



EXECUTIVE SUMMARY

(IN) **JUSTICE
MAPS**



Holding



Partners



The background of the page is a light orange color with a faint, stylized map of Rio de Janeiro. A thick red line starts from the left edge, goes down, then right, and then follows a path that roughly outlines the city's coastline and major roads.

(In)Justice Maps: Executive Summary

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Cycle of Violence and Impunity: The Racialization of Police Violence

Police violence in Brazil is marked by a complex relationship between race and class, reflecting a pattern that goes beyond law enforcement and assumes deeply rooted discriminatory characteristics. Alarming data reveal that, while the use of force is regulated, it often exceeds proportionality limits, disproportionately impacting Black and marginalized populations. As Chevigny (1990) observes, the high number of deaths compared to injuries suggests a preferential use of lethal force, evidencing a continuity of colonial logics.

The geography of violence (Gilmore, 2007) highlights how police lethality in São Paulo is spatially concentrated in peripheral and predominantly Black areas, constituting a logic of segregation and exclusion reminiscent of colonial practices of control and dehumanization. In the peripheries, police presence is marked by intensified surveillance and violence, contrasting with central areas, predominantly inhabited by white populations, where policing assumes a more preventive character. This spatial arrangement reveals that violence is not merely a matter of public security but a tool of racial and social control, manifesting through the absence of infrastructure and essential services in marginalized areas, rendering these territories zones of constant vulnerability and control. By reinforcing a pattern where Black lives are systematically exposed to lethal violence, the geography of violence contributes to perpetuating the cycle of oppression and social exclusion that characterizes the urban experience of these populations (Santos; Maia; Quaresma; Cordeiro, 2024, manuscript submitted).

Impunity reinforces this cycle of violence. A justice system fragmented by design and a hybrid model that blends inquisitorial and accusatory practices tend to legitimize excessive use of force, especially in police homicides that are rarely thoroughly investigated. Few cases go to trial, and even fewer result in convictions (Vargas and Ribeiro, 2008; Misse, Grillo, and Neri, 2015; Ferreira, 2021). Although internal affairs units and ombudsman offices exist, their lack of autonomy weakens their power to exercise oversight, perpetuating impunity and amplifying structural inequalities.



This research seeks to fill data gaps and provide a critical analysis of the relationship between racial violence and police practices in São Paulo. Utilizing Critical Race Theory¹, we examine how public security policies sustain structural racism, turning Black individuals into preferential targets of state repression. This process of racialization perpetuates a cycle of violence, while the lack of effective public policies for protection and inclusion exacerbates social exclusion.

By connecting the colonial legacy to contemporary violence, we propose a perspective that reveals racial violence as a materially and institutionally based phenomenon. Thus, we emphasize that police and racial violence feed into each other and that breaking this cycle requires profound reforms in control and justice mechanisms to effectively combat the exclusion and violence directed at the Black population.

The (In)Justice Maps Project



The objective of the Mapas da (In)Justiça project is to provide data on police lethality against the Black population in the State of São Paulo. The research involves extracting data on race and geolocation of homicides committed by police officers from the documentary collections of the São Paulo State Court of Justice (TJ-SP), São Paulo State Public Prosecutor's Office (MP-SP), São Paulo State Department of Public Security (SSP-SP), and São Paulo Civil Police (PC-SP). These records include administrative and judicial information related to the accountability of police officers. The data generated will be made available to the public through a digital platform named "Mapas da (In)Justiça." This platform aims to make visible, through maps, the

¹ We employ Critical Race Theory (CRT) as the theoretical framework guiding our methodological choices and analyses. As Zuberi (2001) indicates, the dangers of studying "race" without considering the relationship between the adopted theory and the research methods used manifest in the perpetuation of racial stratification processes that go unquestioned and, instead, are often justified. Within this context, CRT, particularly in the field of Law, proposes a methodology that incorporates the voices and perspectives of the social actors involved. Silva and Pires (2015) advocate for the adoption of CRT, conceptualized through an interdisciplinary approach that emerged in the United States during the 1970s and 1980s, as an essential theoretical framework for examining the relationships between Law and racism in Brazil. They emphasize the importance of the "unique voice of color," where minority groups themselves have the opportunity to express their experiences and narratives, challenging traditionally recognized approaches. Thus, this theory emerges as a research alternative that enables us to examine how structural racism is perpetuated through public policies, institutional practices, and social norms, and how these dynamics impact various aspects of people's lives, from access to justice to educational and economic opportunities.

relationship between police lethality, racial violence, and its connection to urban infrastructure.

