

Challenges in creating humane and equitable policing: A focus on the Global South

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Abstract

Research Summary: Police brutality is a widespread phenomenon around the world. Particularly gruesome human rights abuses in the course of policing take place in Latin America, the world's most violent region outside war zones. Democratic institutions such as competitive elections, checks and balances, and judicial independence are insufficient to prevent police from abusing their power. What factors explain that police engage in abusive behaviors, including illegal arrest, the fabrication of evidence, the use of torture to extract confessions, and the excessive use of force causing injury or death? How can societies restrain these abusive behaviors and subject police to the rule of law? Police behavior is shaped by a combination of institutional, societal, political, organizational, and individual factors. Inquisitorial criminal justice institutions, inherited from the colonial past, have persisted in Latin America until very recently. This meant that democracies in the region were born with weak due process protections that have enabled state authorities and police to abuse their coercive powers as they investigate and prosecute crimes. Police brutality is further the product of security policies. High crime rates and the presence of highly organized criminal groups have pushed many Latin American governments to adopt militarized security interventions -including deploying the armed forces to control crime and militarizing police forces. Populist demands for

harsh policies, moreover, generate incentives for politicians to adopt security strategies that violate human rights and which, in the long run, increase violence in society. The most affected groups are the poor, people of color, and those living in impoverished minoritized communities.

Policy Implications: It is essential to strengthen due process protections and judicial oversight over police to reduce torture and other forms of police brutality. Police demilitarization and, under some conditions, community-oriented policing approaches can sharply reduce the use of excessive force causing injury or death. Body-worn cameras (BWC), moreover, can effectively be used to reduce police abusive behavior—and violence against police officers—even in high violence situations and where toxic police-community relations prevail. One limitation of this technology is that it gives too much leeway to frontline officers to turn their cameras on. Poor supervision can further undermine police compliance with camera protocols. These problems can be overcome by assigning cameras to supervisors and using more advanced technologies that allow turning cameras on from the main station. Monetary incentives that reward police officers “to kill less” is another effective policy intervention to reduce police violence causing injury or death.

KEYWORDS

body-worn cameras, criminal justice, death, excessive use of lethal force, Global South, militarized security, police violence, popular support for harsh security policies, restraining police abuse, the rule of law, torture, war on drugs

In modern states, police forces are the primary institution enforcing laws. If not adequately controlled, their repressive capacity constitutes a threat to civilians' livelihoods. This is why police only use force as constrained by the rule of law. These limits are essential to prevent the police from using their coercive powers to subjugate and oppress. Without limitations on police abusive behavior, there cannot be democratic citizenship.

Political scientists have argued that democratic political institutions are the best antidote to state repression (Cingranelli & Richards, 1999; Conrad & Moore, 2010; Davenport, 1996 1999). Democracies have more veto players, including real judicial independence, significantly

enhancing human rights protections (Conrad & Moore, 2010; Michel & Sikkink, 2013; Powell & Staton, 2009). Nonetheless, state violence through policing is a widespread phenomenon in both autocratic and democratic regimes.

In Brazil, the police killed 6430 people countrywide in 2022, a per capita number 10 times higher than the number of yearly killings caused by police in the United States. The overwhelming majority of the victims are Black Brazilians and people of mixed race living in impoverished urban areas. In Rio de Janeiro, police killings cause, on average, over 20% of the city's homicides. In 2019, the excessive levels of police violence prompted the Brazilian Supreme Court to order Rio's state to draft a plan to curb police killings with a specific program, deadline, and budget. The Colombian Armed Forces have been implicated in extrajudicial killings to obtain promotions and monetary bonuses ("falsos positivos") in supposed operations versus drug traffickers and guerillas. Members of the Colombian National Police have also caused egregious violations of human rights, including during primarily peaceful demonstrations in 2021. According to Human Rights Watch, the Colombian government should take urgent measures to protect human rights. In Mexico, the Armed Forces have been implicated in extrajudicial killings and excessive use of lethal force. Moreover, torture and ill-treatment during detention are generalized, according to a 2015 report by the UN special rapporteur. Police violence is also widespread in the United States, Venezuela, Philippines, Nigeria, and South Africa, to name a few other countries.

Through my research, I have sought to understand the causes of police brutality and identify ways to subject the police to the rule of law. Much of the research conducted on policing has focused on the Global North countries (e.g., the United Kingdom and the United States). With some important exceptions, "the work has mostly focused on examining crime reduction as opposed to the harms to the public as the result of crimes, violence, and any effects of policing activities" (National Academies of Sciences Engineering and Medicine, 2021, p. 2). I focus on the Global South countries in Latin America, the world's most violent region outside war zones.

Despite its importance for democratic citizenship, policing has been given little attention by mainstream research in political science, both among US and Latin American scholars. As explained by Soss and Weaver (2017), most political scientists have focused on representative institutions, overlooking the coercive arm of the state and how it impacts the nature of democracy and citizenship. Similarly, the scholarly literature on Latin American democratic institutions has paid close attention to the evolution of judicial powers and independence (Domingo, 2000; Helmke, 2002; Helmke & Ríos-Figueroa, 2011; Kapiszewski & Taylor, 2008; Navia & Ríos-Figueroa, 2005; Ríos-Figueroa, 2007). In Sánchez et al. (2011), we examine how democratization in Mexico was preceded by a constitutional reform that granted the Supreme Court sufficient political and constitutional powers to make this body a powerful player in the system of checks and balances. Less examined, however, is the judiciary's role in subjecting police behavior to the rule of law.

Without functioning limits to the actions of police forces, there can be no democratic citizenship. O'Donnell (1993) talked about "brown areas" of the state to capture the failure of democratic citizenship but did not conceptualize it further as it relates to the realms of police, crime, and violence. In many democratic societies, groups of residents live under divergent experiences of government and laws (González, 2017). Police abuse—including injury and death from excessive force—is disproportionately targeted at people of color and people living in poverty. It is also geographically targeted to impoverished neighborhoods in the cities' peripheries where the state has limited presence and often organized criminal groups take control (Magaloni et al., 2020). Laws and policies do not safeguard these citizens' liberty, property, and security rights.

Scholars have emphasized how the legacy of authoritarianism over the criminal justice system is a critical obstacle to democracy and police reform (Cruz, 2011; Shirk & Cázares, 2007; Uildriks,

2010; Ungar, 2002). However, abusive policing practices are not only the result of authoritarian legacies; they can worsen in democratic societies (González, 2019; Magaloni & Rodriguez, 2020).

A central question of my research is how to restrain excessive use of lethal force resulting in death, physical assault, illegal and violent arrests, coercion of witnesses, fabrication of evidence, and the use of torture to extract confessions. This question is closely related to a classic puzzle in political science: the origin of constraints on the state's exercise of coercive power and the rule of law (Weingast, 1997). Most of the political science literature on human rights has focused on limits on the state's capacity to repress political opponents—for example, opposition groups, ethnic and religious minorities, human rights activists, and social movements (Davenport & Armstrong, 2004; Davenport, 1999, 2007). We know less about subjecting police forces to the rule of law.

