control, and do not grapple with the existence of a second group, emergent from the ‘zone of indistinction’, with which the state regularly colludes. With a foot in São Paulo, I argue, in contrast, that the expendable subject can be defined by consensus – in this case between two powers. These two powers are not antagonistic as they may seem at first glance. Rather, they are often nested together, operating in mutually beneficial ways. Under this configuration, who can live and who may die, and the relative stability of this outlook as banal, hinges on the moral overlap between, a) those charged with regulating death within the state –either through investigation or the act of killing- and, b) the moral system of the PCC. Parallel notions of legitimate killing agglomerate in such a way as to define and create a de facto and pseudo-state dominion over the right to kill, which I call a ‘killing consensus’.

That who can live and who may die is decided in a de facto partnership between the state and an organized crime group should raise many concerns. That the PCC has become the mechanism regulating how many people can die –having, as it were, contributed to a *massive* and internationally recognized decline in homicides in the city - is problematic for more than just the theories of sovereignty and that state that hinge on the ability to define the conditions of life and death. It sets in motion a cyclical pattern of calm and crisis, where explosions of violence occur as the consensus is ruptured and periods of relative calm and predictability resume when it recouples.

In this chapter I examine this nested configuration of the ‘formal’ state and the PCC, focusing on two dynamics in particular. First, I trace the ways that these two different logics of killing operate in conjuncture. Under this configuration, there is a preference for a predictability of killing in which one can exercise a degree of control, over a more complete security or the total instability of violence on the other. Second, I look at what happens occasionally – when this consensus is ‘killed’ -breaking apart with, and into, violence. In these circumstances, the two prominent sources of killing in the city, the PCC and police, turn their attention away from the forms of equilibria, to attack each other directly. This sends both the number of homicides and the toll of assassinated police through the roof. These moments of upheaval –May 2006 and the latter half of 2012- result in waves of retribution killings, playing out in PCC affiliates killing police, police killing suspected PCC members in resistências, and shadowy extermination groups, made up of off-duty police, engaging in multiple-homicide cleansings. In these moments, each group struggles to reestablish some semblance of control, through violence, as the predictability of consensus killing and the expendable subject is shattered.

In the sections that follow I examine the killing consensus in the work of street level police. First, I look at the ways that the moral outlooks of the police and the PCC about killing nest. Second, I delve into the everyday forms of equilibria, targeted primarily at avoiding violence, that bind the consensus together. Lastly, I examine how the consensus broke apart in 2012, resulting in an explosion of violence and uncertainty in the city.

REGULATION OF DEATH, NESTED

In Chapters Two and Three, I examined, via the homicide police, the two logics that regulate life and death in the city. Both logics of violence have strong moral frameworks by which they judge the deservedness or ‘appropriateness’ of death. But these logics are not mutually exclusive. Rather, they converge in significant ways. While police who kill often do so with an understanding that the subject is a *bandido*, the subject of a PCC killing is imagined as an individual who does not even follow the *bandido*’s rules of the game. Herein is the crux: those who regulate death locate those killed by the PCC, implicitly, if not explicitly, as worse than a *bandido*. The subject of PCC killing is by operational definition ‘hyper’ undeserving of life. He has failed the moral tests of both worlds – those governed by police, and those governed by the much more severe regulations of the PCC. Twice judged, the bodies of these young men – for they are almost always young men- swell the numbers of those who die violently in this city. In killing those deemed hyper unredeemable by the state, the definitive role of the PCC goes largely uncontested by the state. While individual homicides might be resolved, those arrested by the police are returned to the regulatory space of the PCC within the prison system. The moral system of the PCC is thus rarely substantively contested.

This is at least partly because the PCC’s regulation of death has come to fill a distinct void in state’s provision of public security. The PCC, in other words, has come to

provide a service for the state, and in doing so has nested itself as part of the state. As a product of violence, the PCC gained its privileged position because the state failed to secure the city and prisons through the late 1980s and 1990s. This was largely because of a twisted amalgam of incapacity and disinterest that opened space for the PCC's entrepreneurial emergence as a self-security organization (Denyer Willis 2009). Today, though, this has morphed into a difficult paradox. Independent of incapacity or disinterest, police are obstructed from making more complete investigations because of the regime of the PCC, under which communication with police –by members, residents, witnesses- is largely forbidden. The state now finds itself in a much more troublesome conundrum –it is both obstructed by the PCC in its investigation of violent death and beholden to its single-sourced dominion over killing, to which the monumental decline in homicides can be attributed. In other words, the state of São Paulo is not what it is, and presents itself as, without the PCC.

But the PCC also depends on the state. If it is clear that the PCC has a dominant regulatory regime over death, it may be less clear how that system –and its related drug trafficking economy- is also deeply part of the formal system of justice, albeit in obscured ways. This is both obvious, as in the control of the PCC over the inside of nearly every prison in São Paulo state, as it is concealed. But the day-to-day interactions between these two systems is visible in police work. One such way is when the PCC chooses to punish residents by utilizing the formal system in order to avoid the investigative scrutiny of police. Rather than having someone killed, and potentially get arrested for it –which would be a waste- it is just more pragmatic to coerce the accused

person into the indignities of the formal system. This has benefits for the formal system as well. The police get their man, the statistic is theirs, and they find a resolution to a case that might otherwise have stayed open for the long haul.

One such case occurred early in 2012. One afternoon a call came in to the Homicide Division. The body of a young woman, who I'll call Gabriella²⁷, had been found dead on the North Side of the city. She was visibly pregnant and was found naked in the bushes off of a road at the very edge of the urban sprawl. There was an ID, and some description about her last known whereabouts. Residents had reported that she was addicted to crack cocaine. Her boyfriend had also been recently arrested. Detectives threw out many possibilities: Her boyfriend was out for a holiday break²⁸, and had killed her. The boyfriend had arranged for her to be killed. A sexual predator was at loose in the community, as evidenced by a handful of reported rapes. Considering the nature of the violence and the difficult imagery that accompanied a death like this, there was some concern that it might get a great deal of media attention. All the stops were pulled out. The chief detectives ordered all matter of exams to be done on the body, from cavity exams for semen, to subcutaneous exams for skin and blood, blood tests and drug and alcohol exams. The other detectives were using all of the databases –motor vehicle, criminal record, national identity, among others- for more details about

²⁷ Parts of this have also appeared in a post at [opendemocracy.org](http://www.opendemocracy.net/opensecurity/graham-denyce-willis/sao-paulo-insecure-citizens-all-of-them): <http://www.opendemocracy.net/opensecurity/graham-denyce-willis/sao-paulo-insecure-citizens-all-of-them>

²⁸ Brazilian law allows for non-maximum security prisoners to leave prison to celebrate holidays and important dates with their families. This temporary release is conditional on their return to prison of their own free will. This program is highly divisive and the source of much debate.

the husband, his known accomplices, and for more about this potential sexual predator. It was late in the shift, and this was early in my research when I was still new to the division. This time the chief didn't feel comfortable taking me to the scene. We parted ways as the team walked out the door to get in the Blazer and go to the scene. After departing I went to a local corner bar and wrote up my fieldnotes, indicating to myself to follow up about this case, both in the media and with this same team the next time I saw them.

Days later I saw the chief again and asked what had come of the case. Arriving at the scene, he explained, they had tried desperately to solve the crime, canvassing the area, talking with residents, seeking out known sex offenders and digging into recent sexual crimes in the area. Their efforts had been fruitless and none of the possible theories had panned out. With few leads and even fewer witnesses the case was passed on to secondary investigators. Thankfully, though, the media hadn't picked up on the case. Or, if they had, they were likely turned off by the fact that Gabriella was using crack while pregnant.

And yet out of the dearth of answers came a conclusion. The offender walked right into the station and turned himself in. The chief told me the story: The offender claimed that Gabriella's death wasn't a rape, but, rather, that she had died when a consensual sex-for-crack exchange went bad. They had gone to the bushes to make the 'deal'. After the sex, she had collapsed and became unresponsive. Scared about what to do, he fled, leaving her to die naked and alone in the brush by the side of the road. He

hadn't been around when the detectives came looking for answers but he had heard all about it.

That wasn't the problem. People in the community were talking about him and what he had done. There was hearsay that he had raped Gabriella. No one tolerates a rapist – most especially those in charge in these places. A formal discussion took place with os caras de lá – ‘the guys’ from there, meaning the leading PCC affiliates in the neighborhood. No one in the community disputed that the man turning himself in was involved, or that there was intercourse and ejaculation. Her death wasn't the problem. The case hinged on one difficult to discern but highly moral turning point: for ‘the guys’ the most important piece of information was whether the sex had been consensual or not.

The problem was, no one there could say for sure. To the PCC affiliates in charge there wasn't clear evidence that he had been violent, taking advantage of her on a dark street. Nor was there evidence that she had consented because she wanted crack -despite her habit and reputation as a user. The sex-for crack exchange was interrupted and never fully came to pass. After a great deal of deliberation but no unanimity about who was at fault, they came to a resolution about how to settle the problem. The local PCC affiliates decided to give him a choice: walk himself in to the police station and take responsibility for Gabriella's death, or be killed. According to the man who turned himself in, if he could have proved that the incident wasn't a rape, but instead that the whole mess was just about a girl -who happened to be pregnant- that was willing to

pay for crack with sex, then they would have let him go. Failing to do so, he took the only real option open to him – turn himself in and keep on living.

The irony, of course, is that this man would only leave the PCC's moral space for days, if not hours. After writing up the report, giving his statement and completing other formalities in the police station, he would go straight into a prison system controlled almost in its entirety by the PCC's moral regime. There he would be governed by the same system –now much more obviously embedded within the state- that forced him to surrender to it in the first place. In many ways, it seemed like the PCC had decided that the suspect deserved jail time, not capital punishment, and used the detectives at the police station to move him into what is essentially their own regime. Read this way, police detectives seem like little more than bureaucratic cogs in the PCC machinery.