The research seeks to clarify how the São Paulo criminal justice system handles cases of deaths resulting from police intervention. The challenge in understanding this issue arises from the fact that Brazil does not centralize data from all stages of these criminal justice processes. In São Paulo's justice system, this flow is fragmented across institutions: SSP-SP, MP-SP, and TJ-SP. The project consolidates data on police lethality incidents into a single database to track the flow of criminal justice, from the production of police reports to the development of cases judged by the São Paulo State Court of Justice.

The research relies on public data, meaning our source of information is limited to the records made available by the responsible institutions. Factors such as the application of judicial secrecy may result in the absence of certain information in our dataset, representing just one of the challenges of working with public security data in the country.

Production of Criminal Statistics in the State of São Paulo

The production of statistical data on police lethality in São Paulo involves the SSP-SP, the Internal Affairs Divisions of the Civil and Military Police, and the MP-SP, aiming to ensure transparency and accountability regarding police actions. Regulations such as State Law 9.155/1995 and SSP-SP Resolution No. 161/2001 establish the State System for the Collection of Criminal Statistics, where police units record their activities monthly, and the data is sent to the Analysis and Planning Coordination (CAP) of the Department of Public Security for regular publication.

SSP-SP Resolution No. 05/2013 guides the handling of serious incidents, such as bodily injuries and deaths resulting from police intervention. It mandates the isolation of the scene and notification of the Military Police Operations Center or Civil Police Operations Center. It also prohibits the term "resistance followed by death," replacing it with "death resulting from police intervention" (MDIP) for greater accuracy in records.

