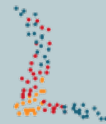
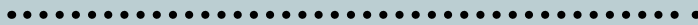




KEEPING AN EYE ON THE POLICE





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Daniel Arroyo | Ponte Jornalismo



The reasons for a Police Violence Transparency Index

The state needs to be accountable for who dies and who kills in the name of public security

Do you know how many people the police in your state kill in a month, or in a year? If you happen to have the figures close to hand, it's because you're able to count on the painstaking work of the press and of organisations such as the Brazilian Public Security Forum (Fórum Brasileiro de Segurança Pública – FBSP), whose annual report is still the most reliable source on the work of the police forces across the country.

If you were to look for this information in the official channels, you'd be unlikely to find it. Despite legal advances in Brazil, such as the Access to Information Law (Lei de Acesso à Informação – LAI), aimed at ensuring transparency on the part of the public authorities (after all, according to the neoliberal creed, it's the taxes you pay that allow the State to function, so the least you can expect in return is accountability), we're still a long way from an ideal situation.

Here at Ponte, we're keenly aware of this situation every day; it feels like we're almost always trying to navigate in the dark. Knowing how and when the police kill is important in

order to try to reduce this violence that is increasingly becoming part of our daily lives, and to create effective public policies that bring real security – which is to say genuine public security, for everyone.

Therefore, in partnership with the Rise Coalition and Rights & Security International (RSI), we have spent the last few months scouring the websites of the state public-security secretariats across the country, making LAI requests, and finding a ‘black box’ even more opaque than we imagined. With this information, we assess how well each Brazilian state provides information to the public on how the police kill and how the police die. The conclusions are not very positive: three states scored zero, and the majority of them are far from the ideal in terms of transparency.

Below you will find the complete index, along with explanations of how we arrived at our figures. We’ve also produced a report to explain the importance of transparency in public security; a guide to good practice for those who work in the field; and a text in which the reporter Jeniffer Mendonça, the main person responsible for gathering together all the material (alongside our consultant Marcelo Soares, from Lagom Data), describes the saga from behind the scenes.

Our objective in creating this index is not to celebrate the data. We want it to serve as a warning to society and to public authorities to address the current lack of transparency when it comes to public security – in a democracy the State should be expected to work with, and for the benefit of, society, not against it. We’re very proud of the impact our journalism has, whether securing the release of innocent people or arresting criminal police officers, and we believe our index is another measure that will make the State understand the importance of bringing the truth to every Brazilian citizen, and its duty to do so.

Reporting, writing and data collection: **Jeniffer Mendonça**

Consulting: **Marcelo Soares**

Editing: **Amauri Gonzo**

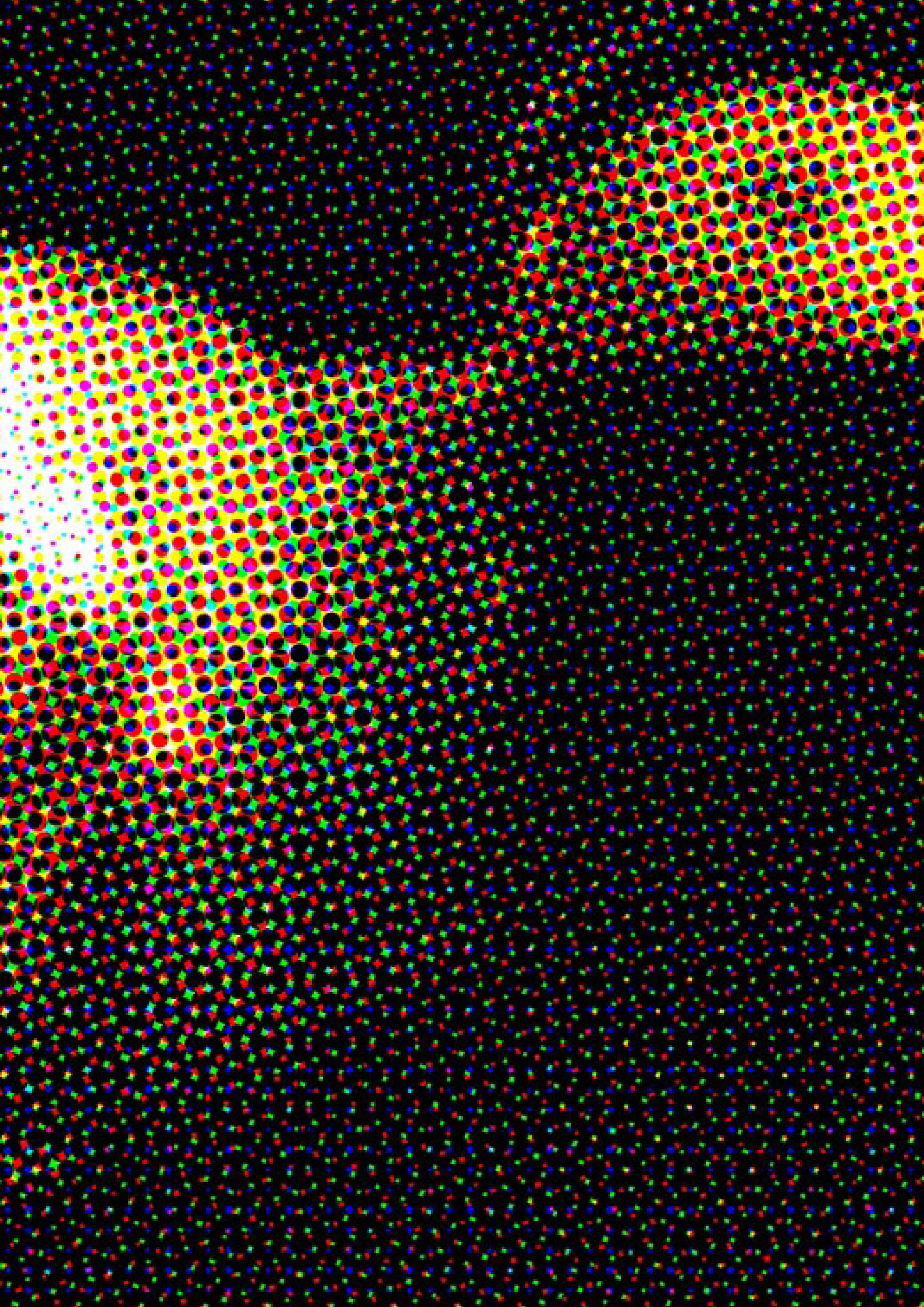
Creation: **Fausto Salvadori**

Graphic design: **Antonio Júnior**

Photos: **Daniel Arroyo**

This project was carried out with resources from the Rise Coalition and Rights & Security International (RSI)







Daniel Arroyo | Ponte Jornalismo



São Paulo state has best transparency regarding police violence; Roraima, Rondonia and Acre tied in last place.

The Police Violence Transparency Index created by Ponte assessed the quality of the information made available by the public-security secretariats of Brazil's 26 states plus the federal district