Three key indicators of the rule of law regarding police are as follows: (1) establishing institutions, policies, and internal protocols that delineate clear *limits to police authority*, including explicit conditions where it is legitimate to use force, and defining strong due process protections; (2) creating internal and external accountability mechanisms, including judicial oversight and punishment of police abusive behavior; and (3) establishing *equal protection* for groups commonly targeted by police with illegitimate force because of their race, class, or territory. In the following pages, I will explore how I have aimed to understand the causes of police brutality; I will then present multiple evaluations I have conducted of institutional reforms and policy interventions aimed at reducing police brutality and offer potential solutions to create a more humane, equitable, and legitimate police.

Most of my work on policing follows the evidence-based policing approach that aims to apply scientific knowledge to improve police practices. I predominantly use quasi-experimental and experimental methods combined with qualitative research to gain a deep contextual understanding. This research has required collaboration with police corporations, policymakers, civil society organizations, and communities victimized by police abusive behaviors.

1 | FACTORS THAT SHAPE POLICE BRUTALITY

My work explores the obstacles democratic states face in their attempts to restrain two of the most insidious forms of police brutality, torture, and the excessive use of force, focusing on Mexico and Brazil. I highlight the factors that allow ruthless policing practices to persist under democracy and how these can be restrained.

1.1 | Institutions and criminal justice procedures

Criminal justice institutions, including constitutional civil rights protections, due process procedures, and criminal courts, largely shape police behavior. Criminal justice procedures should protect the civil rights of accused persons, including the presumption of innocence or that no one can be presumed guilty until uncontroversial proof is offered in court. Other critical limits of police action include that police cannot interrogate a suspect without a defense attorney. These due process rights guarantee that the police cannot override or remove a person's fundamental rights to life, liberty, or property without due process of law. It is illegal and inadmissible in court to fabricate evidence, coerce confessions, and intimidate witnesses.

Criminal justice procedures shape one of the most insidious forms of police brutality: torture. Inquisitorial criminal justice procedures are a crucial facilitator of this form of police brutality.

Inherited from colonial times, inquisitorial justice persisted until the 1990s and 2000s in Latin America. This meant that, with few exceptions, democracies in the region were born without institutional constraints on the state's coercive apparatus and robust protection of human rights (Magaloni & Rodriguez, 2020). This institutional apparatus created favorable conditions for the police to abuse their powers when investigating crimes and arresting suspects.

The main characteristic of these inquisitorial codes is that there are no oral trials, meaning that judges base their decisions on written documents that transcribe the hearings. Pretrial investigations remain secret; the verdict phase is also predominantly written and lacks a jury. Often, the judge investigates, prosecutes, and adjudicates, although most Latin American countries adopted mixed inquisitorial systems where the judge is separated from the prosecutor. These mixed inquisitorial systems offer no judicial oversight of what police do during the investigation phase. Because of their strong reliance on confessions and weak procedural standards, inquisitorial criminal justice systems give ample leeway to the police to torture and engage in other forms of abusive behavior, including illegal arrests, fabrication of evidence, coercion of witnesses, planting evidence, and other violations of due process.

In the Mexican context, the inquisitorial system was not reformed until 2008–2017, as I further elaborate below. Before the reform, judicial torture was what we have called a “method of criminal investigation” (Magaloni et al., 2018). Prosecutors and police officers traditionally relied on coerced confessions and the intimidation of witnesses as the main methods to offer “evidence” to close cases. The system presumed everyone was guilty upon arrest. The overwhelming majority of the accused were people living in poverty. Courts convicted them entirely based on the “evidence” police offered during the investigation phase, written in the “*averiguación previa*.” Such evidence almost invariably included coerced confessions and other fabricated evidence. Defense attorneys barely offered any evidence to challenge the validity of the allegations against the defendant. Prosecutors were informally leading the hearings, and judges were never present.

The Supreme Court admitted confessions as valid and admissible in court, even if there was evidence of physical mistreatment. It also ignored claims of prolonged detention and denials of access to counsel. Criminal courts have placed high-probative value on confessions made to the police, even if the defendant tried to recant his statements before a judge (Magaloni & Rodriguez, 2020; Magaloni et al., 2018). In short, the judiciary legitimized the violation of fundamental rights in the administration of justice.

It is incredibly challenging to measure torture systematically. My work has relied on surveys of the prison population. Magaloni et al. (2018) used a survey collected among prisoners in six federal detention centers. Magaloni and Rodriguez (2020) used a National Survey of the Population Deprived of Liberty (ENPOL) conducted by the Mexican National Statistics Agency (INEGI) in 2016. The survey is a representative sample ($N = 58,127$) of the entire prison population. I have also analyzed the ENPOL collected in 2021 (Magaloni and Rodriguez, 2023) My work relies on these prisoners' voices to document torture and other forms of police brutality.

I distinguish among three different kinds of police brutality. First, “brute force” corresponds to cases where the prisoner reports having been beaten or kicked or having been beaten with objects. Second is “institutionalized torture,” when a respondent was crushed with a heavy object, electrocuted, suffocated or submerged in water, burned, or stabbed while in custody. Institutionalized torture, as we argue in Magaloni et al. (2018), requires some form of institutional endorsement providing a dedicated space and equipment. Third is “threats” or reports of threats by authorities either to press false charges or to harm a detainee's family.

According to the ENPOL of 2016, 65% of the prisoners reported brute force, 54% torture, and 64% threats.¹ Among the arresting authorities, according to the prisoners, the Mexican armed

forces are most likely to torture them (67%), followed by the state police (66%) in charge of preventing policing, and then the ministerial police (65%), in charge of investigations (Magaloni & Rodriguez, 2020).

The Mexican criminal justice system and the police have criminalized poverty, equally torturing those accused of less serious crimes such as theft as much as those accused of homicide; on average, 56% versus 54% were tortured, respectively, for these crimes. Moreover, prisoners were detained, tortured, and convicted for minor offenses, and for the most part, they had to remain in prison during their trials. In Magaloni and Rodriguez (2020), we argue that the brutality of the system manifests not only in the violence it imposes but also in “the high number of wrongful convictions it likely produced after torturing people into making false confessions” (p. 1031).

Torture is fundamentally incompatible with human dignity and respect for life. Prohibited by international human rights law, torture undermines the core values of justice and the rule of law. Moreover, torture lacks justification: information obtained through torture is often false and leads to wrongful convictions. In his famous book, Pinker (2011) argued that abolishing inhumane punishment and torture is evidence of humankind’s movement toward a more enlightened order. My work explores some of the challenges to restrain torture and how societies might achieve the transition to a more humane criminal justice system.