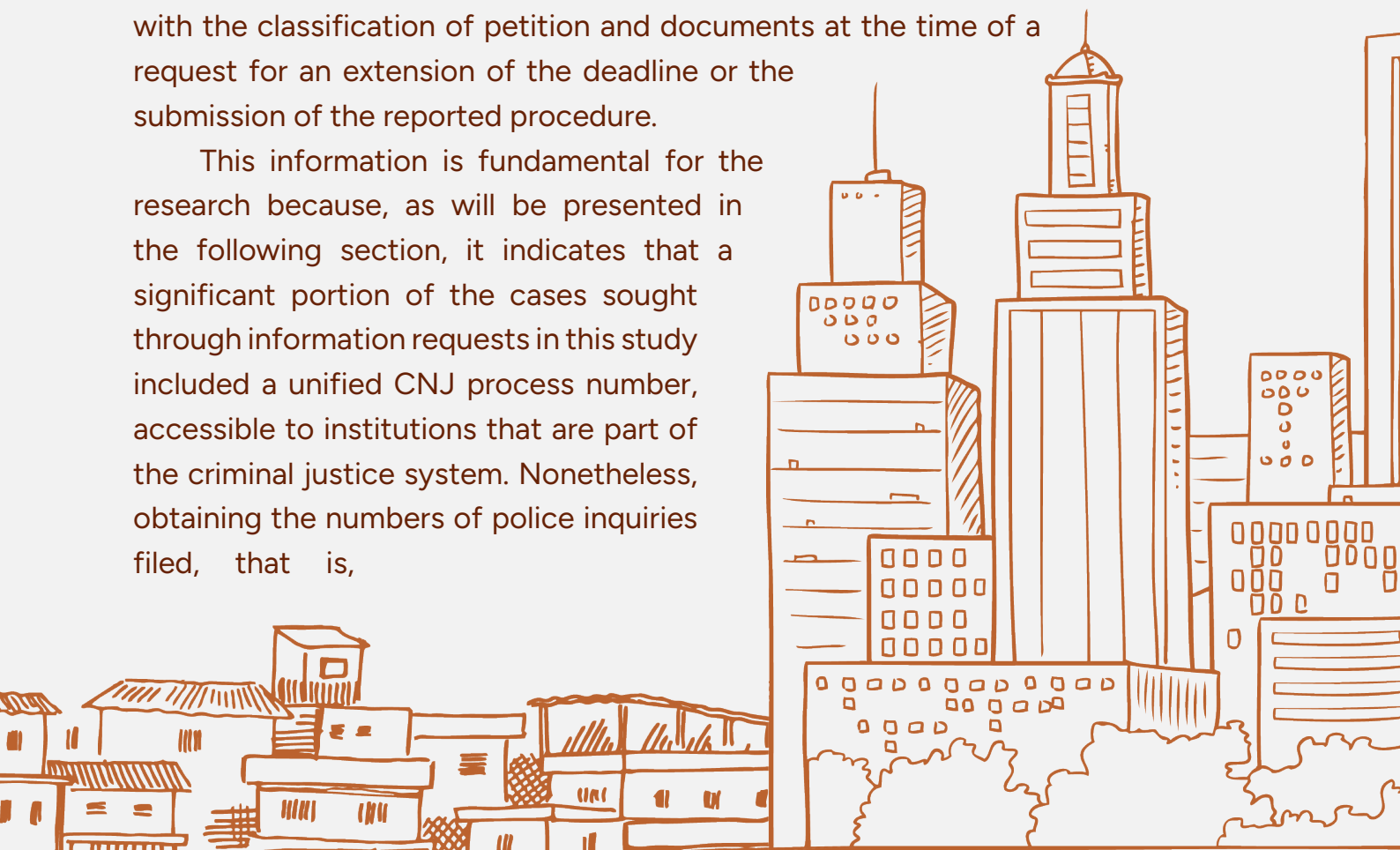


External oversight by the MP-SP, supported by the Federal Constitution of 1988 and Complementary Law No. 734/1993, includes monitoring police activities to address abuses and ensure legality.

SSP-SP Resolution No. 40/2015 establishes strict protocols for preserving evidence and immediately notifying the Public Prosecutor's Office and internal affairs divisions, reinforcing the supervision of police actions. SSP-SP Resolution No. 146/2013 also stipulates that intentional homicides committed by police officers, whether on or off duty, must be included in the statistics for intentional homicides, while deaths resulting from police intervention have their own category for detailed analysis.

In addition to the production of data related to deaths resulting from police intervention, it is important to note the electronic format of police investigations, which facilitates the generation of such information and the systematization of data. In this context, in the state of São Paulo, the Electronic Police Inquiry (IPE) began to be gradually implemented starting in 2016. According to item 2, subparagraph "c" of TJ-SP Communication No. 1168/2016, the police investigation will receive, at the Police Station, the unified process number from the CNJ as provided in CNJ Resolution No. 65/2008 and will be forwarded with the classification of petition and documents at the time of a request for an extension of the deadline or the submission of the reported procedure.

This information is fundamental for the research because, as will be presented in the following section, it indicates that a significant portion of the cases sought through information requests in this study included a unified CNJ process number, accessible to institutions that are part of the criminal justice system. Nonetheless, obtaining the numbers of police inquiries filed, that is,