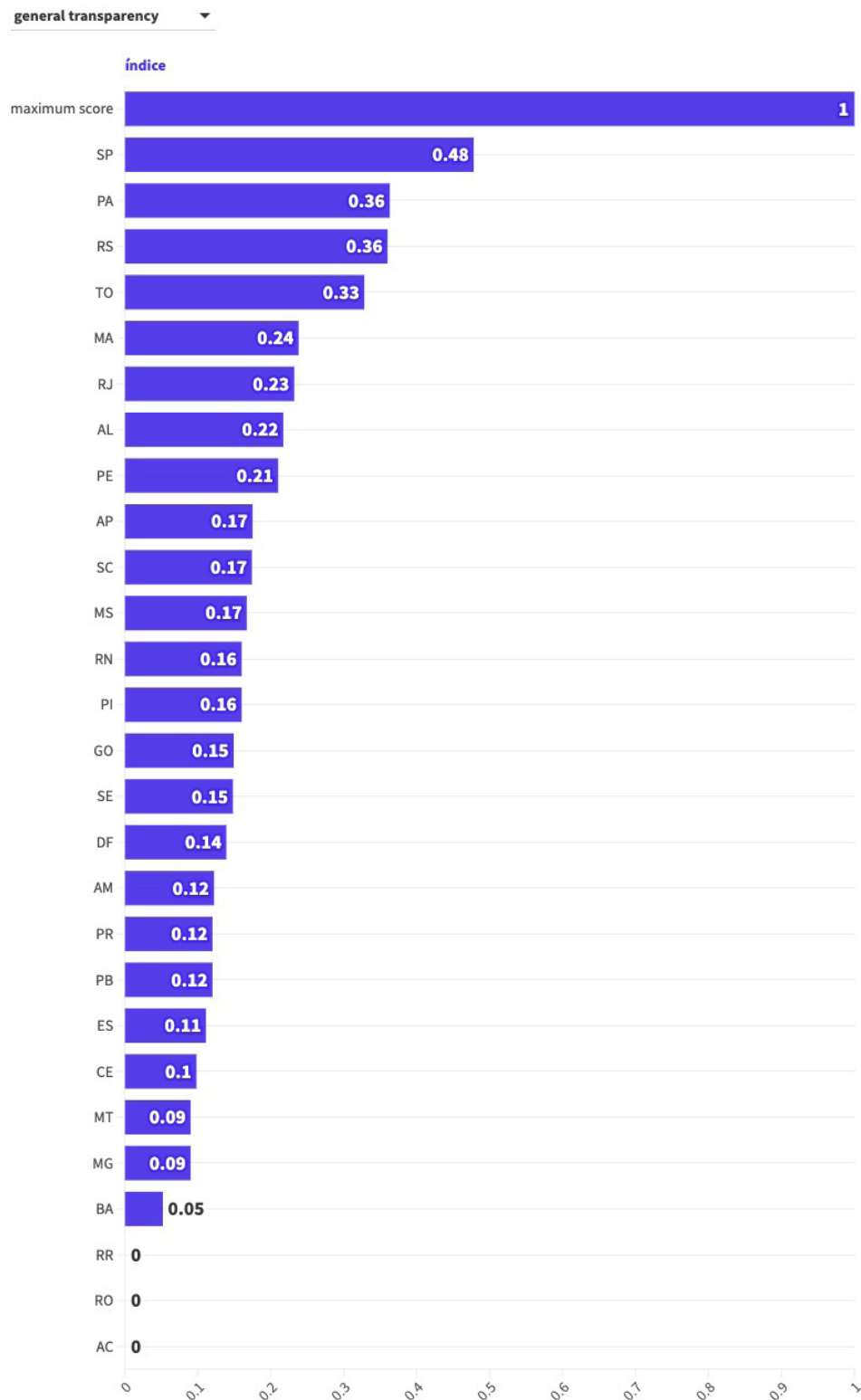
Jeniffer Mendonça
Ponte Jornalismo

Armed violence committed by and against police officers is one of the most important public-security issues in Brazil. Recognising the extent to which this violence influences security policy in every Brazilian state, Ponte took the initiative of creating this unprecedented index based on public data.

In recent months our team has aimed to assess the data on police lethality (when police kill) and police victimisation (when police officers die or are killed) that is published by the state governments of all 27 units of the federation.

The result shows a huge disparity: while São Paulo state leads the ranking by some distance, with Pará and Rio Grande do Sul tied in second place, three states in the north of Brazil – Acre, Rondônia and Roraima – proved to be completely opaque, scoring zero in the assessment carried out by our team.

Police Lethality and Victimization Transparency Index



Source: Data from Public Security Secretariats from 27 federal units • Analysis: Ponte Jornalismo



Only 10 states voluntarily published data on both lethality and victimisation, but without any standardisation of their methods. We then submitted 68 data requests based on the Access to Information Law (LAI).

In response to these requests, 15 states provided the data that they had not published voluntarily and 12 provided details that do not appear on their websites. We awarded a point for each piece of information disclosed, and attached weightings to these scores to reflect how well the information was conveyed. At the end of the process, we calculated an index to compare states along a scale from zero, for those states who do not provide any information, to 1, in the hypothetical case of all pieces of information being provided. No state achieved even 50% of the maximum possible score.

The good news: these numbers prove there is room for greater transparency, as states already possess the information in organised form. The bad news: the problem remains serious.

State police forces killed 6,429 people in Brazil in 2022, according to the Brazilian Public Security Yearbook (*Anuário Brasileiro de Segurança Pública*) released in July this year by the Brazilian Public Security Forum (FBSP). The armed wing of the State is the only entity that has legal authorisation to employ the use of force – including lethal force – if necessary, a reality often referred to as the ‘police mandate’. And if the State can kill its citizens, accountability is the very least that society can demand from the State.

Lethal force, which should be used only as a last resort, has instead increasingly been employed before any other form of response. From 2013 to 2022, across Brazil, there was a 190% increase in deaths resulting from police interventions. On the other side, there are civil and military police officers being murdered: in 2022, 161 were killed violently, with seven out of every 10 being off duty at the time. Others take their own lives, generally because of bad working conditions: there were 82 suicides in 2022.

We are able to make this comparison only because the Brazilian Public Security Forum, a civil-society organisation, carries out national monitoring with information collected from the states. This reveals the absence of a federal policy for systematising statistical information and making it available, and the disregard for transparency when the State kills and when State representatives die.

Ponte therefore decided to assess the performance of state governments in releasing data on police lethality and police victimisation. The civil and military police forces are headed by the state governor and are generally subordinate to a state public-security secretariat.

We aimed to find out whether Brazil’s states provide information to their citizens regarding these two issues, and how detailed such information is. The objective was not to redo a survey that the FBSP has been carrying out since 2007.

Over the course of one week, 5–11 June 2023, we examined the websites of all the state public-security secretariats – which also tend to have the name ‘Social Defence’ (*Defesa Social*) or have separate departments dealing with the different police forces – to see if the data on police lethality and victimisation up to 2022 had been made available. This was an analysis of active transparency – the information provided spontaneously by public authorities, without having been asked to do so.

From 6–11 June we submitted Access to Information Law (LAI) requests to the states, requesting the data regarding the occurrence of incidents and the profile of the victims. The only state to which we submitted the request outside this time period (on 26 June) was Maranhão, due to a problem when trying to log into its information-for-citizens (e-Sic) platform, which was subsequently resolved. This was an analysis of passive transparency when the authorities in question have to be asked to provide the relevant information.

We set a maximum response time of 30 days, in accordance with Law 12,527/2011 (response within 20 days, plus an extension of 10 days). Therefore, if the request was made on 6 June, for example, the response would only be valid if received by 6 July. If the date fell on a Saturday or Sunday, the reply would be accepted if it came on the following Monday. We contested the response given (whether due to incomplete information, failure to provide data, or lack of contextualisation or justification) only when the reply came within the deadline. In the Methodological Notes tab we explain how we created the scoring and weighting system on which the ranking is based.

What we noticed during this monitoring period is that, in addition to the states having different ways of compiling their data, a comparison between active and passive transparency shows that the secretariats have much more information that can be publicised in addition to what they disclose spontaneously.

It is also glaring how most state governments do not systematise, on their websites, data on civil and military police officers who have been killed; the information provided via LAI still leaves a lot to be desired. We requested not only data on officers who had died in violent circumstances (such as homicide, robbery, bodily injury followed by death) but also on all the recorded deaths of officers – including suspicious deaths (those without clarification) and suicides, which are figures the police forces are still reluctant to provide.

If states do not disclose reliable data, society has no way of monitoring the actions taken by public authorities that directly affect the lives of the population, or of contesting the evidence on which their decisions were based. The objective of this index, therefore, is to encourage governments to improve the publication of information of public interest so that each and every citizen can participate in the construction of the projects, programmes and policies that directly affect them.







Daniel Arroyo | Ponte Jornalismo



Why data transparency in public security is important

In addition to the work of journalists and researchers, transparency allows society to hold the State accountable: ‘without data in the hands of citizens, there is no way for public policy to evolve’, argues a specialist.

Jeniffer Mendonça
Ponte Jornalismo

On their websites, the public-security secretariats of seven Brazilian states do not provide data on deaths caused by the police: Acre, Amazonas, Bahia, Ceará, the Federal District [Brasília], Espírito Santo, Paraná and Roraima. If we consider the deaths of police officers, the list gets longer: our study found that 17 states do not identify that particular type of homicide. So, what does this mean?

Let’s look at two cases. The first is Roraima: the secretariat’s website has been down for ‘maintenance’ for at least six years. If you go to the address www.sesp.rr.gov.br, you see a row of infinite countdown numbers, a quote attributed to the Dalai Lama, indications of

the secretariat's social-media profiles, and the telephone numbers and email addresses of the cabinet members. Faced with this, how can you possibly know what the public-security situation is in the state?

The other case is Bahia. While this report was being written, the layout of the public-security secretariat's website was redesigned, so the changes were not considered in the evaluation carried out at the beginning of July 2023. At the start of the homepage there are indications of various pieces of information, including 'criminal information' (informações criminais); those lead to statistics that have been available since 2014.

However, to access data on intentional violent deaths (mortes violentas intencionais – MVI) or crimes of intentional lethal violence (crimes violentos letais intencionais – CVLI), for example, you'll need to operate a program to extract the file that contains the data in two formats: an Excel spreadsheet and a PDF document (which was only version until July 2023; there was no spreadsheet before then). There, the following indicators are broken down by month and by municipality: femicide, robbery resulting in death (armed robbery), bodily injury followed by death, intentional homicide, intentional homicide in traffic, homicide occurring in prison, and intentional homicide with evidence of exclusion of illegality (that really is how it's written). We don't know if the latter refers to deaths caused by the police, deaths caused by those who are not public-security agents but who supposedly acted in self-defence, or both – there is neither a footnote nor any indication of methodology.

Also not listed there are the 1,464 people killed by the civil or military police of Bahia state in 2022. That data is in the 17th edition of the Brazilian Public Security Yearbook (<https://forumseguranca.org.br/anoario-brasileiro-seguranca-publica/>), which has been produced since 2007 by the Brazilian Public Security Forum (FBSP) and brings together all types of public-security-related data from throughout the country. The survey for the year 2022, released on 20 July 2023, showed that Bahia had overtaken Rio de Janeiro state for the first time, becoming the state with the highest absolute number of victims of the police. The rate in the period rose from 9.5 to 10.4 deaths per 100 thousand people, keeping Bahia in second place in the national ranking of police violence. Across the country as a whole, police lethality showed a difference of 1% between 2021 (6,524 deaths nationwide) and 2022 (6,430). But in Bahia, this figure has been increasing year by year. (<https://ponte.org/por-que-o-governo-da-bahia-nao-reduziu-a-violencia-policial-mesmo-com-15-anos-de-pt-no-poder/>)

This increase obviously led the press to question the government. The public-security secretariat of the administration led by state governor Jerônimo Rodrigues (Workers' Party – PT) stated (<https://noticias.uol.com.br/ultimas-noticias/agencia-estado/2023/07/20/bahia-diz-que-mortos-pela-policia-sao-homicidas-e-estupradores.htm>) that the deaths in question were those of 'murderers, drug traffickers, rapists, robbers, among other criminals', and therefore are not included in the records with the data on 'deaths of innocents'.