1.2 | Crime and militarized security

A second reason democratic states fail to restrain their coercive apparatus relates to the persistence of “violent challenges to the state” (Davenport & Armstrong, 2004). Latin America is today the most violent region in the world outside of war zones. The region has 8% of the world’s population and 30% of its homicides (Cárdenas, 2018; Chioda, 2017). In 2023, the world’s 50 most dangerous cities were mostly in Latin America.² These levels of violence come associated with the presence of highly organized criminal groups—for example, drug trafficking organizations, criminal gangs, paramilitary groups, and prison gangs—that violently contest each other and the state, extending their tentacles to vast areas of the territory.

High crime rates are a combination of a complex set of factors, including drug trafficking and other illicit activities, high-income inequality, the absence of social mobility, and lack of legal opportunities for at-risk youth (Chioda, 2017). High crime rates are also associated with deficient law enforcement and impunities. In Magaloni and Zepeda (2004), we created an index of law enforcement effectiveness that combines judicial resources, investigative efficiency, the percentage of arrest warrants enforced, and conviction rates. We demonstrate that when controlling for income inequality and poverty, crime rates in Mexico are positively correlated with low law enforcement effectiveness.

The high homicide rates in most of Latin America led the World Health Organization to classify this scourge as an epidemic. To respond to these high levels of insecurity, governments have often adopted *mano dura* security strategies, including police militarization, mass incarceration, and the deployment of the armed forces to perform functions of crime control and law enforcement (Bailey & Dammert, 2005; Flores-Macías & Zarkin, 2019).

In 2006, the Mexican government responded to these security challenges by declaring a drug war. By 2008, there were about 45,000 troops involved, along with state and federal police forces, in the fight against drug cartels.³ Mexican cartels extend their influence to many realms of society, and they have built an enormous capacity for violence.

As the government deployed the armed forces and federal police to arrest drug lords, violence began to escalate. The homicide rate has increased by almost 300% between 2006 and 2023. Violent turf wars are constantly fought among cartels, exposing communities to excessive levels of violence and crimes such as extortion, human trafficking, and gender-based violence.

There is controversy about whether the war against drug cartels and the militarization of security caused the escalation of violence. In Calderón et al. (2015), we analyze the impact of the “beheading strategy” that targeted cartel kingpins for arrests or killings often performed by the armed forces using a quasi-experimental design that relies on synthetic controls.⁴ A host of threats to inference, including selection bias and reverse causality, arise from the nonrandom assignment of captures or killings. Our empirical strategy combines a difference-in-differences methodology. We use credible counterfactuals constructed with synthetic control methods. This allowed us to compare “treated” municipalities where drug lords or other lieutenants were killed or arrested with “control” municipalities. These “control” municipalities have the same trends in homicides to “treated” ones, allowing for causal inference.

Our results demonstrate that the arrest of kingpins led to an average increase of 37% in drug-related homicides and 34% in homicides against the rest of the population. We also demonstrate spillover effects, causing much sharper increases in violence in what we call “strategic” neighboring municipalities centrally connected to the transportation network. Using a quasi-experimental design, Dell (2015) also examined the direct and spillover effects of Mexican policy toward drug cartels and found that the security strategy increased violence and had spillover effects.⁵ Although not using causal identification models, other scholars have also argued that the drug war and militarization of security were counterproductive, increasing violence (Flores-Macías & Zarkin, 2021; Lessing, 2017; Osorio, 2015).

There is also evidence that the militarization of security caused sharp increases in human rights abuses. During this war, the armed forces operated extrajudicially, using killings, arbitrary detention, and disappearances (Anaya, 2014; Escalante, 2011; Silva Forné et al., 2012, 2017). I have demonstrated that the militarization of security caused sharp increases in judicial torture. Using surveys from federal prisons, Magaloni et al. (2018) demonstrate that prisoners arrested during the drug war suffered significantly higher levels of torture than those arrested before the drug war. We further prove that increases in torture are considerably higher when the Mexican armed forces are in charge of the arrest and when suspects are accused of drug trafficking.

In Magaloni and Rodriguez (2020), we employ a quasi-experimental difference-in-difference statistical approach to causally identify how the militarization of security and the deployment of the armed forces impacted torture. To model the effect of militarized security interventions, we focus on the Felipe Calderón presidency (2006–2011), when the armed forces and federal police were deployed to assist local police in combating crime through “joint operations.” During this period, the armed forces arrested 7% of prisoners in states with no militarized intervention and 26% in states with a joint operation. We isolate prisoners who were arrested in a state during a militarized operation and contrast how they were treated relative to other prisoners detained in the same state before a military intervention and to prisoners captured in other states that did not have a military intervention.

Through a difference-in-difference design controlling for geography⁶ and time-fixed effects, we demonstrate that relative to its base levels, military interventions translate into a 25% increase in torture. The increases in torture take place not only when the military is the authority performing the arrest. Local police forces jointly acting with the armed forces also become significantly more abusive. These security operations introduce a combination of equipment, tactics, and culture into law enforcement that centers on violent conflict, a phenomenon referred to as the militarization

of policing (Mummolo, 2018a). “Alongside the use of these tactics and equipment comes a military mindset wherein the police treat suspected criminals as though they were enemies of war” (Magaloni & Rodriguez, 2020, p 1016).

Our paper also demonstrates that torture and other forms of police brutality increase enormously when prisoners are arrested in municipalities where there are higher homicide rates and where drug cartels are fighting turf wars. To measure turf wars, we calculate instances where municipal-level homicide rates increase by more than three standard deviations relative to their historical mean. Hence, not only police militarization but also excessive levels of violence caused by turf wars are causally associated with severe human rights violations.

1.3 | Popular support for police violence

Given the high fear of crime and insecurity, there often is widespread support for tough-on-crime policies. In Magaloni et al. (2016), we demonstrate that citizens electorally reward politicians for militarizing security to “keep them safe.” Similarly, Flores-Macías and Zarkin (2022) showed that citizens have favorable attitudes toward security strategies linked military weapons.

In some countries, citizens even justify police extrajudicial killings. For example, in Brazil, over 55% of the population living in urban areas agree with the phrase “Bandido bom é bandido morto” (a good criminal is a dead criminal), which is an endorsement of shoot-to-kill policies and police extrajudicial killings that disproportionately affect people living in poverty and Black Brazilians living in impoverished urban areas (Magaloni et al., 2020).⁷ In these areas, state security forces and government-backed militias harass, arbitrarily arrest, and kill criminals and community members alike.

In Magaloni and Juárez (2023), we designed a survey experiment to evaluate popular support for torture in Mexico using a large N nationally representative sample. Respondents were told that a group of criminals had been “terrorizing residents in their community,” and we randomly offered them three scenarios: (1) criminals stole cars; (2) criminals raped and abducted women; and (3) a control scenario with no crime mentioned.

Respondents were then told that the police arrested two suspects and decided to torture them to obtain information about the criminal gang committing those crimes. We hypothesized that the more serious the crime, the more the public would support police operating outside the rule of law by torturing the suspects to extract a confession.