More nuanced still though, is the fact that this man was likely judged, at least in part, from inside the formal system. Tribunals occur when PCC members responsible for punishment –known as a *disciplinar*- connect from inside prison via cell phone with local PCC members to judge a specific case. On the one hand, this moral regime is contingent on the relative safety and protective confines of those in the prison system. On the other, it hinges on those outside of the prison system being subordinated to a leadership distant from the location of the 'crime'. But the subordination of those on the outside is made possible by the near inevitability that they will find themselves inside the prison system, where they will be in need of the structure of rules and the goods provided to incarcerated PCC members from the fees collected from the

membership on the outside. The viability of the PCC's structure of justice thus depends on the regular flow of members from inside the formal system to outside and back again. To separate the inside from the outside and the informal from the formal would disarticulate a highly centralized system of moral governance – made possible by a lucrative drug trade with many envious and violent onlookers. The nesting of the PCC's right to kill, which is at once distinct and indistinct from the punitiveness of the state, has been made possible because of the paradoxical relationship between urban social exclusion. The violence that was allowed to run unchecked and the state's attempt to manage that violence by transplanting those perceived responsible for that violence into an equally violent and excluded place within the state –the prison- has resulted in two systems of moral governance, deeply intertwined.

FORMS OF EQUILIBRIA II

“As long as the state has no authority, I'm going to take care of my own.”

- Homicide Detective

Throughout this dissertation I have examined extensively the ways that police interact at the everyday scale with the PCC and its imaginary of violence. These two systems meet and mesh on the street, in the prisons and in the police stations of the city of São Paulo. According to most of the literature on policing, and to conventional notions of who police should be and what they should do, this ‘deviance’ from the rules constitutes corruption (Newburn 1999; Punch 1985). Rarely, though, is the threat or

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reality of formidable violence considered. When it is, we often fall into a popular, if snappy, binary: *plata ou plomo*. Silver or lead -wealth or death- you choose (Dal Bó, Dal Bó and Di Tella 2006).

This binary is just as Rafael described his situation living in the “worst neighbourhood in São Paulo.” But it is unhelpful. Here, I continue to advance the idea of *forms of equilibria* as a more fine grained way of thinking about the street level interactions between police and the PCC. Forms of equilibrium are two things. First, they are a pattern of adaptive actions, used to avoid violence, that prioritize personal security over other demands. Second, it invokes a kind of mutually beneficial relationship, real or implicit, that produces predictability and a semblance of security. In this sense, police both defer and are deferred to, but not for the reasons that we may suppose²⁹. Problematic as it may be, forms of equilibria between police and PCC members keeps both more secure, if temporarily. Nobody benefits when the police and PCC are at each other’s throats. Deference is necessary because violence is always a possibility. And violence does not occur as regularly as we might think, as a result.

Police who live in or near PCC communities must conceal their identities at all costs, as I discussed in depth in the preceding pages. Patrolling police must contend with a devalued position in society and a chronic inability to manage criminal activity.

²⁹ The literature on policing understands deviance largely by the notion of the ‘abuse of power’ for reasons of either money or power. I am not arguing that there is no abuse of power for these two reasons, but, rather, being motivated by violence creates a different form of ‘deviance’ that needs an more fine grained analysis.

Homicide detectives suffer from a lack of resources and capacity to solve killings by police, the PCC, or others in between. Affiliates of the PCC need accept routine extortion and beatings from police, who need to feign control over criminality and the drug trade (Feltran 2011). In prison, the PCC is left much to its own devices, which suits the needs of both the prison guards who are tasked with managing prisoners at often greater than a 500:1 ratio, and political power holders, who are happy with containment and quiet. On the other side of the coin, handfuls of off duty police die without upheaval, police routinely kill PCC affiliates in shootouts, and the PCC can kill its own members and residents of its communities with little decisive threat to the organization. In other words, each group has its own taken for granted understanding of who (and how) can be killed without destabilizing security. And yet under this configuration all must deal with a false floor of security that has become normal.

These forms of deference are gestures that inform a consensus on the right to kill. The ways that both parties cede space, property or authority in exchange for some semblance of predictability and security, means that generalized insecurity prevails. On the part of police, this deference occurs primarily to fill the gap in personal security that has been opened up by the failure of security and as a redistributed public good. Most police understand this simply as having to take security matters into your own hands. This is a complex issue since there is a widespread and diffuse sensation of vulnerability. As one police detective related: “We are walking targets. It is impossible to hide, that the community doesn’t know who the police are. Especially when you were raised there.”

The decentralized nature of violence in the city is a powerful motivating force in which police routinely forfeit their authority in favor of the relative security of anonymity. Rather than heeding the mantra that ‘no police officer is ever off duty’, police often decide to ‘deviate’ from what we might assume they should do in order to make themselves feel safer. Another detective put it this way about his everyday commute:

“I don’t even take anything with me when I leave the station. No gun, no badge. It isn’t worth risking it. I have an expensive motorbike, but I’d much rather them just take that than be dead over it. It is just not worth it. Just take the bike.”

This dynamic is even more acute for police who live in or around areas controlled by the PCC. The influence of the organization transcends boundaries, having a chilling effect of the ability of police to be recognized as such. With the alternative being violence and/ or death, there can be little option but to lay low. One police detective I got to know lived in the same area, a place I call São Gotardo, where I had studied the moral order of the PCC during previous research. Knowing the empirical trappings of the place, I was surprised that this was viable for police. So I asked him how he managed:

“I grew up in that community. I was there way before them, so I guess they must respect that or something. But really, I just don’t mess with

them, and they don't mess with me. Don't worry, if they did, I know where to find guns. It is like that saying, 'I'd rather be judged by 7 of my peers that carried in a coffin by 8.' If it ever went to trial, I know how it would work out. They aren't going to bury me."

The idea that violence may one day be necessary is common theme among police. But for most, violence it is understood to be a last resort with clear consequences for them and their families. To be associated with that violence would mean having to relocate to another part of the city, leaving behind strong a sense of belonging. Not only that, it would require working two or three extra jobs in order to keep up with the cost of living in a place where anonymity can be afforded.

It should come as little surprise, then, that some police take a different track. Equilibria are still possible, even with limited use of violence. In the Eastern part of São Paulo, residents spoke about a tacit “no shots fired” agreement, in which police regularly raid PCC drug sales points in order to pocket money or drugs (Denyer Willis and Tierney 2012). Failing drugs and money, residents said, they would take prisoners. This echoes a larger dynamic known to be at play in which police seek to extract value from the organization while leaving with a sensation that they are still fighting crime to the best of their ability given the structural nature of the beast and the organizational weakness of the public security to respond in a coherent way. Police in the homicide division spoke about this dynamic as well, referring to the *pedágio*, ‘tolls’, that are collected

and redistributed at the station level – making neighbourhood precincts attractive places to be stationed.

But these forms of equilibria are not necessarily so organized. Sometimes it functions in small and flexible groups of police who meet while off duty. One police officer told me that it was part and parcel of a choice that a police officer must make. In a world when police must work one or two extra jobs to sustain themselves and their families they can choose between two options, neither of which are particularly safe. Most decide to moonlight as security guards, armed escorts, or covering shifts for colleagues. Some choose the unsafe but easier and more lucrative option, to join a group of colleagues hitting up drug spots. On the day that I spoke with him, the detective was covering a shift, having turned down the latter option for today.

This type of work is certainly not for all police -though the allure of easy money is powerful. Still, many recognize the inherent trade offs are not worth it, both for personal security and for the security of their families. One detective put it succinctly one evening over beers after work:

“I’m not going to dirty myself with that shit. Only if it is a looootttt of money. If not, my family will be stuck with no salary, and I’ll be in jail, without a pension and making no money at all. It has to be a hell of a lot of money.”

These are plenty of good reasons to avoid making money by extorting drug dealers. But whether police choose to lay low and avoid organized crime, or to engage with it as a way to make a buck, they are engaging in forms of equilibria. They both dull the power of the state and cede space to organized crime, while also serving a purpose for those on the frontlines who are both taking advantage of a depleted system and trying to save face given the failure of the system of which they are primary representatives. These kinds of everyday negotiations evoke the empirical nature of relations that crisscross the blurry threshold between the state and organized crime. “Dirty togetherness” (Wendel 2003:9) or not, these practices of are systemic, conveying not institutionalized corruption but instead a fractured and failing system in which individuals must struggle mightily, in one way or another, to get by. It is the ways that they get by, woven through with deference, which allow some semblance of predictability and consensus to come to pass.

RUPTURES: A CONSENSUS KILLED

Just as a consensus can be cobbled together, it can be torn apart. São Paulo’s periods of relative peace have been ruptured by dramatic urban-scale instances of violence. Those periods of relative peace and stability are built on a false floor that occasionally gives way when the forces supporting it break apart. This occurs when one of the two key parties –the state and the PCC- makes a move that is exceptional. This move is exceptional in that it is out of alignment with the patterns of everyday deference, suggestive of an attempt to take the upper hand, threatening the ties that bind as a

result. When these ties are severed and predictability of the everyday is shaken, violence ensues.

On May 12th 2006, a Friday evening at the beginning of the Mother's Day weekend, a police officer named Marcus was at a bar with friends. As they sat at a table on the sidewalk in a community on the North Side of São Paulo, two teenagers broke through the crowd. Without much time to react, the assailants shot Marcus eleven times before walking away calmly. This shooting was the first in an eruption of violence in which 52 police, prison guards and their family members were assassinated in a span of four days. Marcus' death rocked police to their core. According to one police officer:

"I remember it clearly. It was like, we'd get a call of one [police] getting shot, but before we'd really gotten started there would be three more up on the board. Police just getting gunned down... There isn't much information in the [crime] reports- there was no time to get to scenes or anything like that. No one knew what the hell was going on."