Six days after the release of the yearbook, the secretariat asserted in another statement (<https://ssp.ba.gov.br/2023/07/26/bahia-tem-reducao-de-58-em-casos-de-intervencao-policial-com-resultado-morte/>) that there had been a 5.8% reduction in police killings in Bahia in the first half of 2023 compared with the corresponding period in 2022. 'We are preparing an LAI [Access to Information Law] request to find out where these numbers come from, because [the state government] have this habit: they say things that we have no way of checking,' says Wagner Moreira, coordinator of the IDEAS Assessoria Popular and of the northeast-Brazil branch of the Popular Forum for Public Security (Fórum Popular

de Segurança Pública do Nordeste), noting that the statistics in question are not available in full on the secretariat's website.

When Wagner says 'habit', he is not lying. If we look at the statistics available on the secretariat's website, since 2014 there has been no indication of the figures related to police lethality or to police deaths. It is worth noting that the Workers' Party has been in power in the Bahia state government since 2008, and that the current presidential chief of staff at federal level, Rui Costa, was governor of Bahia until 2022, for two consecutive terms.

In the opinion of the IDEAS coordinator, not disclosing these figures is a way of giving *carte blanche* to police actions, regardless of any subsequent investigations, and makes it impossible for the social movements to demand that effective action be taken. 'There is no technology for monitoring the *autos da resistência* [as deaths caused by the police were referred to]; there is no investment from the Public Prosecutor's Office or in any other government department to monitor this data,' he says.

'What they say continues to legitimise the police's operating model and to criminalise all those who die, and the cases show that not everyone who was murdered by the police has the typical profile that the Public Security Secretariat talks about. There are young people, children, elderly people, people who were killed in their homes by bullets fired in Military Police operations', he adds. 'Our LAI requests are ignored,' he complains.

Samira Bueno, executive director of the FBSP, explains that when society grants the police the right to use lethal force, there must at least be transparency on the part of the public authorities regarding how that force is employed: 'We're still in that first stage of counting how many people die as a result of police interventions. And understanding who these people are, and if there's any kind of selectivity in the police's actions – selectivity in terms of race, gender or age, which we know there is.'

She points out that if there is no transparency in the actions of State Agents, who should be held to high standards in the way they exercise their power, the credibility of this institution is undermined. 'We know that those who die are black, poor, young, male. This reveals not only how the police operate, the way they employ force – which, in a democracy, needs to be observed and monitored – but also how far we can trust these organisations, which are the organisations in charge of maintaining law and order. If we can't trust them to provide access to this type of information, it becomes very difficult to trust them in other ways.'

What does it mean to be transparent in public security?

The coordinator of the 'Government Laboratory' (LabGov) in the Faculty of Law at the University of São Paulo, Professor Marcos Augusto Perez, explains that the degree of transparency can be verified by the degree of access to information that a public entity provides so that citizens can assess the quality of what the administration is doing with their money. 'Transparency is linked to the idea of participation in decision-making, and in the formulation and implementation of public policies,' he points out.

Law 12,527/2011 (https://www.planalto.gov.br/ccivil_03/_ato2011-2014/2011/lei/l12527.htm), known as the Access to Information Law, was the first in Brazil to systematise constitutional provisions related to public access to information regarding actions carried

out by the public administration, and to oblige the federal, state and municipal governments to disclose the origin and use of public resources, in addition to establishing the basic principle that public access should be the rule and secrecy the exception.

Despite this advance, Fernanda Campagnucci, the executive director of Open Knowledge Brasil (OKBR), points out that the law is very subjective when it comes to active transparency, which is to say the cases in which it provides for the ‘disclosure of information of public interest, regardless of whether or not it has been requested’. ‘We have a problem that we still need to address, which is that of defining what data is relevant to society,’ she explains. ‘In Brazil, we don’t have a good mechanism for incorporating data of public interest into the public agenda. In the absence of such mechanisms, and without greater control over this degree of openness, we don’t have a national open-data authority, for example,’ she adds.

This explains the disparity in levels of transparency we see when accessing the websites of public bodies, whether at municipal, state or federal level. The issue of access to information ranges, for example, from the availability of contact details for government services to the disclosure of government plans, budgets and statistics. OKBR compiled a Covid-19 Transparency Index (<https://transparenciacovid19.ok.org.br/>), between 2020 and 2021, based on data published on the websites of state governments, municipal councils and the federal government (cases, deaths, vaccination, profiles of victims, etc.), which ended up improving the disclosure and monitoring of the policies adopted to combat the pandemic.

Furthermore, Campagnucci points out, as the rules concerning passive transparency (when a public authority provides information, data or documents in response to a request) are more clearly defined in the LAI, including the possibility of appealing to controllerships and/or ombudsmen, the responses by public authorities to requests for information improve over time and end up serving as a basis for other requirements also to be met.

One example is the complaint that the agency specialising in the Access to Information Law, Fiquem Sabendo, submitted to to the Federal Court of Accounts (Tribunal de Contas da União – TCU) (<https://fiquemsabendo.com.br/transparencia/pensionistas-e-aposentados-servidores-inativos/>) after having had several requests for information refused, over the course of at least three years, regarding data on payments made to inactive civil servants – pensioners and retirees – including lifetime salaries for the daughters of military personnel. The court eventually ordered, in 2019, that the then Ministry of the Economy disclose the data – which it did, unprecedentedly, the following year.

And when it comes to information, data and documents related to public security, the difficulty is greater. This is due to the maintenance of the ‘military-bureaucratic conception of Public Security that holds sway in the country, which was created over the course of several authoritarian regimes and reinforced during the military dictatorship’, according to Alberto Kopittke, executive director of the Instituto Cidade Segura and author of the 2016 master’s thesis *Segurança pública e democracia: uma história de desencontros* (<https://tede2.pucrs.br/tede2/handle/tede/8070#preview-link0>), in which he focused on the issue of transparency in Brazilian public security.

He argues that the fight against authoritarianism and militarisation, and the affirmation of human rights, have never been applied in practice, despite being referred to in government programmes and national-security plans, and that Brazil’s armed forces, which should have been under tighter control, have seen their power increase and have ‘taken

over police powers' in the decades since the dictatorship, with the approval of the executive branch of government and of Congress.

In fact, the armed forces have never acknowledged the violations committed by their personnel, even since the creation in 2014 of a National Truth Commission that aimed to publicise the cases and seek accountability. During the dictatorship, specialised battalions with powerful weapons were created within the military police – such as the Special Operations Battalion (BOPE) in Rio de Janeiro, and the Rondas Ostensivas Tobias de Aguiar in São Paulo (<https://ponte.org/rota-50-anos-de-mantanca/>) – which emerged from efforts by the army to confront 'guerrillas' and 'terrorist actions', and continue to operate and serve as a model for other states, including Bahia.

As Alberto Kopittke wrote in his dissertation, 'Over three decades of democracy, no law regarding social control, regulation of the use of force, training, transparency or accountability on the part of public-security bodies has been approved by Congress, but four supplementary laws expanding the powers of the armed forces to act in the policing area have been passed.'

Examples of these expanded powers, according to the researcher, include the creation of Operations to Guarantee Law and Order (GLO), from 1999, which were regulated in 2013; the army having the right to take 'preventive and repressive actions along the border', from 2004; and its authorisation to search and arrest people in situations related to air traffic and in security missions carried out by national and international authorities, from 2010.

Kopittke points out that although Brazil's 1988 constitution separated the concept of 'public security' from that of 'national security', the former has ended up still being 'a policy of State Defence, in line with the country's National Security Doctrine, and not a policy of rights and defence of citizenship'. In other words, the ideology of combating internal enemies, or those that threaten order and institutional security, has been preserved.

'We still have a view of data as state security,' he told Ponte. 'Public-security data as a power in the hands of the police that the citizen doesn't have the right to know about – which is completely wrong in a democracy and doesn't allow security policy to evolve,' he argues.

Marcos Perez, from the University of Sao Paulo, agrees. 'It's a vision of administration functioning as if the citizen weren't there; as if it didn't need the citizen, who only gets in the way; as if the State were an asset in itself,' he says.

In his academic work, Kopittke assessed the level of transparency provided by the websites of the public-security secretariats and the military and civil police forces of all Brazil's states (26 plus Brasília), in relation to 33 items – important for the monitoring of public-security bodies because of its specialised bibliography – that should be available on those websites without anyone needing to request them.

These items included the existence of a website in the first place; the contact details of relevant bodies; information regarding the state's public-security policy, and on the rules governing the use of force; reports on deaths and injuries resulting from police interventions, including those suffered by the police themselves; indicators of crime levels; a code of ethics; and reports by independent inspectors.

Among the 81 websites of Brazilian public-security bodies that he examined; the aver-

age transparency score was 18%. More specifically, the study found that four bodies (5%) published information on deaths of police officers and six (7%) on police killings.

Although Brazil has a mechanism specifically for collecting, analysing and integrating public-security data at the federal level, the Public Security Information System (Sinesp), the director of the Instituto Cidade Segura points out that ‘there is still a lack of a stronger, more inductive approach’ on the part of the National Public Security Secretariat (Senasp), which is responsible for Sinesp and subordinate to the Ministry of Justice and Public Security.