At the end, respondents were randomly assigned two court decisions regarding whether to prosecute. In the first scenario, the judge decided to prosecute the suspects based on the information the police obtained through torture. In the second scenario, they were told that the judge decided to set the suspects free because “the information obtained through torture is invalid and inadmissible in court since it violates due process and fundamental rights.” We hypothesized that respondents would disapprove more of police torturing criminals if they heard that a judge ruled that this behavior violated fundamental rights.

Respondents were then asked to state whether they agreed with the court’s decision and whether they justified the police torturing criminals. Strikingly, the overwhelming majority approved of the court’s decision to prosecute when they receive the information that the police obtained the confession through torture. Only a minority approved of the court’s decision to set the suspects free when they received the information that the police violated their fundamental rights by torturing them.

In terms of justifying torture, there was strong support and the respondents did not change their opinion even when they heard that a judge ruled that the police violated the laws and due pro-

cess. Overall, 50% of respondents justified torture when the criminals raped and abducted women versus 38% when the criminals stole vehicles or when the respondent was in the control group.

The fact that the broader public justifies, tolerates, or ignores human rights abuses is concerning. In an influential article, Weingast (1997) theorized that the democratic rule of law emerges when there is a clear “social consensus about the limits of the state.” Such consensus produces what he calls a “coordinating equilibrium” where the state refrains from abusing its powers because everyone would rebel, protest, and refuse to obey. In his view, what favors violations of the rule of law is a noncoordinating equilibrium where society fails to unite to contest abuses of state power.

Why do we often observe noncoordinating equilibria concerning police abusive behavior? Why do so many people justify abuses of power such as torture? It is much harder to arrive at a common understanding that can serve society to coordinate against police abuse because citizens have very different experiences of the police according to their class, race, or territory where they live.

Another problem is that the broader society often has poor information about the circumstances in which abusive police behavior takes place. Many of these abuses take place in the darkness of clandestine detention centers, police or military barracks, or hidden areas. In recent years, social media capturing gruesome violations of human rights and unjustified police killings has spread information among the broader public, helping to ignite protests.

A third problem is that police abusive behavior is socially justified, tolerated, or ignored because the broader society stereotypes victims of police abuse as criminals because of their race, class, or territory where they live. The common phrase in Brazil used to justify police killings, “human rights are for humans,” reflects these implicit stereotypes and even the dehumanization of certain groups.⁸

A striking regularity I observed during the years I worked in Rio de Janeiro was that the excessive use of force by the police against Black Brazilians and people of mixed race living in the favelas would rarely spark mass protests among the broader public. However, mass protests against police abuse did spread when this affected the middle class. I was in Rio de Janeiro in 2013 during a massive wave of protests against increases in the cost of public transportation in several cities. But these protests grew to include police brutality used against mostly peaceful middle-class demonstrators. Using Weingast’s (1997) analytical framework, Brazil and Mexico have an uncoordinated equilibrium regarding societal attitudes about illegitimate use of police force. Income inequality, racial stereotypes, and the dehumanization of victims of police abuse all play a role in sustaining the uncoordinated equilibrium.

1.4 | Race and income inequality

This discussion leads me to one of the most critical factors shaping police brutality: race segregation and income inequality. Existing literature in the United States continues to show, with highly granular data, the prevailing racial disparities in policing outcomes (Antonovics & Knight, 2009; Knox et al., 2020; Fryer, 2019).

But race itself—for example, being Black or Latino—does not explain these inequalities. Soss and Weaver (2017) explained that race and class are dimensions of power relations that remain intertwined in citizens’ experiences. What they refer to as “race-class subjugated communities” experience police as surveillance, coercion, control, and violence. Historical, economic, and social structures contribute to these resulting inequalities, including the legacy of slavery and the structural inequalities caused by racism (Owusu-Bempah, 2017).

Focusing on Rio de Janeiro's favelas, Magaloni et al. (2020) provided a conceptual framework and empirical analysis of how police relate to residents in these territories and the challenges the state confronts to regain territorial control and gain legitimacy. We use a multi-method research design with extensive qualitative work, automated text analyses of crime reports, a large N survey, and a quasi-experimental difference-in-difference design to explore the impact of police presence on crime and police killings.

The state neglected these impoverished and sprawling areas, failing to provide public services and legalize property rights. In the 1950s and 1960s, the state engaged in an ambitious eradication project, removing people from the favelas to remote housing projects. The eradication project was ultimately abandoned but strongly shaped how the state relates to favela residents as underserving of rights and equal protection by the law. By the 1980s, powerful drug trafficking gangs began to occupy the favelas, and the state and the police started to wage war on them. The drug lords became de facto rulers of the favelas, performing state-like functions such as the provision of order, conflict resolution, and welfare. Drug lords also regulate basic services such as public transportation and business permits (Magaloni et al., 2020). Government-backed militias, formed of former police officers, firefighters, and prison guards, also occupied the favelas. Initially, they emerged to fight drug traffickers and bring security but eventually developed into lucrative illicit businesses controlling access to essential services, including security, water, cable TV, real estate, and, increasingly, drugs and weapons.

The way police have interacted with favelas is primarily with militaristic "invasions" meant to arrest or kill drug lords, seize drugs, and intercept significant operations. In some of the most challenging territories, these invasions involve not only the police but also the Brazilian armed forces. The Military Police of Rio de Janeiro (PMERJ)⁹ increasingly relied on special operation units such as the Battalion of Special Operations (BOPE), trained in urban warfare, as well as tactical teams (GTTs) operating inside the territorial battalions, or AISP (Áreas Integradas de Segurança Pública), the primary geographic breakdown of the Military Police's operations. BOPE performs its operations with heavy weaponry, including a specially designed tank used to overpower barricades, as well as sniper rifles, ballistic shields, and stun grenades.

The war on drugs and the militarization of police have produced excessive levels of violence. Data on police killings from the State's Institute of Public Security (ISP) show that Rio's police killed at least 19,865 people between 2003 and 2019. The overwhelming majority of these killings affect people living in the favelas. Police killings affect criminals as well as residents, who often are injured or killed in the crossfire. Moreover, on many occasions, the police have invaded the favelas to avenge the killings of other officers, killing innocent bystanders, including children and women.

This aggressive approach to policing has seriously undermined the legitimacy of the police in Rio's favelas. In Magaloni et al. (2017), we report on a survey ($N = 5000$) collected among favela residents. Respondents were offered a set of positive and negative words associated with police or the choice to express any desired feeling. The most frequently used terms were "fear" and "distrust." Unprompted, people chose to describe the police as "revolting," "abusive," "terrorizing," and deserving of "hate."

Like in Rio's favelas, millions of citizens in the Global South live in territories under competing authorities: the state and organized criminal groups. As Barnes (2017) explained, organized criminal groups negotiate with the state, sometimes violently, sometimes more cooperatively, or even through illicit associations, over who controls and sets the basic rules governing these territories. An emerging body of work, including mine, refers to this phenomenon as criminal governance (Barnes, 2017; Lessing, 2021; Magaloni et al., 2020).