The Mother's Day attacks by members of the PCC have become one of the most infamous periods in São Paulo's recent history. In what police describe as a state of utter "chaos" and "terror", police men and women were tracked down and assassinated outside their homes, in their cars and on public streets. Buses were burned and banks were also hit with homemade bombs. For days the city streets were nearly deserted, with police roadblocks among the only presence on the roads.

For police this was an uncertain time in which all bets were off, especially in a place like São Gotardo where police live alongside the PCC. I once asked the detective from there how he had managed the disorienting effect of those attacks:

“Well, I went to work on my motorbike with a machine gun on my back. There was no one on the street. Totally deserted. I told my wife to close and lock the door and not to let anyone in. And that I would call her when I was about to get home so she could come down and open the door to let me in and close it again immediately. I told her that if anyone else came by she shouldn’t even go downstairs.”

If police were rightfully confused about what was happening, the rationale was clear from the other side of the fence. During a statement much later to a Federal Committee investigating the events, the PCC’s supposed leader, William Herbas Marcos de Camacho, known simply as Marcola, gave his version of the reasons why PCC affiliates carried out the attacks: An administrator in the penitentiary system had made a rash and very consequential decision to transfer a number of PCC leaders from open confinement³⁰ to a super-maximum arrangement, replete with restrictions and mistreatment. In front of seven federal congressmen Marcola related:

³⁰ Prisons in Brazil are defined by warehousing in more than just the neoliberal sense. The open confinement regime is one where prisoners are free to mingle openly and to take control of their own affairs. Prison guards rarely intervene, save to bring someone out or to put someone in.

At 6am we had been taken from our respective penitentiaries, where things were normal, open confinement, because there was no reason for us to be in super-maximum³¹ or solitary. They put us in the trailers, which are actually trucks, and we made the painful trip of seven or eight hours to get to Presidente Venceslau II. We arrived dead tired because those trucks are horrible. We arrived dead tired, hungry, thirsty, needing to use the toilet, and they left us inside the trucks for another seven hours, breathing in exhaust fumes. When they put us in the cells, we had nothing. No clothes. Just shoes, a t-shirt and flip-flops. No sweater, nothing. Nothing at all. They gave us no food. When we got there, inside the hall, which was maximum security, there were still cell phones in the adjacent halls, there from the last riot. The other prisoners simply went, took these phones out of their hiding places, and in the moment of anger amongst all the prisoners –this was something for all of us now-, in that moment of anger, a bunch of prisoners called out to their places, to their friends, to other people to ask for relief. So, that is why this whole situation happened, becoming so excessive as it was” (CPI 2006 : 11).

The confusion of those three days of assassinations of police eventually gave way to a massive wave of retribution on the part of police. But the response was telling- it came through ‘informal’ channels: Off-duty, plainclothes and disguised police lashed out

³¹ I use ‘super-maximum’ to denote the most restrictive prison type in Brazil, known as *regime disciplinar diferenciado* (RDD). Designed to cut ties between imprisoned organized crime leaders and the outside world, under RDD prisoners are confined for 22 hours a day, with up to two hours of solitary fresh air time per day and a maximum of two visitors per week. They are allowed no television, newspaper or radio access.

indiscriminately³². Over a three-week period more than 440 citizens were killed, many in small groups, and shot multiple times at close range (Cavallaro and Dodge 2007). Though most of these killings remain mysterious and unsolved, it is clear among both police and civil society that what transpired was a wave of retribution, pure and simple (Cavallaro and Dodge 2007).

Yet, there remains no consensus about why the violence ended, as it did, almost overnight. One predominant conviction is that the crisis came to a close after secret negotiations between PCC and government leaders took place at one of the most-high security prisons in the country. Rumors of government appointees flying via helicopter, with bags of cash are rife. Most believe a treaty was struck between the Secretary for Penitentiary Administration and the leaders of the PCC. Almost immediately, homicide statistics returned to the same levels, even declining further. For the next six years, with some minor ebb and flow, São Paulo returned to its 'normal' forms of equilibria and a relative peace.

2012

Quanto mais mudo, melhor – 'the more muted the better', a detective told me one afternoon. He was referring to the astute business mentality of the PCC, and the reason why nothing serious had happened since May of 2006. Unlike in Rio de Janeiro, for example, which has historically suffered regular urban scale crises, São Paulo's

³² I also discuss these dynamics in Chapter Three in relation to the bandido.
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relatively stability has been the stuff of envy. The PCC has been cautious to not draw undue attention to its activities, a tactic that has seen them expand deeply into money laundering, particularly through cash-heavy businesses like gas stations, used car sales and, if one prosecutor I interviewed has it right, into buses and public transportation.

But even this business mentality they can be ruptured by a sense of injustice. On May 29th of 2012, things changed. On that night, the ROTA received an ‘anonymous tip’ about a potential gathering of PCC members. The tipster provided information that these PCC members were gathered at a car wash in the east side of the city and preparing to bust a fellow member out of a nearby prison. 24 ROTA police arrived at the scene in six Toyota Landcruisers with guns blazing. According to the police report, what occurred next was harrowing. Five PCC members lay dead in short order, supposedly after a series of gunfights. Two people, a woman and a man, were arrested with a sundry of drugs, cash, a number of handguns and a 7.62 machine gun stamped with the insignia of the Argentine Military.

But that wasn’t the end of the story. Homicide detectives soon discovered that one man had been taken from the scene alive. The man had been put in a ROTA vehicle bound for the homicide department. But as it turns out, the man was wanted as a suspect for a point blank assassination of a police officer in greater São Paulo that occurred two months prior. The car deviated kilometers from its route before stopping on the side of a major highway. There, the man was tortured and interrogated. With a traffic camera filming, and a local resident narrating the event by telephone, the ROTA

police removed the bloodied man from the car and shot him multiple times. They then did something that is routine during resistências, especially those found to be inappropriate by homicide detectives. They took the body, suggesting it was alive and with a fighting chance to live, to a hospital. He was pronounced dead on arrival. The evidence of the killing soon reached the homicide division. Four ROTA police were arrested, capping a month in which ROTA alone killed 17 people in resistências in the city of São Paulo (Caramante 2012a).

The case sent shock waves in many directions, including back into the world of the PCC. Arrested PCC members later told of regional meetings in which the order was given to target police. The PCC was allowing members with debts to the organization to clear their slate by assassinating a police officer. Within days, affiliates of the organization were targeting off-duty police in their neighborhoods, while they were driving to work, paying for groceries, and while moonlighting. Over the course of the month of June twelve police were killed, all while off duty. Countless more had been shot and injured.

Police retaliated in kind. According to official statistics, the number of resistências shot up by 40% over the year prior, denoting a deadly shift among on-duty police. Not that these official statistics are the only measure of the police response. It is well understood among police that resistências are more scrutinized than other modes of killing. The possibility of being captive to formal investigation drove some adaptive forms of killing. In my conversations with Military Police, they spoke of higher-ups

suggesting categorizing their killings differently, such as *roubo seguida de morte* (robbery followed by death), which would garner less attention.

There were also more ‘self-help’ forms of violence that emerged. As in May 2006, police vigilante groups sprung up in areas where police had been killed or targeted. A pattern of multiple homicides at drug sales points emerged. Savvy about how to kill without leaving evidence, most of these homicides were carried out by hooded men on motorcycles without license plates who arrived, shot and killed three, four or five young men before calmly picking up their shell casings and driving away.

For the next six months, the city devolved into a blood feud between the PCC and Police along these same lines. Police killed with extra abandon. After a couple of lulls in assassinations of police officers, the PCC had come back with a vengeance following a spectacular massacre of nine people by ROTA on the far eastern periphery of the city. Buses were being burned regularly enough that the police first began providing armed escorts, before deciding to put plainclothes police officers on buses at random to deter more attacks. The multiple homicides continued with abandon, particularly in the south side of the city and in places like Guarulhos where the international airport is located, and many police also make their home. Police even surmised that they were seeing a rise in reactionary homicides, like crimes of passion, because the PCC’s control over the circumstances of killing was being destabilized.

FIGURE J. A NEWSPAPER CUT OUT OF WANTED PCC MEMBERS POSTED ON THE WALL IN THE HOMICIDE DIVISION –“PCC PLATOON WANDERS FREE ON THE WEST SIDE.”



Photo by author
The Killing Consensus

All of this killing was running the homicide detectives off their feet. I had returned back to the United States and Canada for a short period, but followed the violence from afar as it escalated. The homicide department that I came back to was almost unrecognizable. “Welcome to Pandora’s box,” one detective said, “We’re standing in it.” It was clear that things had changed for the worse. Some police were leaving work early in order to get back on the last bus because schedules had been curtailed for fear of more bus burnings. “No more naps”, said Pedro to me with a typical Brazilian side hug to welcome me back. They were now routinely visiting four to six different scenes a day, as compared to the one or two that were normal. The detectives had arrested a number of police for homicide because their resistências were deemed invalid. By the end of the year, the number of arrested police would reach 28.

The difference was stark. As we visited a scene later that day, a crime scene analyst mentioned that she had blown the mind of a friend who had the same job as hers in Europe. She had explained to him that things were especially crazy these days. Usually she would have to attend to two or three multiple homicides scenes a month. She had been to twelve. “Wow, twelve in a year is a lot”, her friend had replied. No, she corrected him. That twelve had been just this month so far, with a few days still to go. She did a rough calculation for me. With the 20 analysts in São Paulo, and a minimum of three dead per case as per the definition of a *chacina*, she surmised that around 800 people were dead, this month alone, just in multiple homicides.