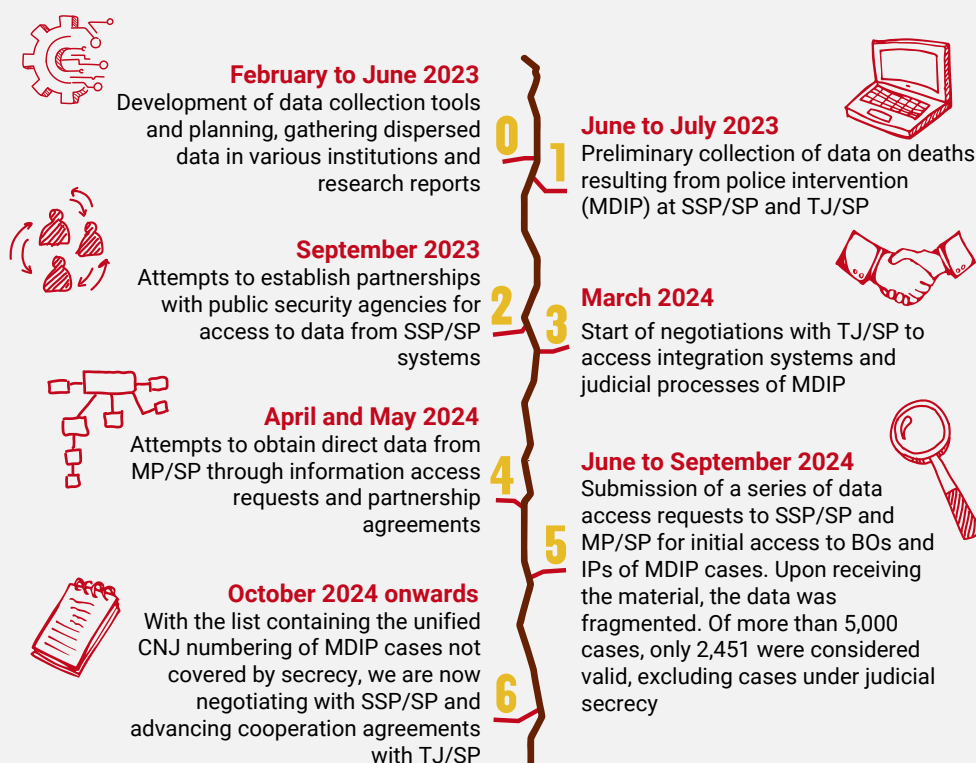


registered on the TJ-SP e-SAJ portal, proved to be an extremely challenging task throughout the execution of the project.

Our Journey to Access Data: Dialogues and Efforts Between Institutions

Efforts to collect data on investigations into cases of police lethality in the state of São Paulo began in July 2023. There were three fronts for obtaining this data: a) active transparency, meaning direct and immediate access to data made available by public agencies; b) passive transparency, through information access requests directed to institutions within the criminal justice system; c) institutional partnerships with educational and research institutions that either had or would obtain access to the data of interest for the research, and d) cooperation agreements with public agencies. Figure 1 below presents a summary of our strategies:

Figure 1 - Journey to Access Data During the Research



Source: Own elaboration

The information readily accessible to the public is that provided by SSP-SP² and the Special Action Group for Public Security and External Oversight of Police

² Available at <<https://www.ssp.sp.gov.br/estatistica/consultas>>. Accessed on October 23, 2024.

Activity of the MP-SP (GAESP)³ on their internet portals. However, achieving the objectives of this research requires obtaining data that connects information about investigations into deaths caused by police intervention. This data should encompass the investigation phase at the Civil Police and the Public Prosecutor's Office and, when applicable, include the trial phase in the Court of Justice. The complexity of this search reveals a mosaic of information interwoven through sparse databases across legal institutions. The data that could potentially link each case across different institutions would be the police report number or the unified CNJ process number, composed of twenty digits and standardized nationwide by CNJ Resolution No. 65/2008. Alternatively, this connection could also be made using the police inquiry number.

As an initial strategy, we sought to access the records of investigative procedures for all homicides registered in the state of São Paulo from 2018 onwards. This choice is justified by the gradual implementation of electronic police inquiries, initiated in 2016, aimed at facilitating direct access to inquiries by the Civil Police and Public Prosecutor's Office without the need for judicial intermediaries, except in specific cases⁴. With this approach, we aimed to access as many electronic police inquiries as possible, considering the peculiarities of São Paulo's gradual digitalization process.

To obtain cases of deaths resulting from police intervention (MDIP), the research prioritized applying a filter for case selection based on the profession of the perpetrator: police officer. Comparing this data with the record values provided by SSP-SP and MP-SP produces the initial findings of the investigation. From this data, we could verify whether there is a match between the figures for police lethality published by the institutions. In cases of discrepancies, potential reasons could highlight differences in record-keeping or failures in the investigation methodology.

Using the unified CNJ process number, available for all police inquiries in the e-SAJ system, it would be possible to verify the status of the investigation based on the court's classification: ongoing, archived, indicted, or sentenced. With this methodology, we could identify the number of police lethality cases that reach

3 Available at: <<https://app.powerbi.com/view?r=eyJrIjoieY2MxNjJjYTgtNzBiZi00NmJhLTkzZDctMGE5MG-ViYjQ3ODQzliwidCI6IjJkYmQ4NDk5LTUwOGQtNGI-3Ni1hMzFkLWNhMzljYjNkOGYxZCJ9>>. Accessed on October 23, 2024.

4 The list of homicides was extracted from the TJSP Electronic Justice Gazette. For more information, see the section "materials and research methods."



the trial and judgment phase in the judiciary, as well as their respective outcomes. Finally, with the aid of Artificial Intelligence applications (see section “materials and research methods”), we would compile the main grounds for case dismissals, indictments, acquittals, and convictions to assess the institutional bottlenecks in holding police officers accountable.