One of the most counterproductive consequences of the aggressive approach to policing Rio's favelas is that it has undermined the legitimacy of the police among favela residents, often bolstering support for criminal rulers. This, in turn, has further hampered the police's capacity to control crime in these territories and the state's ability to regain territorial control. A woman expressed this in the following way: "We won't get rid of a bandit [referring to the drug lords] to embrace another bandit [referring to the police]" (Magaloni et al., 2020).

1.5 | Organizational culture and police ideology

Police violence is a complex phenomenon that results from a combination of societal factors, organizational, institutional, and individual factors. One line of research studies police violence primarily as a reflection of psychological traits. Some scholars have posited that police officers have distinct personalities characterized by "machismo, bravery, authoritarianism, cynicism, and aggression" (Balch, 1972; Twersky-Glasner, 2005). This argument suggests that individuals apply their biased heuristics to policing, including their "implicit racial biases" (Eberhardt et al., 2004).

Other scholars de-emphasize personal traits and argue that police behavior results from organizational culture and institutional norms (Skolnick & Fyfe, 1993). Organizational culture shapes police worldviews through socialization, peer influence, and leadership styles. Moreover, police behavior strongly responds to internal protocols and can be manipulated by supervision (Mummolo, 2018b).

Various organizational features explain why police violence is such a prevalent phenomenon in Rio de Janeiro. Using a large representative survey ($N = 5000$) of the PMERJ, Magaloni and Cano (2016) explored the organizational culture within the Military Police. Not surprisingly, the data reveal that unit commanders tend to reward officers who engage in shootouts, killing drug traffickers and seizing drugs and arms. The survey revealed that the majority of police officers believe that the primary function of the police is to "fight a war against drug traffickers" rather than to "enforce the laws and provide order and security."

In its ongoing war with drug traffickers, the state of Rio de Janeiro has even instituted a policy to pay police officers to exterminate drug traffickers. In the 1990s, the "bravery bonus" rewarded police officers with salary bonuses for engaging in lethal shootouts with suspects. Although the law was revoked at the end of 1998, the organizational culture that treats policing as a war on crime and perceives criminals as "enemies of the state" the police ought to exterminate persists. Extensive interviews with unit commanders reveal that the Military Police never investigate police killings. The Military Police classify police killings as "resistance to arrest" (*auto de resistência*), which presumes that the officer always acts in self-defense. Moreover, the criminal justice system practically never investigates or punishes these killings (Brinks, 2007).

This organizational culture is reflected in the police's worldviews. On one extreme is a worldview of policing that can best be described as a police-as-warrior mentality, where police see their jobs as waging war against crime where laws and human rights are perceived as obstacles. Killing is the preferred choice over arresting. On the other end are officers who believe their central job is to prevent crime, not to repress and kill. This view of policing stresses that the police must respect human rights and, importantly, gain the community's cooperation to fight crime with less violence.

In the survey I collected with Cano, we find that a high number of police officers openly endorse the police-as-warrior mentality: 43% of police report agreeing with the phrase "bandido bom é bandido morto" and 70% agree that "human rights are an obstacle in fighting crime." These

numbers are strikingly high even when there might be concerns about under-reporting due to social desirability bias.

In terms of how best to account for the origins of the *police-as-warrior* mentality, my research explores how officers' experiences as members of the community, as well as in group socialization within the Military Police, jointly play a role in shaping police's worldviews. Research in psychology argues that violence is a *learned* behavior, which usually gets imprinted at an early age (Bandura & Walters, 1977). It also suggests that children who are more exposed to violence might experience disruptions in their development, a long-term limitation in the capacity to regulate aggression and compromise the development of a basic sense of trust, which in turn can foster violence (Perry, 1997; Sheidow et al., 2001).

In Magaloni and Cano (2016), we asked police officers questions about their exposure to community violence during childhood and adolescence. Exposure to violence seems to be high, especially when it comes to lethal violence: over 20% reported constantly hearing gunshots, 17% witnessed a homicide, and 31% reported having a relative or friend killed by a criminal. Ordinary least-squares (OLS) regressions reveal that there is a strong association between exposure to community violence and the *police-as-warrior* mentality. This aspect of my research provides a rationale for why violent societies often breed violent police forces.

In Magaloni (2023), I use a unique data set on individual-level records of daily bullets fired during service by more than 40,000 police officers working in the Military Police of Rio from 2005 until 2016.¹⁰ To explore how police worldviews shape the actual use of deadly force, I merge the bullet data set into the survey I collected with Cano. There is a strong positive association between the *police-as-warrior* mentality and the number of bullets officers fired during the last 12 months, controlling for demographic characteristics, police units, and police functions.

2 | RESTRAINING POLICE ABUSIVE BEHAVIOR

The totality of my work presents opportunities for legal reforms and interventions to reduce police brutality even in the most challenging settings with high violence, the presence of powerful organized criminal groups, and income and racial inequalities.

2.1 | Institutional reform

Constitutional and procedural laws are critical determinants of police behavior. Subjecting police to the rule of law necessitates well-designed criminal justice institutions with solid constitutional protections of due process. Until very recently, in Latin America, inquisitorial criminal justice institutions have facilitated police brutality, including the prevalence of judicial torture. During the last two decades, a major institutional transformation occurred as many Latin American countries reformed their inquisitorial criminal justice procedures. This reform was the most important institutional reform adopted in Latin America over two centuries (Langer, 2007). They took place in Argentina (1991), Bolivia (1999), Chile (2000), Colombia (2004), Dominican Republic (2002), Ecuador (2000), Guatemala (1992), Honduras (1999), Mexico (2008–2016), Nicaragua (2001), Paraguay (1998), Peru (2004), and Venezuela (1998) (Rodrigo de la Barra Cousino, 1998; Biebesheimer & Payne, 2001; Langer, 2007; Magaloni & Rodriguez, 2020; Ungar, 2002).

Despite the importance of criminal justice reforms, existing literature has paid scant attention to whether the reform restrained police to the rule of law. An important exception is Kronick and Hausman (2021), who demonstrate that the reforms reduced the number of arrests in Columbia and Venezuela and increased extrajudicial killings in the latter case.

The scope and scale of change contemplated under the Mexican 2008 criminal justice reforms were enormous. Existing legal codes and procedures needed to be revised; courtrooms required to be remodeled and outfitted with recording equipment; and judges, court staff, police, and lawyers needed to be retrained to operate under the new system (Shirk, 2010, p 234).

My work takes advantage of the staggered implementation of the reform in Mexico. Although it was adopted in the constitution in 2008, the reform was not implemented all at once. Mexican states adopted the reform on different dates. Some states created a timetable whereby the reform would take effect in specific geographic units (judicial districts or an entire state) on a particular date; other states created a plan whereby the reform would begin covering certain classes of crimes on a given date; and other chose a combination of the two.