The difference was also unmistakable in the amount of attention that was now being directed at the police nearly every day (and over night). There were satellite-equipped vans from the major television stations –Globo, SBT, Band- parked outside the homicide station. Press conferences now seemed routine, and we would watch the presenters standing outside pre-recording their segments, sometimes over and over and over, until they got it perfect. More than a few times, the reporters would be wearing a shirt, tie and jacket on the top but shorts on the bottom, while discussing incidents in which police had been arrested for killing.

Just as things had changed in terms of media coverage and the amount of work for homicide detectives, it had also shifted the conditions on the ground for police in and around their homes. I dedicated a portion of my research time to reading the homicide reports of police that had been killed. Some of these told of distinct histories and longstanding, but nonetheless precarious, relationships between police and the PCC. In one case, a police officer who I call Matheus was known and well liked in the community where he both lived and work. He was recognized by many for being diligent in making drug seizures and confronting the organization with regular arrests, taking an obvious toll on their day to day activities. But it was clear that there were underlying antagonisms. He had survived threats during the violence of May 2006, and had been involved in arresting high profile local leaders in recent years. And yet the PCC did nothing until the right moment. One morning, as Matheus drank coffee at a food stand two men approached him. They stepped past other bystanders and the man serving coffee and shot Matheus over and over, before grabbing his gun and fleeing.

Matheus had been receiving threats for weeks. His colleagues told of cars waiting ominously outside of their houses off and on since the beginning of the violence. Sometimes they would have to be late for work because they didn't want to leave the house until the car was gone. Some police had chosen to go on leave, fearing that they or their families would be assassinated imminently. They wanted to wait out the storm –however long that would be. Locals told of a system of power in Matheus' neighbourhood in which no one could rob, let alone kill, without the authorization of the PCC leader. The conclusion was clear: Matheus' killing was a much longed for conclusion that only came to pass when the moment was right. Quanto mais mudo, melhor – the more muted, the better.

The details of police cases like this repeated themselves and echoed in the changes in the behavior of the detectives that I was hanging out with. Most were very cautious about when they would go home –if they would- and how they would manage things once there. Like my visit with Pedro to Jardim Ângela, police wanted to control their situation as much as possible by travelling less at night, sitting facing the door in public places and choosing to come to work on their motorcycle –as opposed to by car or bus, where they were sitting ducks. The predictability of normal times was gone and safety was impossible now. They were standing on a false floor of security in which the trap door was open, not just because there was so much uncertainty in the air, but also because the situation was largely out of their hands, fed and fueled by police actively engaged in trying to completely eradicate the PCC. And while a handful of

police were engaged in an all out guerra particular – a private war- with the PCC most police just wanted to lay low and let the violence blow over, for their own deeply personal reasons.

A CONSENSUS RETURNS?

After months of killing and unpredictability, the discussion started to shift. Many police became more interested with answers about how this current iteration of crisis would come to a conclusion. As the afternoons passed without a killing of some kind, the conversation would inevitably come up: has there been a deal? The memory of 2006 was looming large. It had ended so abruptly, virtually from one moment to the next.

These police understood that the issue at hand was not whether the war against the PCC –from the few, but affecting the many- could be won. There was unity among the detectives that the assassination of PCC members, whether carried out by off duty or via resistências, was not productive. As one police officer put it, to kill PCC members and their families in cold blood was to stoop to the level of the bandido. “A state can’t be reactive like that”, someone said, summarizing the point, “we’re sinking to their standards.” No one was going to become safer with more violence.

A detective named Robson placed it in a binary. He explained that it could be resolved in one of two ways: Either the state cracks down entirely, drawing all of the public

security system together into a coordinated war, with an expectation and acceptance among all that the war would be an all out and bloody campaign of multiple years at least. If not, the alternative was some politician gets in a helicopter and flies to the prison to meet the PCC leadership, just like last time.

The former option was virtually impossible. It was deeply in question whether the resources of the system could even feasibly allow for such a scenario, not to mention what it would do to the city. The coordination between investigation and repression – between the worlds of the Military and Civil Police- also was just not there to support a strategy like this. There was way too much suspicion and doubt about sharing intelligence, and trusting the capacity of the other. Not to mention that it would aggravate even further the street level assassinations of police living in and around the PCC. But more importantly it was obvious that even considering how much the current governor had enabled both the PCC and police killings with policies of exclusion and repression, no politician would take on such a public war.

The only logical course of action was the latter. An agreement like the last time -2006- would reestablish some calm and set the minds of most police at ease. In the absence of violence, it would remove the issue that had consumed the local, national and international media, avoiding the type of destabilizing public discussion that had already toppled the Secretary for Public Security and the chiefs of police of both the Military and Civil Police. Not that the detective felt that public discussion was counter-

productive. He recognized that this solution was ultimately deeply flawed, amounting to trying to sweep an elephant under a rug.

Not just that, this kind of reaction would further establish a trajectory of cyclical crises of violence. Pushing the PCC back out of sight, as per the pattern, would allow it to continue to expand its ligatures and influence in surreptitious ways. This course of action would ultimately prioritize periods of calm and instances of dramatic violence, over an all-out war between the state and the PCC, with the scale of consequence as currently and very publicly on display in Mexico.

If one thing was clear from the detectives' reflection of the troublesome and dualism of potential solutions, it was that a consensus cannot be reestablished by the forms of equilibria of police on the street. The scale of the problem was too big for individuals to mend. Only a top down solution, affected in a systematic way and acknowledged by both parties, could reset the premise for the forms of equilibria to reemerge. The scale of the problem was much too big for a ground up solution created by individuals. What people needed was rules, however vague, under which they could position their own actions.

This months-long crisis was much longer than that which occurred in a matter of days in May of 2006. The ebb and flow of killings between the police –but particularly ROTA- and the PCC showed that, despite moments of apparent re-stabilization, there was a great deal of unpredictability. With the spike in *chacinas* and *resistências*,

including the rumoured killing of the mother of a PCC member in a neighbouring city, police detectives talked about a shift in the tide. The truculence of police –on and off duty-, they said, was forcing the PCC away from confrontation. “They are carrying bibles whenever they leave the house,” once detective told me, in an attempt to exorcise –at least superficially- the bandido identity that defines them.

Here, the detective was suggesting a third possible solution –the PCC gets beaten and bloodied to the point of submission. Not eradicated and not in a formal truce, the PCC steps away from the blood feuding, hoping that by laying low the violence will eventually subside and allow them to return to their real everyday business- making money by selling drugs.

CONCLUSION: Public Debate, the ‘Powerful’ and Police Reform in Contexts of Urban Violence

By December the explosion in violence had led to more than just police and PCC casualties. The Governor, Geraldo Alkmin, had sacked his Secretary of Public Security, as well as the head of the Military Police and the head of the Civil Police –the man who had authorized my research. As I was preparing to return home, and having been visiting the scenes of dead police and dead citizens multiple times a day, I decided to use my position to add an under-heard perspective to the increasing cacophony of voices questioning public security policy makers and demanding change. In December 2012, I published an Op-Ed in the New York Times that outlined what some of the structural and institutional failures of the public security system looked like ‘from the inside’.

Police – both the detectives of the Civil Police and the beat cops of the Military Police – are rarely, if ever, voices in debates about their own work and livelihoods. While Military Police are denied the right to speak out because of their subservience to military discipline and regulations on insubordination, Civil Police distrust those among them who speak out. This distrust manifests from many directions within the police. It comes from top levels – some Civil Police detectives have been summarily

fired for voicing opinions critical of politicians³³. And from the ‘middle’ – while union-backed collective action and strikes have been common in recent years, they are typically only for reasons of pay and job security, and not decriing the generalized failure of the public security system in which police themselves are implicated. Colleagues as well discipline each other for speaking out -when a police detective mused openly one afternoon about being interested in writing a memoir about everything that he had seen and done as a detective – something he believed would certainly make him extremely rich and would reveal a great many important things – he was roundly panned by the others in the room. He would be seen as a traitor and hated by everyone, they said, and, perhaps worse, he might end up dead.

The embargo on police voices in debates on police reform and public security has had substantial consequences for what we know and believe about police. Much of this is mirrored in the conventional knowledge about police today in São Paulo, and much of the Global South. Under democratic rule, but with little democratic voice themselves, wider presumptions about the working conditions of police – that *all* police kill and extort, for example – are widely regarded as true. A counterpoint to that opinion has been largely absent.

³³ Blogs have become an important venue for both kinds of police to voice their discord about their circumstances. But these blogs need be both anonymous or tempered. One of the most widely read blogs – flitparasilante.wordpress.com – maintained by a Civil Police *delegado*, became the source of great consternation in 2011 when the delegado was fired by a decree directly from the Governor, for his “representation of the Public Security Secretary (Flitparalisante 2011).”

Indeed, this was the initial focus of my research in 2009. I was concerned with the considerable gap in our knowledge about police. It seemed to me that this gap had not just emerged from the methodological limitations of scholarly debates, but, more importantly, was a result of how little we know – from police themselves – about who police are, what they do and what they think about the changing world around them.

My position within the police, then, was somewhat exceptional. Not only did I see what police were like in personal and occupational terms over the years, I was able to see, from the inside, how acutely fallible the system is – especially in the midst of a violent crisis such as that of 2012. Over the course of my research I witnessed many aspects and products of violence that police routinely encounter, namely, dead police, those dead from police, police who wanted nothing more than to go on temporary leave, or, more plainly, police who simply walked off the job in order to be with their families. Indeed, many did just that – hundreds quit their jobs in the midst of the 2012 crisis³⁴. It didn't surprise me that in all of the wider and increasingly international debate, very little, if anything, was being said about where 'regular' police – not those who go looking to kill – were located in the midst of this escalating urban violence.