Law 12,681/2012 (https://www.planalto.gov.br/ccivil_03/_ato2011-2014/2012/lei/L12681.htm), which formalised Sinesp, expressly provided for the disclosure of the following indicators by the federal and state governments: registered crimes; registration of firearms; entry and exit of foreigners; missing persons; execution of prison sentences and prison system; public-security bodies’ human and material resources; convictions; issuing and withdrawal of arrest warrants; repression of the production and trafficking of crack and other illicit drugs and related crimes; seizures of illicit drugs; and crime-solving rates. The source of information is made up of police records.

Furthermore, it required administrations to ‘compulsorily release data on reported homicides and crime-solving rates. However, with the passing of Law 13,675/2018 (http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2018/lei/L13675.htm), which created the National Policy for Public Security and Social Defence (PNSPDS) and established the Unified Public Security System (Susp), all these provisions were revoked and, among Sinesp’s objectives, the indices that needed to be disclosed were not specified. On the other hand, the law included among the list of numbers a genetic and fingerprint database, and added to Sinesp’s objectives the evaluation and monitoring of public policies.

In a way, the 2018 law transformed the indicators into ‘excellence goals’ for the states, to be evaluated by the Ministry of Justice and Public Security – for example, ‘the activities of the police and the investigation of criminal offences will be measured by, among other factors, the rates of crime-solving, based on records of crimes, especially intentional crimes of robbery and those resulting in death, by the identification, arrest of the perpetrators and the issuing of arrest warrants for those convicted of crimes with prison sentences, and for the recovery of the proceeds of crime in a given district’. There is no explicit mention of deaths caused by agents of the state, or of police deaths.

What remained from the 2012 law was the provision that if federal and state governments failed to provide their data via the Sinesp, or update it, they would not be able to receive funding from the National Penitentiary Fund (Funpen) or, now, from the National Programme for Public Security with Citizenship (Pronasci), ‘nor enter into partnerships with the federal government to finance programmes, projects or actions related to public security and social defence, or to the prison system’.

In the first month of President Lula’s PT administration, Law 14,531/2023 (http://www.planalto.gov.br/ccivil_03/_Ato2023_2026/2023/Lei/L14531.htm#art2) was passed, which established that Sinesp should produce data, aimed at professionals in the areas of public security and social defence, on the following topics: quality of life, and health; attacks suffered, including when off duty; professionals who have become disabled as a result of attacks suffered while on duty; professionals who have become drug addicts because of their work; and mental-health disorders and suicidal behaviour among public-security and social-defence professionals. The bill (<https://www25.senado.leg.br/web/atividade/mate->

rias/-/materia/138479) was presented in 2019 by Senator Alessandro Vieira (MDB-SE).

For Samira Bueno, the fact that deaths caused by agents of the State continue to fall outside the scope of this data indicates a resistance to questioning the legitimacy of those lethal actions, as this index has been recognised in the World Health Organization's (WHO) International Classification of Diseases since the 1990s. This classification was last updated in 2022 (ICD 11; <https://icd.who.int/en>) and constitutes a global standardisation of statistics on mortality and morbidity (the condition of suffering from disease). Police lethality appears in item 23, which refers to mortality due to external causes and includes classifications of 'legal intervention', which is sub-divided according to the instrument used, and 'armed conflict', which categorizes the use of weapons of war.

However, the director of the FBSP believes that this category is still underreported precisely because the information base is different, since notification of a death caused by a State agent must be provided via a police report (whether a BO or an RDO). Therefore, the police records end up computing more data than the doctors who treat a person who was taken to a hospital and later died. 'In the health data, the death certificate is concerned with determining the cause of death. So, it's the epidemiological perspective that's of interest to the health sector, and who's responsible matters less,' she explains. 'So, some of these cases are simply included as homicides [in a generic way] in the health data.'

Furthermore, for Samira, the absence of continuous, systematised and standardised monitoring of deaths caused by the police also derives from an interpretation that these deaths are not intentional homicides (which is to say deliberate, or when the risk of causing death is accepted), because of the way in which the Penal Code is classified and also due to an ideological tendency to presume legality in these cases – the person is pre-judged to have resisted arrest, before any investigation.

'When we created this category of intentional violent deaths [in compiling the year-book], it was precisely so that we wouldn't be accused of labelling the occurrence as legal or illegal, because we're not the justice system,' Samira says. 'It's not up to a civil-society organisation to say whether or not it was legitimate according to the parameters of Brazilian legislation. What we're saying is that there was intent. A police officer took the risk of killing a person and caused their death the moment he pulled the trigger. This has to be counted as a violent death.'

Although 'act of resistance' is not a penal classification in Brazil, that was how deaths caused by police action were usually categorised in police reports. From 2016, Joint Resolution 5/2015 (<https://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?jornal=1&pagina=8&data=04/01/2016>) from the Federal Police Department and the Superior Police Council, established that the judicial police forces (those with an investigative role, such as the civil police) should standardise such occurrences as 'homicide resulting from opposition to police intervention', which is not very different from an 'act of resistance'. Then, in 2018, Ordinance 229 (<https://www.gov.br/mj/pt-br/assuntos/sua-seguranca/seguranca-publica/analise-e-pesquisa/download/legislacao/portaria-no-229-de-10-de-dezembro-de-2018.pdf>) from the Ministry of Public Security, which at the time was separate from the Ministry of Justice, established the classification 'death by intervention of State agent'.

In the assessments of active transparency in the websites of the public-security secretariats, and also in the responses to the LAI requests submitted by Ponte, different states adopt different categories. Only Mato Grosso do Sul adopts the wording of the 2015 resolution, in the spreadsheet sent in response to the LAI request, but when publishing the

data on its website (<http://estatistica.sigo.ms.gov.br/>) it uses the classification ‘death by intervention of State agent’.

‘Death resulting from police intervention’ or ‘death by intervention of a State agent’, without the word ‘opposition’, appears in São Paulo, Amazonas, Amapá, Brasília Goiás, Mato Grosso, Pará and Paraná. Rio de Janeiro started using ‘homicide resulting from police intervention’ in the spreadsheets sent in response to the LAI request, but then adopted ‘death by intervention of State agent’ from 2016. The other states vary between ‘police confrontation’ (for which there are two different phrases) and ‘resistance resulting in death’. As for police deaths, when violent, they are usually classified as homicides, even when they occur while on duty.

‘It’s a homicide, according to Brazilian law,’ emphasises Samira. ‘And [the states] keep trying to use other wording to soften it, but it’s still a homicide.’ In her opinion, these expressions are ‘a rhetorical strategy to say that the police officer doesn’t kill and that these incidents result from the criminal choosing confrontation’.

Both Alberto Kopittke, from the Instituto Cidade Segura, and Samira Bueno, from the Brazilian Public Security Forum, point out that there is a lack of effective supervision by Senasp when it comes to funding supposedly being dependent on the provision of data by the states, and also regarding the standardisation of the way the figures are conveyed, since Sinesp has never ensured periodic updates of the data (<https://www.scielo.br/j/soc/a/bH3zNrwbp5MhMV8fyrm3Gwp/?format=pdf>), a gap that has been filled by the Brazilian Public Security Yearbook, a civil-society initiative that uses the LAI.

‘The Public Prosecutor’s Office, which could carry out external oversight, does not – neither of the police nor of the national fund,’ says Kopittke.

‘We know the federal government’s capacity to change things is relatively limited, because it can make a recommendation and if a state decides it isn’t going to adopt it, it simply doesn’t adopt it. But, if there’s national leadership, that’s already half the battle. We know that more than half of the states depend on the federal government to make investments,’ adds Samira.

Kopittke agrees, so much so that in his dissertation he includes a proposal for legislation regarding the disclosure of public-security statistics. This reached the Legislative Assembly of Rio Grande do Sul state, and Law 15,610 (<https://ssp.rs.gov.br/upload/arquivos/202111/22201614-lei-n-15-610-de-29-de-abril-de-2021.pdf>) was passed in 2021, inspired by the proposal, along with Decree 56,258 (<https://www.al.rs.gov.br/filerepository/repLegis/arquivos/DEC%2056.258.pdf>), which prescribed the publication of various indicators, including deaths caused by the police and deaths of police officers, details of the day and time of the incident, type of crime or contravention, city/town and place where the incident occurred, number of victims, age, sex and race of the victims, all in an open format that allows the cross-referencing of the information – which is to say, microdata for each occurrence, but also preserving the privacy of the victims, not identifying them. This list also contains data on complaints submitted to the police forces’ independent inspectors, with details of the incidents in question, the type of crime committed by the police officer and whether there were punishments.