Using the ENPOL conducted by the INEGI in 2016, I was able to identify which prisoners were arrested before and after the reform. More than 65 unique dates of reform adoption across Mexico's judicial districts adopted the reform in specific geographic units. Using these dates, I can measure how much torture and other forms of police brutality changed because of the reform. The effects appear to be very large. Using the ENPOL of 2016, 56% report having been tortured before the reform and 35% after the reform. In the ENPOL of 2021, the numbers are similar: 58% before and 31% after.

Magaloni and Rodriguez (2020) use a difference-in-difference specification with geographic¹¹ and time-fixed effects to identify the reform's causal effect. This allows controlling for time-invariant and time-variant factors that might affect police behavior, such as turf wars, crime rates, or local state capacity, to name a few. By including geographic and time-fixed effects and individual controls, our empirical strategy controls for unobserved characteristics in all treated units that are constant over time and observed individual characteristics.

Our results compellingly demonstrate that criminal justice reform significantly restrains torture. In relative terms, the models show that these are declines of up to 23% from baseline abuse levels. As robustness, we perform a series of tests, including "placebos" that artificially set the dates of reform 1, 2, and 3 years before it took place, and the results are not statistically significant. We also rerun our tests using coarsened exact matching on crime, arresting authorities, and sentencing status to ensure balance in covariates that may be unbalanced in the pre- and post-reform periods and related to the outcome variables. Our results hold after we match on these variables. These results also hold when using data from the most recent ENPOL collected in 2021 and are of similar magnitude (Magaloni and Rodriguez, 2023).

Although these results are encouraging, I highlight various remaining challenges. First, the criminal justice reform established weaker procedural protections for crimes the law classifies as part of the category of "organized crime," leaving the door open to torture and abuse for these crimes.

Second, the reform has low acceptability among police officers. I collected a large N survey among police officers in Mexico City, Guadalajara, and Monterrey. Overall, 80% of officers believe the new system "lets criminals go free," and 79% believe that the new system "protects criminals too much."

Third, the state and the police must develop the capacity to be better trained to investigate crimes using scientific and forensic evidence. At the same time, police and prosecutors are under enormous pressure to apprehend criminals, given the intense popular demand for hash

punishments and the considerable problems with impunity in Mexico, where more than 90% of crimes go unresolved.

Nonetheless, one of the main conclusions of this part of my work is that police are responsive to institutional incentives: changing constitutional rules and introducing judicial checks on police significantly reduced torture in Mexico.

2.2 | Police demilitarization and COP strategies

Police demilitarization, as my work in Rio de Janeiro demonstrates, can greatly reduce police violence. In 2008, the government in Rio de Janeiro introduced a wide-reaching policing project, the Pacifying Police Units (UPPs). The goal was to demilitarize the police and introduce a new policing strategy in the favelas based on notions of “proximity policing.” To work closer to the community, UPP commanders would use varying strategies, including holding meetings to discuss security conditions, providing karate or soccer classes to connect with the youth, or assigning officers to resolve conflicts, mostly arbitrating disputes among neighbors. Some of the characteristics of the UPP correspond with elements of community-oriented policing (COP) (Skogan, 2006, 2008).

The UPPs were implemented in anticipation of the 2014 World Cup and the 2016 Olympics. Young officers with a fresh mentality not socialized within the traditional militaristic approach were assigned. The first UPP was introduced in December of 2008, and the program gradually expanded to cover 160 favelas with over 10,000 police officers deployed. This intervention entailed an initial preannounced “invasion” by special operations units, including BOPE and sometimes the armed forces. After months of “stabilization”, UPP police officers were permanently assigned.

One significant attempt to evaluate COP strategies in the Global South was conducted in Brazil, Colombia, Liberia, Pakistan, the Philippines, and Uganda. The ambitious project by Blair et al. used common methodologies to implement a community-oriented policing program, which was evaluated using randomized controlled trials. The data showed no effect on crime, citizens’ perceptions of the police, police abuse, reporting of police abuse, and crime tips, among others (Blair et al., 2021).

Magaloni et al. (2020) use a multi-method research design to evaluate the effects of COP strategies in Rio de Janeiro, focusing on three outcome variables: crime rates, police killings, and police legitimacy. Our approach uses a variety of data sets, including manually geocoded homicides and killings by police during over more than 15 years, automated text analysis of crime reports, and a large (N = 5000) survey among favela residents. We also conducted more than 8 years of fieldwork, working closely with favela NGOs, residents, and police officers. Unlike Blair et al. (2021), we find important, although mixed, effects of the COP strategy in Rio de Janeiro.

To evaluate the effects of the UPP on crime and police killings, the empirical strategy is a difference-in-difference statistical model with favela, time-fixed effects, and favela-specific time trends. This approach mitigates concerns over omitted variable bias and captures the high monthly variation of these outcomes. Our method takes advantage of the staggered implementation of the UPP in over 160 favelas. Naturally, our unit of analysis corresponds to the geographic areas covered by UPPs. To construct a meaningful comparison group among non-treated areas, we used our manually geocoded data set to compute lethal violence incidents at the favela-complex level and included incidents within their 100-m buffers. These closely matched how UPP borders were drawn to cover groups of favelas (complexes) and some buffers outside the favelas. As we explain in Magaloni et al. (2020), this strategy makes the non-treated units more closely comparable to UPP areas.

Our results compellingly demonstrate that the UPP was associated with a significant average decline of 40% in police killings.¹² This is a significant result considering the long-standing problems with the use of excessive police violence in Rio's favelas. In terms of crime rates, the results are mixed. In over 60% of the intervened favelas, the UPP reduced homicide rates and other crimes, including burglary and extortion. Our community survey further demonstrates that when the UPP effectively reduced crime and armed confrontations among criminals and between these and the police, the police gained high legitimacy among residents. However, the UPP increased crime in 40% of the territories that were intervened. Our community survey further revealed that where residents saw security conditions deteriorate, the COP strategy failed to gain community support.

In addition to performance on crime, our survey results compellingly demonstrate that police behavior toward the community strongly shaped perceptions of legitimacy. When residents report being victims of police aggression—for example, being frisked, physically abused, having their homes “invaded by the police” or having a “relative or friend killed by the police”,—police legitimacy strongly declines.

Magaloni et al. (2020) provide a theory and empirical evidence to explain the variation in the outcomes of the UPP. The COP strategy had the unintended consequence of increasing crime and disorder in territories where criminal rulers were highly effective at providing local order and sanctioning crimes such as theft, rape, and murder. In these territories, criminal rulers enjoyed higher levels of legitimacy among the population than the UPP. By contrast, where local criminal rulers were abusive and violent toward the population, or where they constantly fought turf wars among themselves, causing high fatality levels, the UPP had positive effects on crime prevention and reduction of police violence.