Before I submitted the article I shopped around the idea with the detectives that I was seeing every day. The response was decidedly hot and cold. Some detectives thought the prospect was very important and implored me to “tell their side of the story”.

³⁴ During the height of the violence there were some reports that police were quitting in record numbers. One media report suggested that police were dropping out at numbers only matched twelve years prior, when violence in the city was at its height (UOI, 2012a).

Others, while not completely against the prospect, began to act differently around me in noticeable ways. One police officer in particular caught himself mid-sentence while discussing the ‘tolls’ (*pedagio*) collected and distributed at local police stations because he was worried I would quote him personally. Another said that I looked like I could be a private security contractor – something that those who have seen and know me would find funny. Despite the spectrum of responses, I knew my fieldwork was drawing to a close. I decided to push forward while knowing that the outcome could change my ability to return to the field.

Translated and posted on the New York Times website simultaneously in Portuguese, the Op-Ed landed heavily in Brazil (Denyer Willis 2012). Major daily newspapers in São Paulo, national television channels and magazines, and major online news websites picked it up, reprinting parts or nearly all of the text (Folha 2012b). Major blogs, including *flitparalisante* posted the text in full, generating hundreds of comments (Jornal Flitparalisante 2012b). At the apex of the debate the following day, the National Radio Channel asked the Governor, who was leaving a meeting in Brasília, about the article. He did not acknowledge the question or provide a response. Meanwhile, as the story moved swiftly through social media, police that I had never met were emailing me and asking me to meet them personally so they could tell their story. Others just wanted to add me as a ‘friend’ on Facebook. In an email, a representative from the New York Times declined to give me statistics for visits to the two versions of the article, but did note that “it did well” and was “shared widely on social media”, especially the Portuguese version.

Things took a different shift some weeks later when I reluctantly did an interview for the largest online news site in São Paulo. A journalist from *Universo On-Line*, known more simply as “UOL”, had sought me out relentlessly for weeks with emails, Twitter messages and calls to an organization I was affiliated with. After the reporter eventually explained to me that they were working on a story about police salaries throughout Brazil, I agreed to speak with her. I spoke candidly about the challenges of policing and organized crime, and included some of the findings from my 2006 research in a PCC community about the PCC having contributed to decreases in violence and crime. I expected that a few points – sound bites, at the least – would be used to inform the research on police salaries that they were advancing.

What they produced was vastly different. On December 19th they published the interview, under the headline, “For Those Living in the Periphery, the PCC Reduced Crime, Says Canadian Studying Violence in São Paulo (Granjeira 2012).” It was an article of its own, in question and answer format – something that I had never expected nor presumed would even be possible without, at minimum, asking my permission. Not only that, they placed it as the lead article on the website, where it generated considerable attention. It also caught the attention and raised the ire of those at the top of the Public Security System itself.

The following day UOL published a rebuttal from the spokesman for the Public Security Secretary:

“With regard to the interview with Canadian Doctoral Student Graham Denyer Willis, published by UOL on the 19th of December, we have the following clarifications:

It is lamentable that a student should use the name of such a respected institution like the Massachusetts Institute of Technology (MIT), to lend strength to claims that are far from scientific. Apart from repeating the argument of another ‘expert’, which simplistically uses the PCC name to explain any criminal phenomenon in the State of São Paulo, the suggestion that a criminal faction is responsible for the homicide rate reduction in São Paulo is a fallacy.

In actual fact, these “experts”, like this Canadian student Willis, confuse more than they explain. Rather than producing knowledge that helps the State to combat crime, they end up creating myths, supposedly backed up by respected academic institutions.

Everyone knows that the rate of homicides in São Paulo has fallen significantly. Since the end of the 1990’s, the State has reduced crimes

against life by 72%, moving from a rate of 35.27 cases per 100,000 residents in 1999 to 10.0 per 100,000 in 2011.

This reduction is multifactorial, but it is much more correct to attribute it to government investments in public security than to the activity of a criminal faction that seems to fascinate some academics such as this Canadian.

The UN (United Nations) has recognized the actions that have made this conquest possible. São Paulo's positive experience was recognized in a UN's global study of homicide in 207 countries.

Other Latin American cities, like Bogota, Medellin and Cali, all in Colombia, each have much higher homicide rates, at 23/100 thousand, 94.5/100 thousand and 82.4/100 thousand respectively. São Paulo's rate is much better than Brazil's, which is 22.3 per 100 thousand residents.

To throw all of this work into the mud just to glamourize a criminal faction, seems, at the least, strange.

Office of the Spokesman for the Public Security Secretary (UOL 2012b).”

At the bottom of the webpage in the comment section was a single, solitary note from a reader:

“Well, the worst kind of blindness is he who wishes not to see...I live in the periphery and know well what happens when you kill someone without the permission of the PCC...any fool knows that if it wasn't for this whomever wants to kill would never care about said government 'investments'. I don't know why there are these attacks on the Canadian, since he's only told the truth and nothing more...even though it hurts, the truth needs to be said...even though this really is nothing new...the worst part is that the government pretends not to know, or, worst still, actually doesn't know (UOL 2012b).”

Reading all of this at home in Canada I was happy to be far away – something no ordinary Brazilian in the same circumstance could be. Between the lines of the spokespersons note were all sorts of attempts at character assassination. More importantly, though, were the suggestions of an infatuation with the PCC – essentially, pigeonholing me as a *bandido* sympathizer. This was a rather typical response to those studying the PCC, such as Gabriel Feltran -the ‘expert’ that I had referred to in my

interview. And yet, the note was so full of holes in terms of logic, evidence and substance that it left itself open to being torn apart by the words of one poignant but personally-connected reader. And still, I didn't know how the people that I had been doing research with for the last few years would react. I was worried.

REPERCUSSIONS

A couple of month later, I spoke with a *delegada* I had known for years about what had transpired following the article and the Secretary's rebuttal note. She had plenty to say. Many police followed the back and forth, and, she felt, were glad to see some of their problems and even their dirty laundry aired publicly. "Most police agree with you", she said, "and those who don't agree can't because they are close to power (*poder*) and don't want to lose their status or their position...they were just defending themselves".

When I eventually went back for a visit to see the homicide detectives, the response was even warmer. I was greeted with hugs, stories and jokes about 'royalty payments'. What was I going to write about next? Was I going to become an international correspondent bigwig? The articles, which were at times quite sharply critical of the police, had opened the door to a different kind of rapport with these detectives, as though I had finally proved – fully and completely – that I could be trusted.

My visit back was overshadowed by a number of major changes that had landed in the Homicide Division after policy changes from the Public Security Secretary, however.

Conclusion: Public Debate, the 'Powerful' and Police Reform in Contexts of Urban Violence

In the span of three months, the Secretary had made substantial changes. Some of these sought to strengthen the integrity of homicide investigation as a means to restrain the explosion of *resistências* and *chacinas*. The first of these measures was quite dramatic, if potentially just a bureaucratic patch, of one of the focuses of this dissertation –the elimination the category of the *resistência*. A January 2013 resolution from the Secretary outlined a new understanding of the classification of these deaths at the hands of police, as well as new procedures in the immediate aftermath of a shooting (DOSP 2013).

Under this new regulatory frame, police killings of citizens would no longer be called *resistências seguida de morte*. Rather, these cases would be categorized as “death during police intervention” –*morte decorrente de intervenção policial*-, a shift that would classify these deaths as homicides and investigated as such. This resolution attempted to make logical and systematic how these killings are understood and investigated. The resolution shifted the blame from the dead ‘suspect’ and placed it on the police officer involved, requiring police to provide the burden of evidence that their actions were justified.

More noteworthy, though, was a new and complementary requirement for the investigation of these deaths by the homicide police. The resolution made it illegal for police to personally transport those that they had shot to the hospital – a widespread practice that obstructed investigations. Instead, after shooting someone, police would need to call the public ambulance, known as SAMU, and await its arrival. In the

meantime, they would be required to keep the scene entirely intact. No longer would police be able to move bodies under the guise that they were still alive, nor would they be able to take the 'long road' to the hospital to ensure the finality of death. Old and assumed practices like "not shooting in the head" so that the person wouldn't die immediately, as one detective once explained, or transplanting a body to a different location become more obvious and deeply scrutinized under these new reforms. This powerful top down resolution, itself a modification of a critique made by the National Public Security Secretary (SENASP) months earlier, threatened to throw light into the shadows that have defined the practice of police killings of citizens.

There can be little doubt that the new Secretary was deeply concerned about the broad license to kill that police wielded under the *resistência* model. In a separate step, his policy makers decided to further restrict this license by driving a wedge between the deadly action of on-duty and off-duty or retired police. Under the *resistência* model, off-duty and retired police could both be recognized as representatives of the public administration. Any action by them against apparent 'criminals' would then constitute a *resistência*. But under this new policy the Secretary applied a more strict reading of the law. Off-duty and retired police would no longer be deemed agents of the public administration. As private citizens, a killing by an off-duty or retired police officer, like the police officer Miguel who was awakened in his home by a robbery outside his window, would be deemed a homicide just like any other. These police would no

longer garner special treatment nor benefit from presumptions about why they did what they did.

But this move comes with at least one hitch. Since in these cases the shooter is, by definition, known they are no longer under the jurisdiction of the central homicide division. The homicides would be the responsibility of the local precincts, which are more obscured from public view and lack the investigative specialty of the Homicide Division. Further from specialized and diligent investigation, it is feared that other influences can ‘bleed in’. Therein lies a counterintuitive point: though the obvious expectation embedded in this new policy is that these police need to be more heavily regulated in their use of violence, these cases are being pushed even further away from the authority typically given to homicide investigation.