For Kopittke, this initiative represented ‘an advance’, mainly because ‘there was a dialogue and the proposal was signed by deputies from various political backgrounds, from various parties’, and the way it was managed, under state governor Eduardo Leite (PSDB),

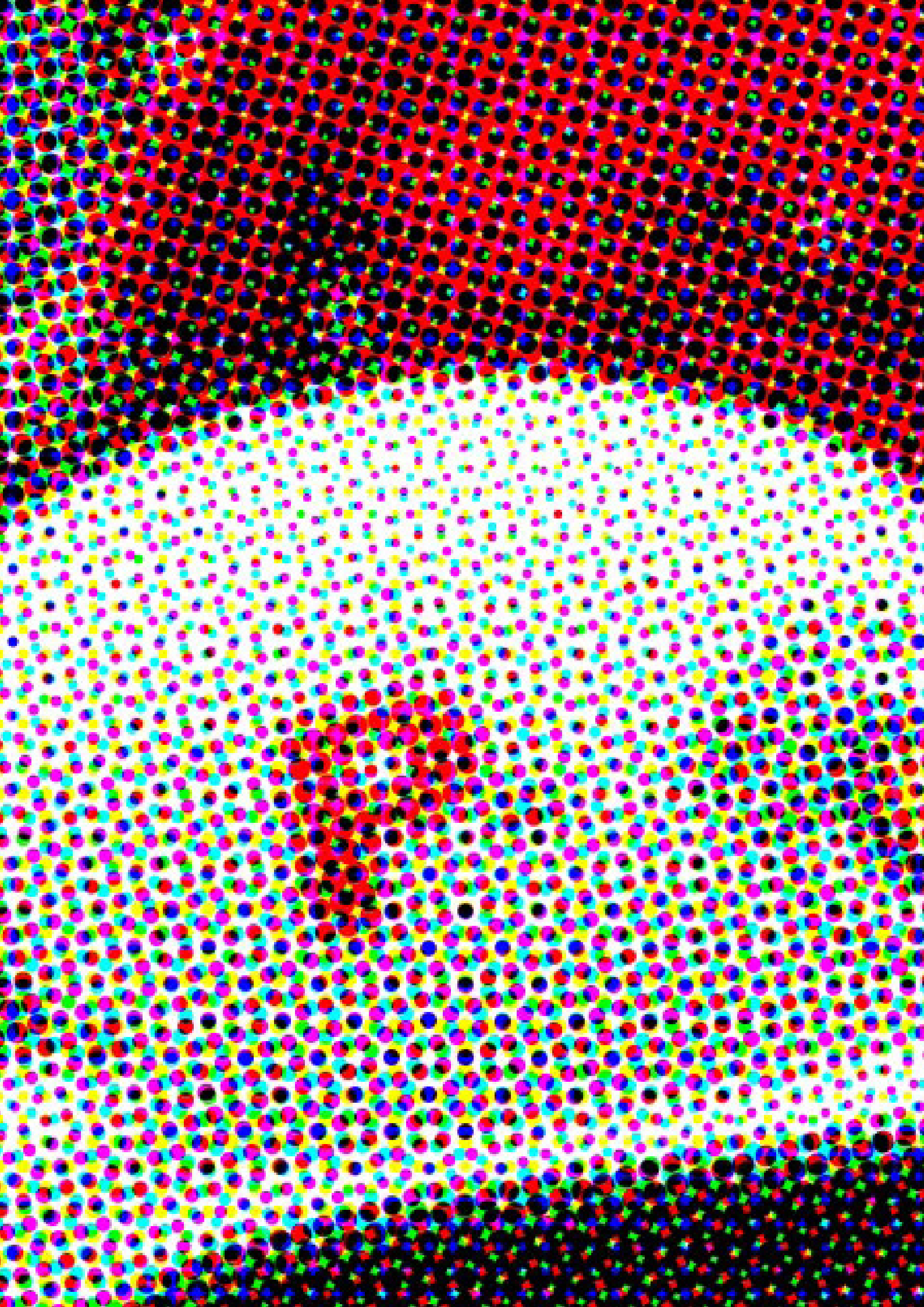
‘was a little more open on the question of being results-orientated’. The bill was presented in 2019 (<https://ww3.al.rs.gov.br/legislativo/ExibeProposicao/tabid/325/SiglaTipo/PL/NroProposicao/82/AnoProposicao/2019/Ori>) by the deputies Luiz Fernando Mainardi (PT), Sebastião Melo (MDB) and Luciana Genro (PSOL), and received 50 votes in favour, one against and one abstention.

However, Kopittke points out that items that could have been added were left out, such as the georeferencing of deaths to determine the precise location. His work also inspired another bill, which has still not passed through the Chamber of Deputies. Drawn up by the deputy Reginaldo Lopes (PT MG), the bill PL 4894/2016 (<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=2081141>) has already been approved by the Constitution and Justice and the Public Security committees and is ready to be submitted to plenary. The bill contains points covered in Kopittke’s proposal that were not included in the law introduced in Rio Grande do Sul, such as the disclosure of norms, operational procedures and the content of training courses adopted by the public-security forces, which are usually kept secret by the police forces.

‘We can’t make progress in knowing what works and what doesn’t work if we don’t have data,’ says Kopittke, who is also the author of *Manual de Segurança Pública baseado em evidências* (2023). ‘When we don’t have data, it all just comes down to political discourse,’ he adds.

Marcos Perez, from LabGov at the University of São Paulo, and Fernanda Campagnucci, from Open Knowledge Brasil, emphasise that public administration needs to realise the importance of producing data in a transparent manner, and of investing in the structure and in the training of professionals that will build up that data. According to Campagnucci, ‘You have places that already have a more active civil society and a more investigative kind of journalism that will make demands and achieve progress towards the opening-up of the data, but in other places that doesn’t happen. Specific legislation would help, but what would help more is a national policy, designed with society in mind.’







Daniel Arroyo | Ponte Jornalismo



Guide to good practice in disclosing data on police lethality and victimisation

To illustrate how the police forces can become more transparent, we have identified positive examples from different Brazilian states

Jeniffer Mendonça
Ponte Jornalismo

As public security is a policy implemented at state level, each Brazilian state has published its information in a different way, sometimes even displaying different understandings of what should be disclosed. Currently, for example, only 7 of the 27 states spontaneously disclose data on police deaths.

This project aims to suggest ways to improve transparency in the monitoring of deaths caused by State agents and the victimisation of public-security professionals. Previously, in the series *Um Vírus e Duas Guerras*, in which we monitored the data on femicides during the pandemic, we also produced a report on good practice (<https://ponte.org/es/relatorio-mostra-dificuldades-e-aponta-caminhos-para-obtencao-de-dados-sobre-violencia-contra-a-mulher/>) in collaboration with six other independent organisations.

The parameters included in this section are based on the guide *Publicadores de dados: da gestão estratégica à abertura* (<https://www.ok.org.br/wp-content/uploads/2021/05/PublicadoresDeDados2.pdf>), produced in 2021 by Open Knowledge Brasil and the Escola de Dados. An essential point of reference for the public sector on how to make data available from scratch or improve what has already been published, the document was based on the experience accumulated in the Brazilian public sector. It shows, step by step, the possibilities for data management, open data, compliance with Brazil's General Data Protection Law, (LGPD), data storage, and the compilation and display of information in an open, accessible and shareable format that will allow people to analyse and cross-reference it independently.

The Public Security Information System (Sinesp), operated by the federal government, receives statistical data from the state administrations and makes funding dependent on the disclosure of information, but it does not present a standardised method for data disclosure that the states' statistics departments could adopt.

The various data items that should be provided as part of good practice are given weightings in our analysis. The score awarded to each state is based on the data items they provide – for example, we assessed 22 variables in São Paulo, which is the state that provided the most details in cases of deaths caused by the police but left something to be desired when it came to information on police victimisation. This score increases according to the quality of the data provided. The more important the data item, the greater its weighting, so the bigger the increase in the score when the information is of good quality.

Our view is that all of Brazil's state administrations have room to improve when it comes to providing information to the public, and our index proves this. Given the differences between states, almost all of them stand out on one specific point or another. Therefore, in each category below, we note the best practices observed in the departments assessed.

Accessibility

The Brazilian Inclusion Law 13,145/2015 (https://www.planalto.gov.br/ccivil_03/_ato2015-2018/2015/lei/l13146.htm), in article 3, requires that websites be accessible to everyone, which is why information for the public must come with digital-accessibility tools to assist people with disabilities – such as screen reading or colour-contrast options for those with visual impairments. In our index, having accessibility options increased a state's score by 25%.

Of the 27 states, however, only 17 have this type of tool on the website of their public-security secretariat. Although São Paulo leads the ranking for active transparency in detailing deaths caused by police intervention, the website of its public-security secretariat did not offer accessibility options on its homepage. The 'colour contrast' button, at the bottom of the page, was not easy to find.

Two states stood out for best practice in terms of accessibility.

- **Distrito Federal [Brasília]:** Even though it does not report the number of deaths caused by the police, or deaths of police officers, it has a button for screen reading and another for assistance in Brazilian Sign Language. The website also has a but-

ton in the top corner for adjusting the text size and colour contrast. If the secretariat provided the data, it would be accessible.

- **Mato Grosso do Sul:** Its Justice and Public Security Secretariat, which provides the data that is the focus of our study, offers the same tools as the Distrito Federal and also has an accessibility menu in which users can adjust colour saturation, cursor size, line spacing, etc.

Data Readiness

The data and statistical reports need to be quickly available via the website's main menu. We used the ranking criteria drawn up by the 'Government Laboratory' (LabGov) in the Faculty of Law at the University of São Paulo (https://direito.usp.br/pca/arquivos/ec16a61ca6be_relatorio-netacip--02.pdf) for the web portals of Brazilian states between 2021 and 2022, according to which it should be possible to find the required information on the site in question within three minutes.

The basis for this, according to LabGov's document, was a lecture given in 2019 by Patrícia Roedel, the director of LabHacker, an entity working with the Chamber of Deputies on innovation. The redesign of the Chamber's website was based on an analysis of the time taken to access information, and according to her, 'after the first three minutes of searching, most people give up and become frustrated in their search for the information that they are entitled to'.

Ponte therefore adopted this criterion in our assessment of active transparency. If the information was found in less than 3 minutes, the state's score increased by 10%.

As the time taken to find information may vary from person to person, we also considered how many clicks, starting from the homepage, were necessary to complete the same task. When the relevant link is on the secretariat's homepage, the score was increased by 10%. When two or three clicks are needed, which generally means the search takes longer, the score increased by 5%.