The expansion of the UPP ended in 2014 after the occupation of Complexo da Maré, a large favela complex in the North of Rio. An unanticipated problem with the UPP is that it had the effect of dispersing crime outside the favelas, making crime and violence more visible to Rio's middle class. The spillover effects significantly increased the challenges for Rio's state to maintain order in the city and hampered the state's commitment toward police demilitarization. The security situation in the city worsened with increased armed confrontations between drug traffickers and the Military Police. Moreover, in 2015, the economic recession in Brazil further contributed to deteriorating security. In October 2018, Wilson Witzel, a far-right politician and ally of Brazilian president Jair Bolsonaro, was elected state governor. During his campaign, he vowed to give police powers to “slaughter” drug traffickers. His “shoot to kill” policy produced a sharp increase in police killings of more than 20% during his first year in office.¹³

Despite the UPP's mixed results, it is essential to highlight the drastic average reduction in police killings it produced, an important policy-relevant finding considering the long history of police militarization and excessive violence. It is hard to attribute the reduction in police killings to COP strategies because its principles were poorly implemented. For example, the Military Police constantly changed UPP commanders, which meant the police would not form close relationships with the community. What was common among the UPPs was the explicit goal to abandon the militaristic approach to policing the favelas.

2.3 | Body-worn cameras

Implementing COP strategies confronts many challenges, including poorly designed monitoring systems to control abusive behavior by frontline officers. A year after the UPP was installed in one of the largest favelas, Rocinha, a resident of the favela, Amarildo de Souza, was beaten and tortured by UPP police officers. He eventually died. Attempting to salvage the UPP's legitimacy,

the Military Police detained the UPP Unit Commander and over ten officers. UPP officers in other favelas were also involved in many instances of police illegitimate and abusive behavior, including extrajudicial killings, extortion, and injuring or causing the death of innocent residents.

These problems led me to collaborate with the High Command of the Military Police to conduct a Randomized Control Trial on body-worn cameras (BWCs) in Rocinha, a favela of more than 120,000 inhabitants. In Magaloni et al. (2023), we present the results of our year-long RCT. The experiment was implemented from December 2015 to November 2016. It included the random assignment of cameras to more than 8500 shifts and 470 police officers.

BWCs have been one of the most prominent interventions to address agency problems (Ariel, 2016; Ariel et al., 2015; Lum et al., 2019; McCluskey et al., 2019; Ready & Young, 2015). BWC can curb police misconduct through two main mechanisms. First, BWC is a technology that can strengthen supervisors' monitoring capacity, which can increase compliance with protocols. Second, BWC cameras can increase the probability that police are prosecuted and convicted in court for unlawful behavior due to their ability to produce reliable evidence (Ariel et al., 2015). The literature argues that the deterrence channel may not only restrain police officers' abusive behavior but also civilians' aggression toward police (Ariel, 2016; Jennings et al., 2015).

One critical question of our study is whether BWC can restrain police misconduct in contexts such as Rio's favelas, where, despite efforts to demilitarize policing strategies, frontline officers continue to use highly aggressive tactics. Drawing from Black and Black (1980), we focus on three forms of police behaviors:

1. proactive policing, including stop-and-searches and other encounters with civilians
2. reactive policing, including emergency calls and dispatches of officers to those locations and residents' requests for help during foot patrols
3. use of deadly force, which we measure with the number of police killings and bullets fired by individual police officers

We randomly assigned cameras to different types of units, including first, so-called GPPs or foot patrols deployed to fixed geographic areas to carry "proximity" policing functions. Second, GTPPs are tactical units that often engage in special operations involving armed confrontations with drug traffickers.

Our results reveal that camera assignment led to a 40% reduction in stop-and-searches and other proactive enforcement activities. As we explain in Magaloni et al. (2023), this is a positive result given that UPP officers frequently use unnecessary force (e.g., "slap" suspects, "pull hair," "hitting," "physically attacking," and "threatening" civilians).

Second, BWC also reduced aggression by civilians toward the police. In three rounds of police surveys collected during the study, UPP officers reported being "cursed," becoming targets of thrown "water," "urine," or "stones," and suffering "verbal threats" and "physical attacks." These behaviors significantly declined during the study.

Third, an unexpected result was that BWCs dissuaded police officers from performing necessary police functions. For example, cameras led to a 60% reduction in police response to street requests. We randomly assigned cameras to supervisors during half of the study to countervail this unsettling de-policing effect. Our statistical results reveal that this is a promising strategy: When supervisors wore cameras, frontline officers significantly increased their policing activities and their BWC usage.

Fourth, regarding the use of deadly force, there were only 27 events when police fired their weapons and used 469 bullets. A lack of statistical power prevented us from analyzing treatment effects using OLS regressions. A simple crosstab of treated and non-treated officers by unit type

reveals that BWCs might have dissuaded officers from using deadly force. However, this conclusion should be taken with caution given the small number of events where police fired their guns.

One of the most striking findings is that this simple technology induced such significant behavioral changes on the part of frontline officers even when they often refused to turn their cameras on. Our study reveals a critical implementation challenge of BWC: adequate supervision of camera usage, including sanctioning those officers who refuse to turn their cameras on. OLS regressions on the number of minutes officers turned their cameras standardized by the total time they were assigned a camera revealed that officers turned their cameras on more often when there was adequate supervision on camera usage. Moreover, officers who reported experiencing more aggression from the community turned their cameras on more often. A problematic result was that officers who reported having injured or killed someone in the past were significantly less likely to turn their cameras on.

Hence, an important limitation of BWCs is that they give too much freedom to the police to turn them on. Disobedience to BWC's protocols, including refusing to record interactions with civilians, limits the effectiveness of this technology because abusive officers can turn their cameras off and not worry about being sanctioned for misbehaving. To overcome this important challenge, cameras can be activated from the central station, withdrawing this decision from frontline officers. This technology already exists and should be used where frontline officers frequently disobey protocols or where local supervision fails to adequately enforce BWC protocols.

2.4 | Monetary incentives

Can monetary incentives be used to curb police violence? In Magaloni et al. (2023), we study the impact of a pay-for-performance scheme on police behavior and violence in Rio de Janeiro. In contrast to the 1990s “bravery bonus” that gave monetary rewards to police for killing, in 2009, the state introduced a performance-based salary based on semester-level reductions in crime metrics, the Goal System or “sistema de metas”. The government pays a bonus to those policemen who reduce three criminal indicators: homicide and other violent deaths, car theft, and street robberies. Homicides caused by police action, *Autos de Resistência*, were added to the goals set in January 2011.

The monetary incentives are not negligible, averaging 10% of an officer's monthly salary and sometimes surpassing 75% of the base monthly salary. Moreover, the first, second, and third performing AISP win additional monetary bonuses.

Our paper leverages unique panel administrative data—including monthly indicators on progress toward the semester goals—and microdata on bullets fired by individual police officers. A unique data set on individual-level records of daily bullets is fired during service by more than 40,000 police officers working in the Military Police from 2005 to 2016.