In April 2013, the Governor announced an additional policy change relevant to homicide investigation. A rash of killings known as *latrocínios* – robberies in which the victims were also killed – had hit the city in the last year or so. These *latrocínios* often appeared to be a byproduct of PCC-Police violence³⁵. Believed to be analytically distinct because of a motivation to rob, as opposed as a desire to kill, these deaths have subsisted as a distinct category of violent death for decades. Since the creation of the

³⁵ A series of *latrocínio* cases made big news because of the cold bloodedness of the aggressors. One incident in particular caused outrage when the aggressor said of the 15 year old girl he had killed, “that’s what happens to those who resist” –*E o que acontece com quem reage* (Folha 2012). This was almost the exact same phrase used by São Paulo’s Governor to describe which eight PCC members were killed in a *chacina* involving ROTA in August 2012, “Those who didn’t resist are alive”, he said, *Quem nao reagiu esta vivo* (Estado 2012).

homicide division in 1986, *latrocínios* have been the investigative work of a specific specialty sub-group in the Homicide Division.

This simmering and perceived analytic difference between ‘murder’ and ‘murder occurring during a robbery’ motivated the Governor’s relocation of this subgroup to the Organized Crime Division (DEIC). Said the Governor at the time, “ *A latrocínio is very different than a homicide. Those are crimes of passion, bar fights or retribution killings. A latrocínio is a robbery and the special unit for robbery is DEIC, which has all of the tools for investigating robberies (Jornal do Brasil 2013).*”

Prior to being investigated by the DHPP, pre-1985, *latrocínios* were the realm of DEIC and its dictatorship precursor DOPS. This was a time when bank robberies were undertaken by political subversives, and were a defining characteristic of violence in São Paulo and other Brazilian cities. Robberies, which were often followed by death, were indeed orchestrated and understood to be forms of revenue for those actively subverting government and the social and political order. Detailed and meticulous investigation of *latrocínios* and the ability to disarticulate the work of political subversives was the heart of dictatorship policing -in which DOPS and DEIC was most deeply ensconced.

Today though, *latrocínios* reflect a different but nonetheless deep subtext about prototypically *urban* violence. In many ways, cross-class violence has become the

enemy of the state. Killing across social position, particularly when that killing indicates a disdain or hatred for one or another's social class and a desire to take from the wealthy, is a different kind of subversion that merits a special kind of treatment. Whether one can legitimately claim that this violence is 'organized' is another question. Connecting the dots between 'everyday' street-level robbers and the P.C.C., - likely the closest mode or criminal organization - would be difficult, to say the least. Legitimate questions can be raised about why the motivation to rob should supersede a homicidal outcome.

On face, then, these new policies in the realm of homicide investigation appear to be rather schizophrenic. On one side they attempt to better synchronize and strengthen the investigation of killing. They seek to concentrate the authority to regulate killing in the hands of homicide detectives, and to limit the ability of police to kill without 'just' cause. And yet, the effect is somewhat the opposite. The authority to regulate death has been increasingly fragmented into vastly different organizational and geographical parts of the public security system. With the displacement of *latrocínios* to DEIC, these killings disappear into a moral system concerned more with counter-class warfare and less with investigating human life. Letting the homicides committed by off-duty and retired police be soaked up by local precincts, brushes these cases into police stations that are defined by resource constraints, criminal influences and limited democratic openness (Denyer Willis 2014). Not only that – and perhaps much more importantly – it decreases the rate of police killings of citizens according to formal statistics.

How these policy shifts are playing out empirically for the homicide detectives is starting to become more apparent. When I spoke with homicide detectives, they said that there were indeed fewer resistências occurring. An open letter published by Human Rights Watch in July provided some confirmation of this fact. The HRW analysis of official statistics showed that the number of police killings of citizens in the first three months of 2013 dropped by 34% in comparison with 2012 (HRW 2013). Exactly why this drop has occurred is likely more complex. Police were being forced to heed the demand to not take those that they shot to hospital – a factor that one might think would lead to more deaths due to the time between incident and emergency treatment. Homicide detectives reported that on a few occasions, family members had rushed their kin to hospital themselves with the police car in front clearing traffic. But the reorganization of jurisdictions, new policies and the possibility of police violence occurring in other forms –such as *chacinas* – are all possible explanatory factors for the dropping rates and consequences of the policy change.

The increase in *chacinas*, however, could be a powerful indicator of many things. In the first three and half months of 2013 nearly half of the total number of *chacinas* that occurred during the entire year prior had already come to pass – 37 dead versus 81 in all of 2012 (R7 2013). General suspicion among detectives is that *chacinas* are the work of police extermination groups, savvy in their knowledge of the extent and approach of investigators and the identities of those involved in the drug trade.

According to an analysis done by one of São Paulo’s two largest newspapers, *chacinas*

had been in decline since 2007 when 22 occurred resulting in 89 killed. In 2011, only twelve cases occurred with 41 dead. But in 2012, double that number occurred. Little is known, however, about who exactly has been behind *chacinas* in recent years. At the end of 2012, only one of the 24 *chacinas* that occurred that year had been resolved. In that case, six Military Police were arrested for killing three youths (Jozino 2013). Overall, there is a great deal of consensus that *chacinas* are increasing, and little agreement about why.

There are alternative hypotheses, however, for this violence. As I have discussed, *chacinas* became much less common as a form of killing as the PCC became a force governing death in the periphery of São Paulo. *Chacinas* are particularly indicative of feuding and retribution, something that the organization does not allow. Calculation and weighing when a killing is ‘just’ is a hallmark of the PCC’s form of power and its legitimacy among members and its constituent communities. If the rise in *chacinas* is not a reflection of police turning ever more commonly to extra-legal measures, it could be a reflection of a break down in the PCC’s monopoly over the right to kill. Such a turn would be indicative of a new trajectory in São Paulo’s experience with violence, and an ominous one in terms of how many people may be made especially insecure in the years to come.

THE ‘POWERFUL’ AND THE UNPOPULAR

For the same reasons that police are unpopular and distrusted among Brazilians, they have been understudied by both Brazilian and international scholars. With few exceptions in Brazil, such as the work of Martha Huggins (2000; 2003), scholars have been unwilling to get up close (and indeed personal) with those who are most deeply associated with violence and killing. This can be a deeply uncomfortable and personally invasive type of research (Drybread 2009). For decades scholars have been deeply concerned with studying communities, constituencies and populations –rural and urban- that have been the subject of repression, violence and subordination (Scott 1998; Benford and Snow 2000). And for good reason. We need to know how these groups struggle against deeply offensive but human-made – and thus, in theory, resolvable – structures of oppression and justifications of violence. How these groups manage to overturn their own conditions of violence and make their lives more manageable has also ensured that scholarship is hopeful.

But the world is more than just good and bad. Within what we often perceive to be ‘bad’ is a complex sub-world with its own rationales, motivations and insecurities. In studying those who we believe to have power – those who make up the structures of oppression and justifications of violence – we find that they are also fallible and incomplete. This doesn’t mean that they should be reduced to subjects of sympathy. To do so would deny the complexity of the sub-world in which they both act and are acted upon, oppress and are oppressed, and are violent and violated.

Research on the ‘powerful’ is imperative both because it remains an epistemological black hole, but also because it can provide us with unthought-of insights that may help us to reconsider deeply held assumptions about why power exists in the places that it does, how actions from the ‘powerful’ are justified and substantiated, and why agencies that are supposed to represent every citizen end up extinguishing the lives of many. In particular, we must strive to better understand those forms of subordination that are largely inescapable. The nation state can be both a godsend in what it provides and a terror in what it extracts. As part of that structure of subordination, police are implicated as much as anyone in the benefits and extractions of a given state.

At the heart of this dissertation is a deep concern with the ability of the state to redistribute security as the most essential public service. The research assembled here questions why this service –the service that we most associate with the very identity of the state – is so very anemic. In turn, I seek to provide some new ideas about what can be done about, and with, the emissaries of that public service, in order to reverse a trend in which human life in Brazil has become more devalued than at perhaps any other point since before the dictatorship.

What this research has revealed is that those we have deemed powerful are deeply intertwined with those we often deem powerless. Who we expect to hold and maintain power – the police – find themselves in deference to a prison-based group who have managed to find and wield considerable power. As a result, many of our assumptions and conceptual tools about what state power – and thus urban public security – looks

like and how it should be deployed fall short. Notions of democracy, accountability and corruption are all undermined by empirical conditions that are molded by a systemically different structure of norms, values and constraints. The ideal state and its ideal form of subordination based on the rule of law, upon which ideal concepts espousing public policies, participation, accountability and caps on violence rest, is indeed conceptually inadequate.

In São Paulo, the source of subordination has been reconfigured. Pressures for democratic reform, a long history of social and political division in which police are central actors, and an urban space that is inscribed with inequity have foregrounded the rise of the PCC. Under these conditions the PCC has become a defining regulator of life and death, particularly in those urban spaces where the state abdicated responsibility. The pattern of exclusive state-society relations, in which residents were left to resolve their own problems and to devise their own solutions served as the foundation for the urban periphery. That these constituencies ‘found’ a solution – though twisted – for the insecurity that plagued their neighborhoods through the late 1980s and 1990s, is some testament to how utterly police failed. Today, the PCC has become a much more legitimate source of order than the public security system itself in many parts of the city - an ominous truth that foregrounds an unknown future.

TOWARDS AN ‘IDEAL’ SUBORDINATION?