Of the 27 states, only 14 met the requirement. The stand-out states were:

- **Santa Catarina:** the statistics were on the homepage next to the icon for the list of services and the Transparency Portal.
- **Piauí:** also has its statistics section well signposted on its homepage

Machine-readable data

So that citizens can cross-reference and analyse data independently, they need to be able to download the data in a machine-accessible format – Excel/LibreOffice spreadsheets, comma-separated values (CSV), etc. When this was possible, the states' scores were increased by 15%.

Of the states assessed, nine chose to provide the downloadable data as PDFs, a print format that cannot be read by machines – technical skill is required to convert this data into

a spreadsheet that can be analysed independently. Publishing in PDF also creates extra work for the public servants: originally, the published data was already in table format. But in these cases, as the secretariat at least provided the data for download, their score was increased by 1%. It is not much but, it could improve next year.

Only four states provided data as downloadable spreadsheets: Rio Grande do Norte, Rio de Janeiro, São Paulo and Rio Grande do Sul.

- **Rio Grande do Norte:** despite not making available the full range of variables analysed in this project, the Public Security Secretariat provides a visualisation of the spreadsheet data with the possibility of downloading it.
- **Rio de Janeiro:** opens spreadsheets in CSV format, which is the best for dealing with data in tables in any database system.

Disaggregated data and microdata

The downloaded data may have a greater or lesser degree of detail. The greater the degree of detail (disaggregation), the better the independent analyses that can be carried out. Disaggregated data is generally published in machine-readable formats.

The best practice in this regard is the publication of microdata. According to the definition in the Open Knowledge Brasil guide, microdata is that which conveys each case individually, in a line in the table.

Instead of a spreadsheet saying that there were 10 deaths resulting from police intervention in a given month, it would have ten lines, each one detailing characteristics of the victim and the situation in which the death occurred. In such cases the state receives a 25% increase to its score.

Here is an example, with just eight of the 22 variables we analysed:

UF	City	Precinct of register	Date of the fact	Nature	Victim's gender	Victim's color	Victim's age
SP	São Paulo	14 DP	01/01/2023	Death by police	Male	White	22

If aggregated data is published only by municipality and segmentation, for example, without the option to individualise cases, the score is increased by only 10%.

Two states stood out in terms of disaggregated data:

- **Rio Grande do Sul:** since 2021 the state has established by law (<https://www.ssp.rs.gov.br/dados-abertos>) that data originating from police reports must be published in disaggregated form. The regulations also state a time limit for publication, which makes it easier to know when the data will be released. The following details were provided: day and time; type of crime or contravention; city/town; place where it occurred; number of victims; age, sex and race of the victims.

- **São Paulo:** although it does not have a law concerning the publication of micro-data, it offers other levels of detail. In the case of deaths caused by the police, as well as other violent deaths, there is georeferencing by latitude and longitude of the place where the incident occurred, which allows greater accuracy in the preparation of maps and analyses. The Public Security Secretariat identifies the police station where the case was registered; the number of the incident report, which makes it possible to check the facts; information on the police force to which the officer responsible for the death belongs; and whether the officer was on or off duty at the time.

Visualisation

Graphics, whether interactive or not, are an effective element in communicating information to the public. In the case of deaths resulting from police intervention, graphics can show cases progress, the geographical locations in which they take place, the breakdown by victims by colour and race, etc.

Infographics are no substitute for the provision of detailed, downloadable data, however. The Public Security Institute of Rio de Janeiro state, for example, has both a list files available for download and a viewing section with interactive panels. (<http://www.ispvisualizacao.rj.gov.br/Letalidade.html>).

Currently, seven states publish their data on deaths caused by the police in the form of infographics. Only Rio de Janeiro makes it easy to download the complete data, as well as having advanced filtering. Mato Grosso do Sul, Pará, Pernambuco and Tocantins offer visualisation with filtering but don't allow the data to be downloaded. Piauí has graphics showing only year and month; Paraíba offers some data visualisation via the Flourish tool, which is free, but the filtering is limited to one or two categories.

Leaving aside the issue of downloadability, the following states stand out for clarity of their data visualisation:

- **Pará:** in addition to allowing filtering of the data on deaths following police intervention, there is also information on police deaths, including the unit, rank and post of the officers, whether the death occurred while on or off duty, cause of death, and a profile that includes gender, race, age, map, historical series, etc. However, incidents of suicide are not identified, and there is no data dictionary to explain the abbreviations denoting the officers' posts.
- **Tocantins:** despite having a high degree of detail on the victims and perpetrators of violent deaths, the website does not pre-set the data as a spreadsheet or in a disaggregated form. The visualisation via an interactive panel is quite effective, however.

Data dictionary

In the public-security sector there are many words and phrases that may vary from one state to another – deaths resulting from police intervention are still called 'deaths in confrontation' in some places, for example. The counting method can also cause confusion – until 2016, São Paulo counted 'occurrences' of deaths caused by police officers, which

produced a smaller figure than the number of actual victims (there could be more than one victim in a single case).

Therefore, it is not enough to just to disclose the data: it is important to publicise the methodology adopted in compiling the database. Almost two-thirds of the states assessed indicate their methodology for publishing their data regarding deaths resulting from police intervention, but we saw a data dictionary, presented in a clear and informative manner, in only six public-security secretariats: Mato Grosso do Sul, Rio Grande do Sul, São Paulo, Rio de Janeiro, Pernambuco and Paraíba.

Pernambuco: makes explicit its data-collection methodology, with information on, for example, the dates when the database was published and updated, and also, in the interactive panel, a data dictionary with an explanation of what the different indicators are, methodological notes on the data-collection process, time frame, and type of data that is collected (number of occurrences and number of victims).

Mato Grosso do Sul and Rio de Janeiro, for example, include in the data dictionary the deaths caused by the police and the deaths of officers – which is not the case with most secretariats, as the deaths of State agents tend to be included in homicide cases rather than being presented separately.

What data is it important to disclose?

Given the lack of standardisation between states, Ponte looked at the work carried out by other entities that produce public-security research and statistics in order to assess which variables are important for carrying out in-depth analyses, considering the General Data Protection Law (LGPD) and the Ponte team's own experience in monitoring police violence.

Our principal point of reference is the research project *Letalidade da ação policial no Rio de Janeiro* (<https://lav-uerj.org/wp-content/uploads/2020/06/Letalidade-da-ac%C3%A7%C3%A3o-policial-no-Rio-de-Janeiro.pdf>), which was published in 1997, coordinated by the sociologist Ignacio Cano, and is used today in specialist research examining the use of force by State agents. We were also inspired by the methodology drawn up in 2008 by the Nucleus for the Study of Violence at the University of São Paulo (NEV USP) in partnership with the federal government, which was aimed at Brazil's police ombudsmen and their monitoring police lethality (<https://nev.prp.usp.br/wp-content/uploads/2015/04/Metodologia-para-monitoramento-letalidade.pdf>); by the article *Policial, risco como profissão: morbimortalidade vinculada ao trabalho* (<https://www.scielo.br/j/csc/a/pxr9RTRgLtd-VtThPjczNXjJ/#>) published in 2005 by the researchers Edinilsa Ramos de Souza and Maria Cecília de Souza Minayo; and by the yearbooks and other research produced by the Brazilian Public Security Forum.

One of the models adapted by Ponte in our LAI requests during this project was the course on public-security data run by the Instituto Sou da Paz. While this guide was being written, this organisation also published a guide for journalists (<https://lp.soudapaz.org/guiajornalistas>) on the subject, which applies this model to data on violent deaths. In it, two guidelines are considered: information about a) the death itself, which is to say how it happened, and b) the profile of the victim.

About the death itself:

1 identification of the incident number, generally by providing the number of the police report.

2 the police station where the incident was registered;

3 the municipality where the incident occurred;

4 the address where it occurred (complete address or at least the district);

5 date of the occurrence (day, month and year);

6 time of the occurrence;

7 georeferencing (i.e., latitude and longitude);

8 type of place where the incident occurred (public road, private residence, etc.);

9 instrument that caused death (firearm, for example).

About the victim:

1 age;

2 sex;

3 profession or occupation;

4 colour/race;

5 district where he/she lived.

In the case of deaths caused by police intervention, we added a category of 10, whether the death was caused by a military or a civil police officer; and 11, whether the police officer was on duty or off duty at the time.

For the deaths of police officers, we added to the information on the circumstances 10, the nature of the death (homicide, suicide, suspicious death, etc.) and in the profile we replaced 3, the profession or occupation, with whether the victim was a civil or a military police officer; and added 6, whether the death occurred while on duty or off duty.

In the profile data, both for deaths caused by police intervention and for deaths of police officers, we also included category 5, the sexual orientation of the victim, and replaced item 2, 'sex', with 'gender', in order to include the LGBT community in the statistics, bearing in mind that surveys related to violence against this section of the population have begun to be carried out by civil-society organizations such as the Grupo Gay Bahia (GGB) and the National Association of Transvestites and Transsexuals (Antra), given the erasure and scarcity of records provided by the public-security secretariats.

The Brazilian Public Security Forum began to include the violence committed against this community in its 2020 yearbook (<https://ponte.org/15-Estados-e-distrito-federal-se-re-cusam-a-contabilizar-violencia-contra-lgbts/>), the 14th edition, which contained data from 2019. However, we still do not have any survey measuring police violence against the LGBT

population, nor on whether investigations into the deaths of police officers presumed or recognised that their gender identity and/or sexuality was a factor in their death.