However, given the limitations imposed by the TJ-SP on downloads⁵, restricted to five hundred documents per day, we adjusted the strategy to focus solely on the records of cases classified as MDIP by SSP-SP and MP-SP, thereby reducing the volume of data to be analyzed. This strategy initially proved unfeasible because neither institution provided the CNJ unified process number, either proactively through their online portals or passively in response to information requests.

Seven information requests were submitted to SSP-SP and MP-SP, with response times ranging from 1 to 29 days. As a result of these efforts, we received a spreadsheet from the Criminal Operational Support Center (CAOCrim) of MP-SP containing a list of procedures initiated from 01/01/2018 to 30/04/2024, filtered by nature (homicide) and the profession of the investigated party (military or civil police officer).

According to CAOCrim, the data provided was extracted from the MP-SP’s Public Procedures Consultation System (SISMP Integrado) on 06/24/2024. The data table includes the type of procedure, the MP-SP process number, the TJ-SP process number, the criminal classification, and the legal provision. The table also includes the article, whether it is a case of police intervention, the procedure date, the situation (e.g., archived or indicted), the role of the perpetrator, the process status (confidential or not), the police station, the date of archiving, and the date of the incident, totaling 2,451 cases, excluding confidential ones.

⁵ According to TJ-SP staff we spoke with, the decision was based on internal court matters and data protection concerns, as well as issues related to congestion on the judicial process access portal.