This dissertation has examined the configuration of killing and the logics of power in São Paulo. Via the work and everyday circumstances of homicide and other Civil Police detectives, I have attempted to show that regulation of the conditions of life and death is exercised not solely by the state, with police as its emissaries, but via an implicit consensus about the deservedness of death. In the work of homicide detectives we see a ‘normal’ homicide with certain spatial, gender, racial, age and social correlates and in which the influence and governance of the PCC is assumed, if not overt. A deeper investigation of these homicides exposes a system of regulation of life and death in historically marginalized urban spaces that the state further ceded acutely following democratic reforms in the early 1980s. Through an alternative system of justice that often mimics the processes and procedures of the formal system, the PCC has succeeded in establishing itself as the de facto governor of life. Under this system of security, individuals who would likely have perished during the bloody gang feuds that defined the city’s vertiginous homicide rates in the late 1980s and 1990s, are now surviving. This doesn’t mean that crime goes unpunished. There are multiple forms of punishment, and not necessarily all involve physical violence. Not only that, the PCC routinely uses its linkages with the formal justice system in which it is deeply ensconced. Via control of the prison system, influence over police who live in the peripheral spaces of the city, and residents who defer more to the PCC system than to police or the formal justice system, the PCC has positioned itself as an unmistakable component of not just the production of crime and violence, but also of the regulation of it.

In parallel to the PCC, and likewise the focus of the investigations of the homicide police, exists a police force that routinely kills. This killing has been subsumed in the practice and justification of *resistências*, which foresee and act upon a category of irrevocably criminal people known as *bandidos*. Yet the *resistência* is not simply a legal trope. It is indicative of a much broader and binary-creating discourse about good and bad, in which it is broadly understood that killing is a routine part of police work. This informs the decisions that homicide detectives make, and the way that investigations are carried out.

Despite the apparent antagonisms between these two sources of violence and logics of killing, there is common ground. Notions of the deservedness of death often converge. Those killed by the PCC in historically marginalized and violent spaces are implicitly understood to be worse than *bandidos*. Not only did they not obey the law of the state, but they also contravened ‘the laws of the *bandidos* themselves’. The outcome is an reflective of an implicit consensus about killing in which the moral apparatus of the PCC and the act of killing is nested within the normative apparatus of the state. On this premise, the PCC and the state coexist in a ‘relative peace’ where outward and direct violence between police and the PCC is limited. This relative peace is sustained at the everyday level by police via forms of equilibria –modes of social practice that recognize and defer to the power of the PCC in such a way that prioritizes predictability and relative urban stability.

But there are breakdowns in this consensus. Violence ensues, as in May 2006 and for the latter half of 2012. These breakdowns have occurred following incidents in which the PCC perceived its system of security to be at threat. In 2006 it was following the mass transfer of PCC members to a new prison under what was perceived to be horrible conditions (CPI 2006). In 2012, leaders of the PCC declared that it was ‘open season’ on police after ROTA killed 6 PCC members, at least one of which was an unjust execution, in a single incident.

The pattern of violence in São Paulo mirrors these ebbs and flows. During periods of relative peace, fewer homicides are committed and the message is positive for almost everyone involved. The PCC guarantees the relative security of its constituency and the city and political handlers can make hay for having made the city safer. But when the implicit consensus is ruptured, the public discussion is deeply political. Previous efforts by politicians to resolve episodes of violence have sought to stuff the PCC beast back in its box, first with violence, and, eventually, with obscured truces. With police-PCC violence subsiding after the 2012 violence, this appears to have happened again in 2013. Low-level police are once again finding ways to coexist with the PCC in their homes, to cope with them in their work, and to find some semblance of predictability and safety in the absence of security.

What this means for the future remains an open question, in need of continued research and monitoring. For public policy interventions, it should be unmistakable, that the focus must be on prioritizing security and the lives of all. The PCC became powerful

because it created a system of subordination in which the security and life of its constituents are priorities. Twisted as it may be, the PCC has shown that the provision of security and the ability to defend life, via death if necessary, is legitimacy.

But in a city in which security provision is fractured between those whose security is provided by police and to others by a criminal group, means that there is no security for anyone. It is far from the 'ideal' form of subordination that many envision and assume, vested in a state that monopolizes violence. In this scenario the city is likely to suffer from cyclical violence for years to come. This is but one example of how São Paulo is, like many other cities, an example of a different paradigm. That paradigm demands a different analytic – an analytic willing to set aside long held assumptions about the 'powerful' as a means to unearth new ways of thinking about violence, security and ways to value the lives of all.

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APPENDICES

Appendix 1. PCC Statute, 1992

O Estatuto (1992)

1. Lealdade, respeito, e solidariedade acima de tudo ao Partido
2. A Luta pela liberdade, justiça e paz
3. A união da Luta contra as injustiças e a opressão dentro das prisões
4. A contribuição daqueles que estão em Liberdade com os irmãos dentro da prisão através de advogados, dinheiro, ajuda aos familiares e ação de resgate
5. O respeito e a solidariedade a todos os membros do Partido, para que não haja conflitos internos, porque aquele que causar conflito interno dentro do Partido, tentando dividir a irmandade será excluído e repudiado do Partido.
6. Jamais usar o Partido para resolver conflitos pessoais, contra pessoas de fora. Porque o ideal do Partido está acima de conflitos pessoais. Mas o Partido estará sempre Leal e solidário à todos os seus integrantes para que não venham a sofrerem nenhuma desigualdade ou injustiça em conflitos externos.
7. Aquele que estiver em Liberdade "bem estruturado" mas esquecer de contribuir com os irmãos que estão na cadeia, serão condenados à morte sem perdão
8. Os integrantes do Partido tem que dar bom exemplo à serem seguidos e por isso o Partido não admite que haja assalto, estupro e extorsão dentro do Sistema.
9. O partido não admite mentiras, traição, inveja, cobiça, calúnia, egoísmo, interesse pessoal, mas sim: a verdade, a fidelidade, a hombridade, solidariedade e o interesse como ao Bem de todos, porque somos um por todos e todos por um.
10. Todo integrante tem que respeitar a ordem e a disciplina do Partido. Cada um vai receber de acordo com aquilo que fez por merecer. A opinião de Todos será ouvida e respeitada, mas a decisão final será dos fundadores do Partido.
11. O Primeiro Comando da Capital PCC fundado no ano de 1993, numa luta descomunal e incansável contra a opressão e as injustiças do Campo de concentração "anexo" à Casa de Custódia e Tratamento de Taubaté, tem como tema absoluto a "Liberdade, a Justiça e Paz".
12. O partido não admite rivalidades internas, disputa do poder na Liderança do Comando, pois cada integrante do Comando sabe a função que lhe compete de acordo com sua capacidade para exercê-la.
13. Temos que permanecer unidos e organizados para evitarmos que ocorra novamente um massacre semelhante ou pior ao ocorrido na Casa de Detenção em 02 de outubro de 1992, onde 11 presos foram covardemente assassinados, massacre este que jamais será esquecido na consciência da sociedade brasileira. Porque nós do Comando vamos mudar a prática carcerária, desumana, cheia de injustiças, opressão, torturas, massacres nas prisões.
14. A prioridade do Comando no montante é pressionar o Governador do Estado à desativar aquele Campo de Concentração " anexo" à Casa de Custódia e Tratamento de

Taubaté, de onde surgiu a semente e as raízes do comando, no meio de tantas lutas inglórias e a tantos sofrimentos atrozes.

15. Partindo do Comando Central da Capital do KG do Estado, as diretrizes de ações organizadas simultâneas em todos os estabelecimentos penais do Estado, numa guerra sem trégua, sem fronteira, até a vitória final.
16. O importante de tudo é que ninguém nos deterá nesta luta porque a semente do Comando se espalhou por todos os Sistemas Penitenciários do estado e conseguimos nos estruturar também do lado de fora, com muitos sacrifícios e muitas perdas irreparáveis, mas nos consolidamos à nível estadual e à médio e longo prazo nos consolidaremos à nível nacional. Em coligação com o Comando Vermelho - CV e PCC iremos revolucionar o país dentro das prisões e nosso braço armado será o Terror "dos Poderosos" opressores e tiranos que usam o Anexo de Taubaté e o Bangú I do Rio de Janeiro como instrumento de vingança da sociedade na fabricação de monstros.

Conhecemos nossa força e a força de nossos inimigos Poderosos, mas estamos preparados, unidos e um povo unido jamais será vencido.

LIBERDADE! JUSTIÇA! E PAZ!

O Quartel General do PCC, Primeiro Comando da Capital, em coligação com Comando Vermelho CV

UNIDOS VENCEREMOS

Appendix 2. PCC Statute, 2011

SALVE GERAL

Nós da sintonia geral, viemos através deste salve, deixar todos os irmãos cientes que a partir desta data do mês 07 de 2011 fica estabelecido um novo estatuto.

Para que todos integrantes do comando venham seguir e respeitar.

Pedimos a todas sintonias que deixem todos os irmãos de todas as quebradas, sem exceção, com a cópia do novo estatuto, em mãos, e pedimos também, para todos os **GET** de todas as unidades, que façam o mesmo.

Agradecemos a todos;

Um forte abraço;

Ass;

Sintonia Geral

A sintonia final, através deste, se comunica a todos os irmãos, algumas mudanças necessárias em nosso estatuto.

O PCC foi fundado em 1993. Comemoramos nesta data; dia 31 de agosto, de todos os anos, mais 17 anos se passaram e enfrentamos várias guerras; falsos criminosos foram desmascarados; sofremos duros golpes; fomos traídos inúmeras vezes; perdemos vários irmãos amados; mas graças a nossa união, conseguimos superar todos obstáculos e continuamos a crescer.

Nós revolucionamos o crime impondo através da nossa união e força, que o certo prevalece acima de tudo, com a nossa justiça. Nós nos formamos, além do crime e ; todos nós respeitamos e acatamos a nossa decisão por confiar em nossa justiça.

Nossa responsabilidade retorna cada vez maior, porque somos exemplos a ser seguidos.