Therefore, the minimum list of items that we consider important for microdata analyses of deaths resulting from police intervention are:

About the death itself:

- a) Police-report number and/or ID;
- b) Municipality.
- c) Police station in district where the death occurred;
- d) Date of occurrence (day, month and year);
- e) Time of occurrence;
- f) Georeferencing (i.e., indication of latitude and longitude)*;
- g) Type of place where the incident occurred (public road, private residence, commercial premises, etc.);
- h) Instrument that caused death;
- i) If the death was caused by a civil police officer or military police officer;
- j) Whether the police officer who caused the death was on or off duty.

About the victim:

- a) Age;
- b) Gender;
- c) Race/colour;
- d) District where he/she lived;
- e) Profession or occupation;
- f) Sexual orientation.

*If the death occurred in a residential property, at least indicate the district.

And for the deaths of police officers:

About the death itself:

- a) Police-report number and/or ID;
- b) Municipality;
- c) Police station in district where the death occurred;
- d) Date of occurrence (day, month and year);
- e) Time of occurrence;
- f) Georeferencing (i.e., indication of latitude and longitude)*;
- g) Type of place where the incident occurred (public road, residence, commercial premises, school, etc.);
- h) Instrument that caused death;
- i) Type of occurrence (homicide, robbery, bodily injury followed by death, suicide, sus-

picious death, natural by natural causes or due to illness, etc.);

About the victim:

- a) Age;
- b) Gender;
- c) Race/colour;
- d) District where he/she lived;
- e) Sexual orientation;
- f) If he/she was a civil or military police officer;
- g) If the death occurred when the victim was on or off duty.

*If the death occurred in a residential property, at least indicate the district.

As our project only addressed the civil and military police, as they are subordinate to the public-security secretariats (or in some cases there is a separate department for each of the two forces, as in Rio de Janeiro state), we did not look at lethality and victimisation in the case of prison officers, municipal guards or other public-security forces.

Firstly, this was because they are not subordinate to the same department or administrative sphere, so the amount of research and subsequent analysis would be greater. Secondly, it was due to the constitutional powers attributed to the civil and military police forces, which are responsible for investigations and overt policing respectively. The prison officers who provide escorts and surveillance were recognised as a category of the police in 2019, as they are regulated by the state authorities, and municipal guards do not have a police role although they also work in the area of public security.

However, the model suggested here does not exclude these other bodies, since the Civil Police has the prerogative to register all lethal occurrences, regardless of the kind of public-security personnel involved. Therefore, instead of the generic label 'death resulting from intervention by State agent' or 'victimization of State agent', the name of the specific public-security body involved is stated.







Daniel Arroyo | Ponte Jornalismo



Navigating in murky waters

Reporter Jeniffer Mendonça describes how she tackled the huge task of getting information on police violence in Brazil's 27 states and her conclusion: there is still a lack of transparency.

Jeniffer Mendonça

Ponte Jornalismo

What do the Dalai Lama and the Public Security Secretariat (Sesp) of the Brazilian state of Roraima have in common? Absolutely nothing, but a phrase attributed (correctly or not) to the Tibetan Buddhist leader, which also crops up on websites listing popular sayings and the musings of celebrities and public figures, can be found on the secretariat's website: 'Love and compassion are necessities, not luxuries. Without them, humanity cannot survive.' Just above the quote it says, 'Public Security – under maintenance', and just below it there is a row of changing numbers representing a countdown – it isn't clear to what – that has been going on for weeks.

I accessed the site in May 2022, when I and part of the Ponte team were participating in a course on data taught by the journalist Marcelo Soares, the founder of Lagom Data, which lasted just over one month. The aim was to improve our data-analysis work, and we

ended up looking at the websites of the public-security departments of several states. One of the findings became the report *Mortes sem cor: dados sobre raça de mortos pela polícia deixam de ser registrados em SP* (<https://ponte.org/mortes-sem-cor-dados-sobre-raca-de-mortos-pela-policia-deixam-de-ser-registrados-em-sp/>), when we found that in 44.6% of the 139 deaths caused by the civil and military police between January and April 2022, the race of the victim was not stated – a phenomenon that had become more noticeable since December 2020.

Following that report, we thought about creating a transparency index to examine how the state governments disclose figures both about police killings and police deaths. In July last year I had started to submit requests for information based on the Access to Information Law (LAI), because the original idea was to assess passive transparency (when we asked the public body for the data), but we were unable to carry on the project for two reasons: there were not enough of us (I and one other person were the only reporters), and the 2022 general elections were taking place, creating a lot of political tension, to say the least, and requiring our attention for coverage.

At the turn of the year, however, we – Amauri Gonzo (editor), Fausto Salvadori (editorial director), Marcelo Soares and I (reporter) – decided to push ahead with creating the index. In addition to the LAI requests, we would also assess active transparency (when the public body discloses information without being asked to do so) with regard to the data on deaths caused by the police and on deaths of police officers.

And that’s how I ended up looking at the page on the website of the Roraima Public Security Secretariat that I described above. Depending on when you’re reading this text, the page may still be the same – it was when this survey was published. If not (and I hope not), you can see here (<https://web.archive.org/web/20230610140327/http://www.sesp.rr.gov.br/>) how it looked then to anyone accessing <http://www.sesp.rr.gov.br/>, since I saved the screen on the Way Back Machine, an internet archive in which you can save any page. Using the Way Back Machine to go further back in time, I could see that in fact the Roraima Sesp website had not changed since at least 2017. It is bizarre for the website of a public body to be ‘under maintenance’ for so long, and without explanation. Even worse, the LAI requests I sent to the Public Security Secretariat (and to the police) didn’t even get a reply.

This is an example of the situations I came across during this process, in which I had direct experience how the 27 states deal with information on public security. None of us at Ponte is an expert on transparency, which is why we looked at all the content previously produced by organisations in the fields of open data and public security. The level of detail in the data provided is very important when trying to conduct an accurate analysis, because without evidence there is no way to think about, propose and implement public policies.

To create the categories and scores for active transparency (analysis of the websites of the states’ public-security secretariats), we took into account the 2021–2022 Transparency Ranking (https://direito.usp.br/pca/arquivos/723d1eaf86f8_relatorio-perez.pdf) drawn up by the Núcleo de Estudos da Transparência e da Comunicação de Interesse Público (Netacip) in the Faculty of Law of the University of São Paulo (FDUSP), and the Covid-19 Transparency Index (<https://transparenciacovid19.ok.org.br/>) created by Open Knowledge Brasil.

In the process of submitting 68 requests for access to information (bearing in mind how likely the security secretariats, the Civil Police and the Military Police were to reply), I made extensive use of the ebook *LAI nas redações – formação para jornalistas*, created by

Fiquem Sabendo (<https://fiquemsabendo.com.br/>), an agency specialising in the Access to Information Law, and repLAI (<https://www.achadosepedidos.org.br/na-midia/chatbot-ajuda-a-recorrer-contra-negativas-a-pedidos-de-informacao>), an Brazilian Association of Investigative Journalism (ABRAJI) chatbot, in partnership with Transparência Brasil, that provides assistance with everything from requests to making appeals in response to the most recurrent justifications that public bodies use when refusing to disclose data or information.

It's important to highlight the contribution made by this previous work, not only to improving the performance of journalists like me but also to helping those like you who are not in the public-security field but have arrived here and are looking for orientation in seeking access to public information – which is your right – and don't really know where to start.

For the passive-transparency variables, I adapted a model for requesting access to information that was created by the Instituto Sou da Paz in the course on data journalism and public security that I participated in, aimed at requesting information on homicides.

I was also inspired by the 2023 Map of Access to Public Information (https://abraji-bucket-001.s3.sa-east-1.amazonaws.com/uploads/publication_info/details_file/ddb889dd-a734-417d-bb3e-f8b4e8edaf7d/ABRAJI_MapadeAcesso_2023_relat_rio_3P__1_.pdf) produced by ABRAJI, which assessed the active and passive transparency of the Military Police (and was published during the planning stage for this project). The document contained the evaluation methodology and, in the annexes, the questioning template.

In the categories, we assumed the states could potentially provide every item of information requested and created the weightings for the scoring system. So, I asked for information on the deaths (town/city, address, police station involved, date, time, whether the death was caused by a civil or military police officer, whether the officer was on or off duty, etc.) and the profile of the victim (colour/race, age, profession or occupation, district where they lived, etc.). You can read the questioning template I used here. (<https://docs.google.com/document/d/14Iyb09eBg-2XaziePzMM7v5VxeVGr8SaUfhmddLlk78/edit>)

One of the items I didn't usually see in the data released about deaths resulting from police intervention, and about police deaths, was the 'sexual orientation' of the victims. I included it in this project, and instead of 'sex' I put 'gender', to recognise the complexity of LGBT identities. At Ponte we are used to publishing studies carried out by associations working with this section of the population, which, in the absence of action on the part of the public authorities, began to produce data which was based on the information they had: news stories in the press, as in the case of the National Association of Transvestites and Transsexuals (Antra) and the Grupo Gay da Bahia (GGB). The Brazilian Public Security Forum (FBSP), which carries out an annual survey based on all the public-security data available nationwide, has also criticised public bodies in this respect, calling on them to provide accurate data that identifies the LGBT community in the records. However, we don't have information on how police lethality and victimisation affect this group.