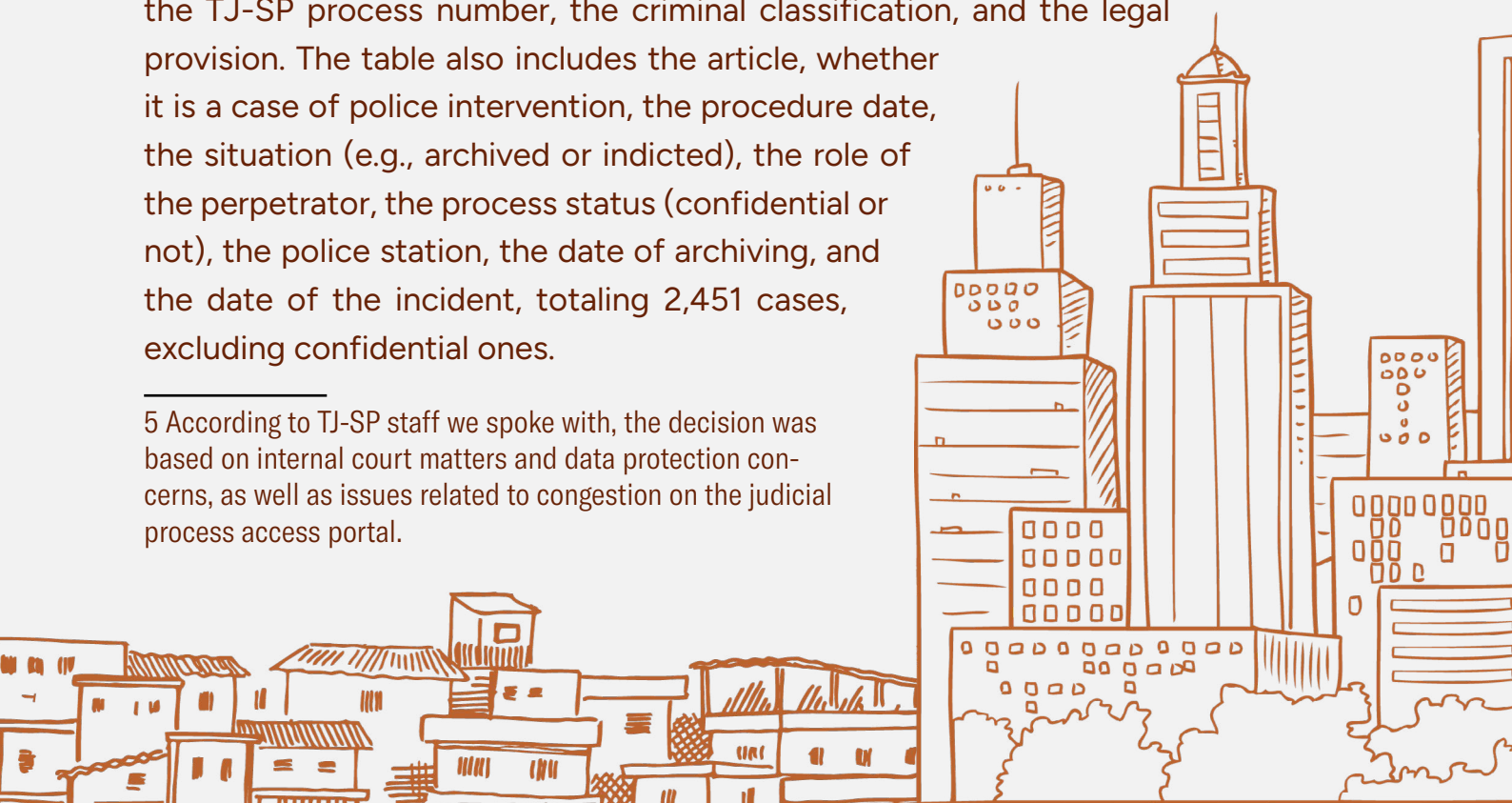


Figure 2 - Excerpt from the MDIP Procedures Spreadsheet Sent by the MP in July 2024

TYPE OF PROCEDURE	MP NUMBER	TREE	LEGAL PROVISION	ARTICLE	POLICE INTERVENTION FLAG
Police Inquiry - PI	13.0546.0000059/2018-5	Criminal Law > Crimes Against Life > Aggravated Homicide	CP	121, § 2	NO
Police Inquiry - PI	13.0537.0000390/2018-9	Criminal Law > Crimes Against Life > Simple Homicide	CP	121, caput	NO
Police Inquiry - PI	13.0325.0000448/2018-5	Criminal Law > Crimes Against Life > Simple Homicide	CP	121, caput	YES

Source: Criminal Operational Support Center of the São Paulo Public Prosecutor's Office

Figure 3 - Continuation of the Excerpt from the MDIP Procedures Spreadsheet Sent by the MP in July 2024

DATE OF PROCEDURE	STATUS	POSITION OF PARTICIPANT	CONFIDENTIAL	TJ NUMBER	POLICE STATION	DATE OF FILING	DATE OF INCIDENT
01/12/2018	FILED	MILITARY POLICE OFFICER	NO	"•0000001145/2017 •0005075-68.2017.8.26.0052"	1st Sectional Police Station of the Capital	02/08/2018	11/25/2016
01/15/2018	FILED	MILITARY POLICE OFFICER	NO	•0001039-46.2018.8.26.0052	DECAP - 36th District Police Station	10/09/2018	01/12/2018
03/23/2018	INDICATED	MILITARY POLICE OFFICER	NO	•0001013-02.2018.8.26.0326	Police Station of the Municipality of Itúbia Paulista	03/23/2018	03/23/2018

Source: Criminal Operational Support Center of the São Paulo Public Prosecutor's Office

Concurrently with the information requests, we sought to establish academic partnerships and promote data exchange with educational and research institutions that also develop projects in the field of public security. Additionally, we engaged in dialogue with the São Paulo Court of Justice (TJ-SP) to obtain access to its documentary collection. We are currently awaiting the signing of a cooperation agreement between FGV and TJ-SP to access the police inquiry records and MDIP cases listed in the spreadsheet sent by CAOCrim in June 2024. Furthermore, we are

reviewing the archiving and indictment opinions issued by MP-SP, made available through SISMP⁶, for the listed cases.

After outlining the steps taken to access the data, some reflections become pertinent. The implementation of electronic police inquiries in São Paulo raised expectations of greater transparency and efficiency in monitoring cases of police lethality. With the CNJ unified process numbering, it was anticipated that accessing investigation statuses and cross-referencing data between different institutions in the criminal justice system would become straightforward. However, institutional opacity persists, as agencies such as SSP-SP and MP-SP have either denied or hindered access to these inquiry numbers in response to information requests.

Despite state regulations, such as resolutions requiring notification to the Public Prosecutor's Office and rigorous investigation of deaths resulting from police intervention, the proactive availability of comprehensive data has been limited. This compromises the production of detailed statistics and external oversight, obstructing the tracking of cases throughout their progression from the police, investigative, and judicial phases. This scenario points to limitations in the practical application of norms that should ensure continuous and systematic supervision by society.

The difficulty in accessing structured information about these cases reflects a pattern of low institutional transparency, which weakens both accountability and academic research efforts aimed at analyzing lethal police interventions in São Paulo. The refusal to share the CNJ unified process number for MDIP cases prevents society and researchers from following the complete investigation process, reducing the potential of electronic inquiries as tools for transparency and oversight.