O tempo mudou.

Se faz necessário uma adequação do nosso estatuto. Deixamos o mesmo de acordo com a nossa realidade que vivemos hoje; mas não mudaremos de forma alguma o nosso princípio básico. Nossa diretriz, mantém a característica que é o nosso lema. PAZ; JUSTIÇA; LIBERDADE; IGUALDADE; UNIÃO; assim acima de tudo, ao comando, buscando com isso o estatuto que seja adequado ao tempo que vivemos e que façam justo a cara que o comando tem hoje, e com apoio e união, todos alvejamos crescer cada vez mais; para podermos auxiliar mais.

Agradecemos todos os irmãos que se dedicam por nossa causa, qualquer dúvida, procurem a sintonia para que sejam esclarecidos.

01 – Todos os integrantes devem lealdade e respeito ao primeiro comando da capital; devem tratar todos com respeito, dando bons exemplos; a serem seguidos pela “massa” e acima de tudo; ser justo e imparcial.

02- Lutar sempre pela paz, justiça, liberdade, igualdade, união visando o crescimento da nossa organização, respeitando a ética do crime.

03- Todos os integrantes do comando tem por direito de expressar sua opinião e tem o dever de respeitar a opinião de todos; sabendo que dentro da organização tem uma hierarquia e disciplina a ser seguida e respeitada. Aquele integrante que causar divisão dentro do comando, desrespeitando este critério, será excluído e decretado.

04- Aquele integrante que se for para a rua, tem a obrigação de manter o contato com a sua sintonia da sua “quebrada” ; ou da “quebrada” do mesmo, estando sempre à disposição do comando. A organização necessita de empenho e união de todos os integrantes; **deixando claro que não somos sócios de um clube**, e sim, integrantes de uma organização criminosa que luta contra expressões e injustiças que surgem no dia-a-dia e tentam nos afetar. Sendo assim, o comando não admite acomodações e fraquezas, diante da nossa causa.

05- Todos os integrantes que estiverem na rua, tem a mesma obrigação, sendo ele estruturado ou não. Porém os estruturados, tem condições de se dedicar mais ao “comando” ; e quando possível , praticar o projeto que venha a criar soluções de amparo social e financeiro para apoiar os integrantes desamparados e descabelados.

06- O “comando” não admite entre seus integrantes, **estrapadores, homossexuais, pedófilos, caguetas, mentirosos, covardes, opressores, xantagistas, extorções, invejas, calúnias, e outros atos que fereem a ética do crime.**

07- É necessário e dever de todos integrantes colaborarem e participarem do progresso do comando, seja qual for, pois os resultados desse trabalho, são integrados de pagamentos com defensores(advogados), ajuda para as "TRANCAS;" cestas básicas, ajudas financeiras para familiares e finados que perderam a vida. em prol a nossa causa; transporte para cadeia, carente. Auxílio para doentes, com uso de remédio, cirurgia, atendimento de medicamento particulares e principalmente estrutura da luta contra os nossos inimigos entre várias situações que fortalecem a nossa causa, ou seja, o crime fortalece o crime. Esta é a ideologia.

08- O integrante que estiver na rua, passando por algum tipo de dificuldade, poderá procurar a "sintonia", para que o comando possa ajudá-lo a ir para os "CORRE". Deixando claro que, o intuito da organização fortalece todos os integrantes, para que cada um tenha condições de desempenhar também, no progresso do comando, e assim os nossos objetivos serão atingidos com total êxito.

09- Todos integrantes devem ter certeza absoluta, que querem fazer parte do comando, pois aquele que influir dos benefícios que o comando conquistou e pedir para sair, pelo fato da sua liberdade estar próxima, e até mesmo aquele que sair para a rua e demonstrar o desinteresse por nossa causa; será avaliado e; se for constatado que o mesmo agiu oportunamente; este poderá ser visto como traidor, tendo esta atitude de covardia avaliada e o preço da traição é a **MORTE**.

10- Deixamos claro que a **sintonia final** é uma fase da hierarquia do "comando", composta por integrantes que já estão, há alguns anos, no "comando"; e o integrante que tenha sido indicado e aprovado pelos outros "Irmãos", que fazem parte da **sintonia final**. No "comando", existem várias **sintonias**; mas a "final"; é a última extância; um dos principais objetivos da **sintonia final**, é lutar pelos nossos ideais e pelo crescimento da nossa "organização".

11- Todas as "missões" destinadas, devem ser concluídas. Será feita uma avaliação da capacidade daquele integrante pela "sintonia". Aquele que for indicado pela "sintonia"; aquele que for selecionado e aprovado; tem como dever acatá-la. Todas estruturas financeiras e todos os gastos; quando possível, ficarão em cargo da responsabilidade do comando. Nesta missão inclui principalmente ações de resgate e outras operações estritas ao comando. Todo aquele que vier ser RESGATADO, tem obrigação de resgatar o outro irmão. Aquele irmão que falhar à missão, por fraqueza, por lealdade ou por desinteresse; será automaticamente excluído e o caso será avaliado prela "sintonia" no caso de vazar a idéia, poderão ser caracterizados como traição. No caso a cobrança será a **MORTE**.

12- O comando não tem limite territorial, todos os integrantes que forem batizados, serão componentes do primeiro comando da capital, independente da cidade, estado, ou país. Todos devem seguir a nossa disciplina, hierarquia e estatuto.

13- O comando não tem coação com nenhuma facção; vivemos em harmonia com as facções dos outros estados. Quando algum integrante de outra facção chegar em qualquer cadeia, o mesmo será tratado com respeito e terá o apoio necessário; pois sabemos que teremos o mesmo tratamento, quando um integrante do nosso comando chegar preso em outro estado, em outra cadeia, ou em outras facções. Se alguma facção de outro estado desprezar nossa disciplina em nossas cadeias, iremos procurar a "sintonia" responsável pelo mesmo e junto buscar solução. Se ocorrer de um "irmão" nosso estar respeitando a busca da solução; será da mesma forma, deixando bem claro que isso se trata de facção de outro estado, que seja amigo do comando.

14- Todos integrantes serão tratados com igualdade; sendo que a nossa luta é constante e eterna; os méritos e atitudes serão analisados, dando prioridade, àqueles que fizerem por merecer; esclarecer os méritos, não é sinônimo de acomodação e impunidade diante da nossa luta; tratando com igualdade para os iguais, a desigualdade para os desiguais.

15- Os ideais do "comando" estão acima dos conflitos pessoais; no entanto, o "comando" será solidário com aquele integrante que esteja certo e em desvantagem para resolver os seus problemas pessoais. Esse apoio será prestado, caso seja provado pela avaliação direta da "sintonia".

16- É Inadmissível usar o "comando" para obter benefício próprio. Se algum integrante vier a superfaturar algo, para ganhar dinheiro do "comando", agindo com esperteza e benefício próprio, será analisado pela "sintonia" e após ser comprovado o superfaturamento o mesmo será excluído e decretado. Nenhum integrante poderá usufruir de contato do comando para transações comerciais e particulares sem conhecimento da "sintonia". Os "irmãos" que investem o seu capital e tem "mercadoria" ou "ferramenta" para negociar; podem fazer negócio com a família e obter seus lucros, desde que, não seja abusivo; pois todo o fruto deste trabalho é destinado ao necessitado em prol à nossa ideologia.

17- O integrante que vier a sair da organização e fizer parte de outra facção; ou "cagueta"; ou algo relacionado ao "comando", será decretado. Aquele que vier a mexer com a nossa família, terá também a sua família exterminada. O "comando", nunca mexeu com ma família de ninguém, e nem aceita isso, mas os traidores e "caguetas", não terão paz; ninguém é obrigado a permanecer no "comando", mas o "comando", não vai ser "tirado" por ninguém.

18- Todos os integrantes, tem dever de agir com seriedade, em cima de opções, assassinatos e covardias; realiza las por agentes penitenciários, polícia, civis, militares e contra a máquina opressora do estado.

Quando algum ato de covardia, extermínio de vida ou extorção forem comprovados, estando ocorrendo na rua ou na cadeia, por parte do nosso inimigo, daremos uma resposta à altura do crime. Se alguma vida for tirada, com esse mecanismo, pelos nossos inimigos, o integrante do comando que estiver cadastrado na "quebranta", deverá se unir do mesmo tratamento que eles merecem.

Vida se paga com vida!!!

Sangue se paga com sangue!!!

Appendix 3. PCC Documents Outlining how Punishments are Recorded

0.3.5.

O que foi resolvido pelo
credor e a sítemia após
o vencimento.

O qual foi a negociação
quem bem se fez
entre ambas as partes.
Para tá passando detalhadamente
qual foi a
negociação.

No cadastro do Prazo é
necessário os dados
completos.

nome

matr

End.

Quel.

Data Bat.

Local Bat.

Julgo do Fidejussor e as Queres
das parrimho.

Três VLT.

se tem punição na família.

se tiver Local e data.

motivo

Três VLT. Responca.

data da saída.

Limha Governelha.



1.1

acompanhamento

Si final do parte
GERAL 16
GENA de QUG
LIVRO.

O PRAZO
AO
indetermina
BATISMO.



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11

O.B.S.

Tem que deixar o credor
siente. que quando se
coloca alguém no prazo.
se for tirado essa pessoa.
não poderá entrar novamente
no prazo pela 2ª vez.
na mesma dívida.
É o credor após tirar
não poderá mais trazer
o problema desta mesma
dívida ao comando.

1ª prazo primeiro prazo 15 dias
se pagar sai, se não pagar
tá fora do comando.

2º Prazo.
90 automático.
e mais 15 dias
para pagar.
se não pagar
tá fora.

3º Prazo.
exclusão automática.
e entra no prazo
de 20 dias de comparecimento



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