São Paulo is the state where I live, and the one I monitor most frequently as it is also where Ponte is based. Even though in many aspects it exhibits active transparency with regard to deaths resulting from police intervention, in an open format, the Public Security Secretariat does not include that information in the spreadsheets it makes available. A further detail: from 2015, the secretariat started to include in police reports fields for recording the name a person wants to use (not necessarily their birth name), their gender identity and their sexual orientation (<https://www.oabsp.org.br/noticias/2015/11/nome-social-agora-pode-ser-utilizado-em-registro-de-boletim-de-ocorrencia.10526>), which was made

mandatory in 2021 in a ruling by the Court of Justice (<https://g1.globo.com/sp/sao-paulo/noticia/2021/01/29/justica-de-sp-torna-obrigatoria-a-inclusao-de-identidade-de-genero-e-orientacao-sexual-em-boletins-de-ocorrencia-no-estado.ghtml>) following an action by the Office of the Public Defender, and was later judicially agreed in 2022 (<https://www.conjur.com.br/2022-abr-11/boletins-ocorrencia-sp-terao-campos-genero-sexualidade>) that ensured those additional personal details would remain in the recording system.

When I submitted the data request to the secretariat, the spreadsheet sent to me still didn't include this additional data and no justification was given for its absence. When I filed an appeal questioning this, the secretariat merely added to the spreadsheets two columns labelled 'sexual orientation' and 'gender identity', but those fields were empty. In the words of the secretariat, 'the requested information is not controlled/systematised by this Secretariat', and 'the fields are underreported and depend on a declaration from the victim'. But they victims are dead, so how can they self-declare? In these are the parameters, how is it possible to know if a homicide may have been due to LGBTphobia?

In fact, it wasn't uncommon for me to have to file appeals to obtain justifications from most states regarding the absence of this information, with their initial response having provided no clarification. The answers given were that the data didn't exist, that the registration system couldn't accommodate that type of field, that filling in the information was the responsibility of the police officers out on the street, that the information wasn't mandatory, or that it would be extra work to check which police reports included the information and which didn't.

In the Distrito Federal [Brasília], in the spreadsheet sent by the Civil Police for cases of death following police intervention, there was some confusion between sexual orientation and gender identity, as the column that appeared to be for sexual orientation was labelled 'gender orientation' (and in both cases the fields are mostly empty or merely say 'Not informed') and appears to have been added in response to the LAI request.







Daniel Arroyo | Ponte Jornalismo



Methodological notes on the 2022 Police Violence Transparency Index

How Ponte arrived at the Transparency Index, what items were assessed and what weighting was given to each of them

Marcelo Soares

To create the index that measures the transparency of the police in each Brazilian state, we decided on a hypothetical index that goes from 0 (no transparency) to 1 (total transparency) – a method somewhat similar to the Human Development Index (HDI) of the United Nations. To assess the level of transparency we used the following method: we awarded points for the data items that were disclosed (characteristics of crime itself and of the victim, etc.), and then applied a weighting according to how well the data was conveyed (active transparency, accessibility, etc.). Below we provide greater detail on how the data was analysed:

Points were awarded for each of the 15 data items concerning the characteristics of a homicide:

- victim's characteristics: skin colour, gender, age, occupation and sexual orienta-

tion each receive one point

- place where the incident occurred: providing the full details of the location earned one point; merely indicating the district earned half a point; identifying the municipality earned one point
- characteristics of the crime: the time when it happened, the type of place and the method employed receive one point each
- characteristics of the police response: the police district where the incident took place and the number of the police report get one point each;
- police lethality: if the secretariat indicates which homicides were committed by a police officer, that receives two points; stating whether the officer was on, or off duty counts for one point

At the end, the points for each state are added up. The weightings are then applied, cumulatively increasing the score in each case:

- Active transparency regarding the data on intentional violent deaths: 100% when this is the case; no increase if it was necessary to request the data under the Access to Information Law.
- How frequently the data is updated: 25% for daily updating, 10% for monthly, 5% for bimonthly or every six months.
- If updates take place only once every year or there is no indication of frequency, there is no increase. Publication of disaggregated data, searchable by case or police report: 25% when disclosing the details of each case; 10% when aggregating two or more characteristics (municipality, type of crime, victim's gender, etc.). If only totals are published, there is no increase.
- Publication of historical series: 25% when the series covers more than one state administration (i.e., term of office); 10% if the series only contains data from the current administration; no increase if there is only the most recent data.
- Publication of data in a machine-readable format or for download: 25% if the state discloses the data in API [Application Programming Interface], which did not occur anywhere; 15% when it is published in spreadsheet form; 1% when published in PDF. Accessibility elements on the website, for people with disabilities: 25% if present; no increase if absent.
- When accessing the website of the public-security secretariat, a 10% increase if it was possible to get the desired information in less than 3 minutes. No increase if it took longer.
- Number of clicks needed to access the information: 10% increase when the relevant link is on the secretariat's homepage, 5% if two or three clicks are needed. More than three clicks: no increase.

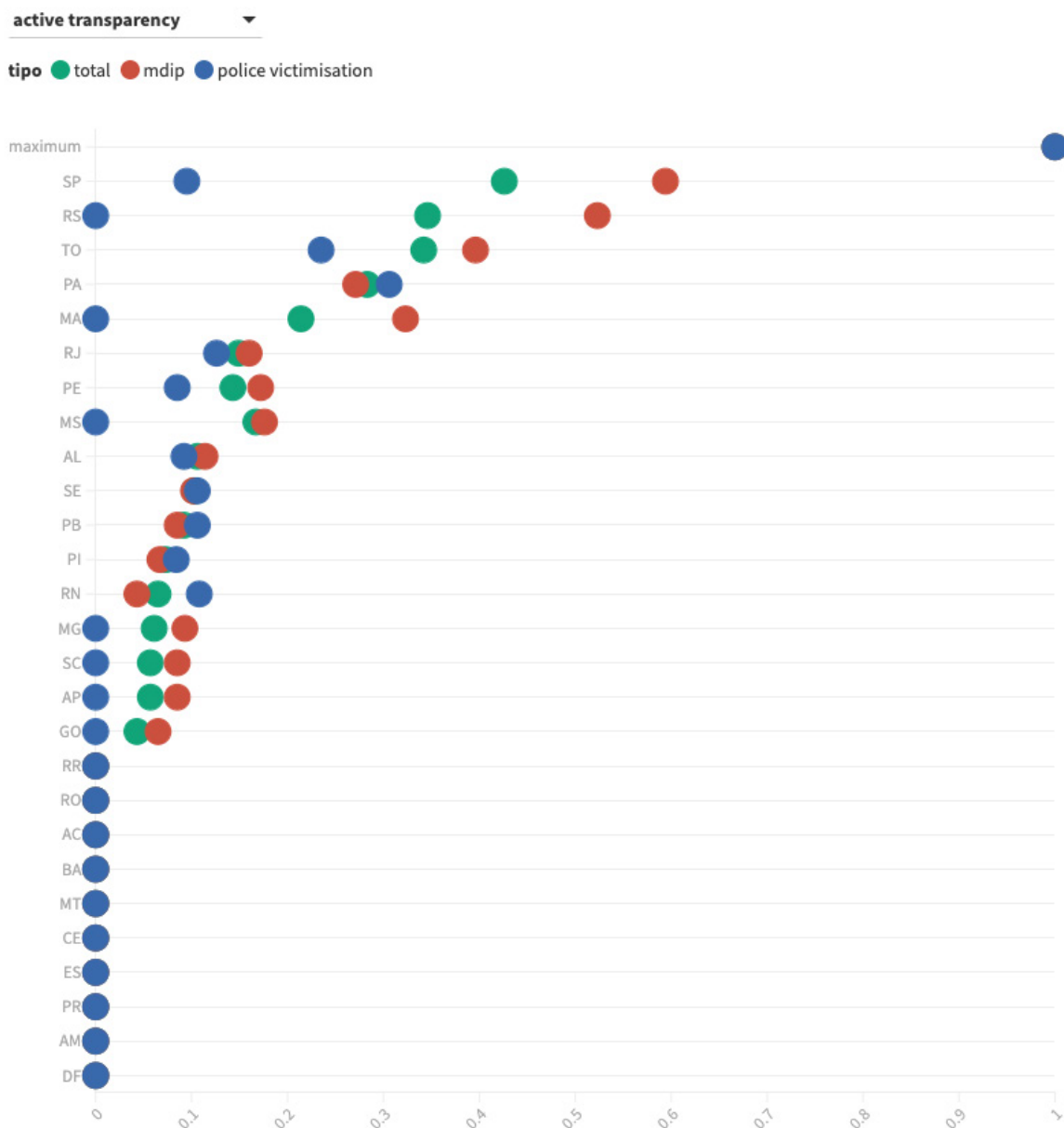
These weightings applied to the data aim to recognise good practice in terms of transparency of information. As a result, states that manage the data better tend to achieve greater prominence.

To make the data more comparable, the final result was normalised on a scale from zero, for states that do not meet any of the transparency criteria, to 1, in the hypothetical case of a state that provides every data item and exhibits every aspect of good practice in terms of transparency.

The leading state, São Paulo, achieved less than 50% of the maximum possible score for active transparency, which shows there is room for improvement not only in the information disclosed but also in the way it is conveyed. And Rio Grande do Sul, which provides fewer data items, moves from third place up to second by having adopted good practice.

Applying the weightings also creates a ‘tiebreaker’ between states such as Pernambuco and Rio de Janeiro. Those two states provided similar numbers of data items, but Pernambuco’s information was more disaggregated and was accessible more quickly and in fewer clicks, so it edged ahead.

Compare how each state fare in each type of transparency



Source: Data from Public Security secretaries from all 27 federation units • Analysis: Ponte Jornalismo
 MDIP: Morte decorrente de intervenção policial - death by police intervention





KEEPING AN EYE ON THE POLICE