Materials and Methods of the Research

The central challenge of the research lies in the composition and consolidation of a sparse documentary collection into a single database.

Initially, we collected data from the Electronic Justice Gazette (DJe) of the São Paulo Court of Justice (TJ-SP)⁷. The DJe records, on a daily basis, the entry and distribution of all procedures within the São Paulo judiciary. We used the "Notebook Downloads"⁸ section to download PDF files of the first and second-instance

6 Available at: <<https://sismpconsultapublica.mpsp.mp.br/>>. Accessed on November 5, 2024.

7 Available at <https://dje.tjsp.jus.br/cdje/index.do>, accessed on 11/06/2024.

8 Available at <https://dje.tjsp.jus.br/cdje/index.do;sessionId=2136721C3F8D8B756FCDAE2B09790EC6.cdje1>, accessed on 11/12/2024.

notebooks, as well as the interior and capital notebooks, published daily, covering the period from 01/01/2018 to 12/31/2023.

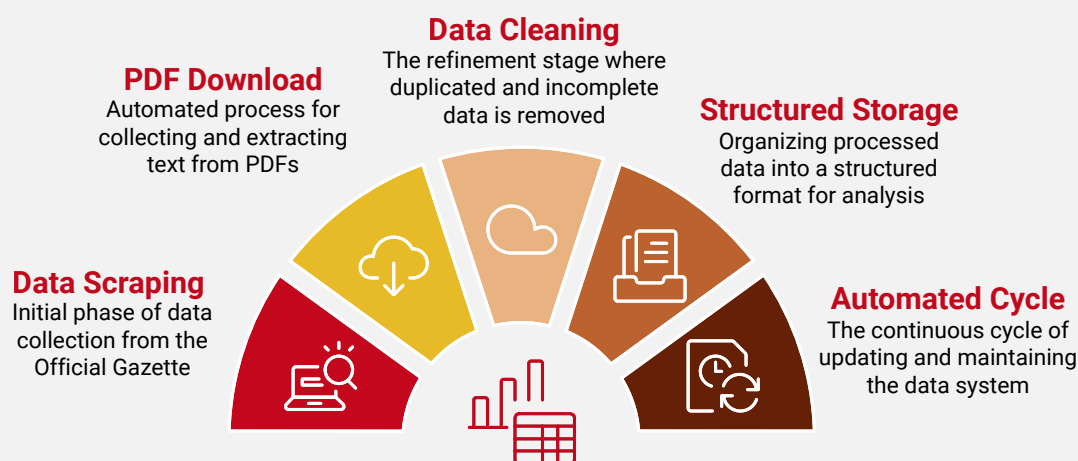
After downloading all the documents, we searched for the “Civil Distributor” section in each document. We used an algorithm to extract and organize the data from all entries into a single table, resulting in over 15 million entries. This allowed us to search for information on all types of incoming cases. The searches focused on the term “homicide,” as it encompasses various types of deaths, including those resulting from police actions.

Next, we accessed the e-SAJ portal to obtain details about each case⁹. Using the “Case Queries” functionality, the portal provides access to metadata on the characteristics of each case and their respective documents.

We planned to access the records of each case to obtain part of the appended documentation, such as police reports, inquiries, and decisions, when available.

All this information would be processed and stored in a relational data structure based on Structured Query Language (SQL). The police reports, inquiries, and data from cases processed or being processed in the TJ-SP would allow us to build the flow of the São Paulo criminal justice system, as described in Figure 4 below:

Figure 4 - Data Processing and Structuring Cycle



Source: Own elaboration

The exploratory analysis of the documents focused on a random sample of just over 2,000 files, among which we found various types of documents. However, we identified that police reports have the highest level of content standardization among the existing documents. The police report is the starting point of the criminal justice flow, and the extracted information can be unified with data from the police

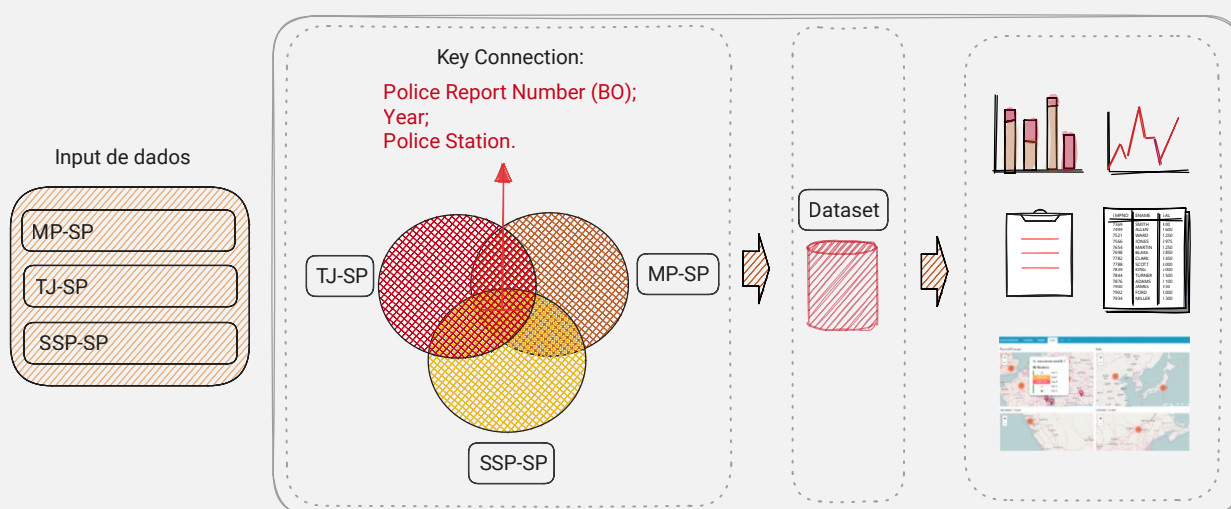
⁹ Available at <https://esaj.tjsp.jus.br/esaj/portal.do>, accessed on 11/11/2024.

inquiry and judicial process, allowing for the monitoring of all process stages.

Since police reports include the addresses where the crimes occurred, it would be possible to convert the location of the event into geographic coordinates, enabling the visualization of lethality information through cartograms. It is worth noting that in February 2024, the TJ-SP restricted free access to its document repository. Once the cooperation agreement under negotiation between FGV and TJ-SP is implemented, we will gain access to the documentation of MDIP cases.

The team is consolidating the databases of SSP-SP, MP-SP, and TJ-SP to create a unified database. From the MDIP data provided by MP-SP and the life crimes data from SISMP, we identified the process numbers in TJ-SP. Using these numbers, we extracted metadata from each process, including the police report number. Currently, we are integrating this metadata with the MDIP spreadsheet from SSP-SP, as shown in Figure 5, to establish the connection between the databases.

Figure 5 - Data Production Flow



Source: Own elaboration

Our team developed an artificial intelligence tool that enables researchers to interact with the database. This tool is capable of deeply analyzing a corpus of over 1,500 archiving requests submitted by MP-SP. By simulating a natural conversation with the user, the tool facilitates the retrieval of information. This model will assist us in extracting patterns of argumentation and justification, reasons for archiving, possible gaps, anomalies, or inconsistencies in the archiving requests, among other possibilities.

Research Outputs



2 Panel Coordinations at International Academic Events (Latin American Studies Association 2024, Bogotá, Colombia, June 2024, e Third Continental Meeting on Afro-Latin American Studies by ALARI-Harvard, São Paulo, Brazil, July 2024)

1 Participation in a National Academic Event (XIII Meeting on Empirical Legal Research (EPED), São Cristóvão, Sergipe, August 2024)



2 Articles Submitted for Publication

1 Course focused on the critical training of police officers on racial and violence-related topics (to be delivered)



1 Policy Paper systematizing recommendations (in progress)

Next Steps: (In)Justice Maps Platform

Figure 6 - Provisional Version of the “Mapas da (In)Justiça” Website (Site Under Testing)



Source: <https://www.chartness.com.br/static/njrd-injustice-maps/index.html>

The “Mapas da (In)Justiça” platform will provide 3D map visualizations of the distribution of police lethality in the state of São Paulo, based on combined data from courts. Our goal is to make visible not only the distribution of deaths but also the investigation status of each point (each point representing a death) and the racial composition of neighborhoods and cities. Additionally, short texts and reports with qualified analyses on the relationship between police lethality and racial violence, the production of evidence in MDIP cases, and institutional bottlenecks in holding the State accountable will be available to the public. The platform aims to contribute to external oversight of police activity and advance debates on the relationship between racism, law, and state violence.

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