We employ a panel fixed-effects estimation, indicating whether an operating area can still achieve the semester goal in any month. Data are constructed as a monthly panel centered at the AISP or battalion level, the primary geographic breakdown of the PMERJ's operations. Each AISP is a group of neighborhoods at which PMERJ's operations are planned and around which its battalions are structured. Within an AISP, there are also UPPs, which, as explained above, specialize in policing favelas.

We construct both an AISP and police officer-level panel. Our primary independent variable indicates whether the AISP's police officers can still meet the semester goal at any given month based on crime trends up to that month within the semester. We incorporate both AISP and year-

fixed effects. For robustness, we also run the regressions with covariates, including whether any officer received UPP training.

Our statistical results in Magaloni et al. (2023) demonstrate that as long as battalions can still meet the semester goal, there is a statistically significant decrease in the incidence of police violence, violent encounters (shootouts), and the number of shots fired.

Although the Goal System positively reduced police violence in Rio de Janeiro, I highlight some limitations. The first challenge is that police officers might be tempted to fabricate the data to get monetary rewards. Extensive interviews with members of the Military Police convinced me that fabricating these numbers was not that easy because these would be closely scrutinized every other month by a joint commission of the Military and Civil Police, also integrated by commanders of the Battalions or AISPs, which are competing among themselves to get the highest monetary awards.¹⁴

A second challenge is that countries might struggle to sustain the monetary rewards. The 2015 economic crisis in Brazil devastated the Goal System's credibility because, during that period, the state government delayed paying officers their bonuses. This helped to unravel the credibility of the pay-for-performance reward system.

3 | CONCLUDING REMARKS

In many countries worldwide, gross violations of human rights in the course of policing are pervasive. Defunding or eliminating police forces is not a viable answer to prevent such violence. In the long run, a society is unviable without some forms of policing that curtail violations of citizens on each other and protect those unable to use force by themselves. Compliance with the rule of law and failures to curb the coercive use of force, leading to police brutality, is a complex and multifaceted phenomenon. Societal, political, individual, and institutional factors—that are not fully understood—ultimately shape whether police behave according to the rule of law or violate human rights.

Police abusive behavior is more common where there is high crime and where highly organized criminal groups compete violently against each other and the state. Violent threats to the state often lead politicians to adopt harsh security measures, including militarized security interventions, either through the deployment of the armed forces to perform crime control strategies or by impregnating the police with military tactics, technologies, and mindset. There is compelling evidence that these strategies significantly increase police brutality. In the cases I have studied, moreover, these strategies have been ineffective in controlling crime and have even exacerbated violence.

Furthermore, police violence is more common in more unequal societies that are strongly divided along class and race lines. Impoverished sprawling urban communities, where criminal rulers often fill the vacuum left by the state, are disproportionately subject to police brutality, including through the excessive use of lethal force causing injury or death, harassment, unjustified and abusive arrests, and torture. These abusive behaviors undermine community trust among its residents. The lack of police legitimacy, in turn, undermines the police's capacity to control crime in these territories.

Establishing equal protection for groups commonly targeted by police with illegitimate force is one of the most critical challenges to subject police to the rule of law. Unfortunately, police abusive behavior might even be socially justified, tolerated, or ignored by the broader public that often stereotypes victims of police abuse as "criminals" because of their race, class, or territory where they live. Moreover, high fear of crime and insecurity often leads society to support tough-

on-crime policies; in some countries, citizens even justify police extrajudicial killings and torture. This partly explains why police brutality can persist or even worsen under democracy.

But the picture is not so grim. My body of work suggests that institutional reforms and changes in organizational norms and protocols can go a long way in restraining even the most inhumane forms of police abuse. I offer compelling evidence that the introduction of strong due process protections, judicial oversight over police behavior, and police demilitarization are effective in reducing police brutality. Modern technologies can further be used effectively to restrain abusive behavior by frontline officers.

Nevertheless, far more research is needed to understand potential backlashes to reforms that aim to control police brutality. A critical challenge is that reforms that constrain police might generate political pressures to reverse these reforms, especially when society associates harsh security measures as the best strategy to keep them safe. Another potential backlash might come from inside the police forces. If police officers perceive that the institutional constraints severely restrain or weaken their capacity to control crime, police forces might seek to undermine the reforms. For example, although the reform of the inquisitorial criminal justice system in Mexico has significantly reduced torture, officers might be tempted to fabricate evidence in different ways by planting objects such as guns and drugs to clear cases. Police forces might also begin to engage in extrajudicial killings to go around the criminal justice reforms, which significantly ties their capacity to arrest.

The only self-sustaining equilibrium over the long run is to reduce societal violence while subjecting police to the rule of law. Violating human rights in the course of policing is a self-defeating strategy because it undermines the legitimacy of the police among the communities that are targeted and whose cooperation is essential to control crime. Populist tough-on-crime approaches are often offered as politicians pander to their electoral constituencies. In this sense, politicians responding to citizen demands might exacerbate, rather than solve, the challenges of police brutality. The only way forward is to invest in institutional capacity while convincing politicians they will be rewarded by voters when crime and violence eventually subside. In essence, the politics of policing has to aim at designing effective public policies to control crime and keep people safe while respecting human rights.

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CONFLICT OF INTEREST

The author declares no conflict of interest.

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ENDNOTES

- ¹These numbers correspond to the entire prison population, with some arrested in the 1980s and others in recent years.
- ²See <https://www.statista.com/statistics/243797/ranking-of-the-most-dangerous-cities-in-the-world-by-murder-rate-per-capita/>.
- ³I use the term cartels because, in Mexico, that is how they refer to themselves.
- ⁴For an exploration of synthetic controls and their use in causal identification see Abadie and Gardeazabal (2003) and Abadie et al. (2010).
- ⁵However, she does not directly measure a specific policy intervention (e.g., the capturing of drug lords or the deployment of the armed forces).
- ⁶We add fixed effects for state, municipality, or judicial district.
- ⁷Favelas are informal urban sprawls inhabited mostly by Black Brazilians.
- ⁸For studies of implicit racial biases and the dehumanization of Blacks in the US context see Goff et al. (2014), Owusu-Bempah (2017), and Eberhardt et al. (2004).
- ⁹The Military Police is appointed by civilians and is in charge of preventive policing.
- ¹⁰A team of researchers, including Gustavo Robles and Vanessa Melo, and I assembled the information to measure how many bullets police officers fire during their shifts. Among others, we used the data to construct a “scorecard” per individual officer that can rank their use of deadly force—as measured by how many bullets they fired—relative to their shift, unit, and the rest of the Military Police. The dataset helps identify officers who use “extreme” force and devise strategies to better monitor and sanction the excessive use of lethal force in the Military Police of Rio de Janeiro.
- ¹¹Some models include judicial districts, which is the level of treatment. As robustness, we also include municipal and state fixed effects.
- ¹²In some territories such as Complexo do Alemão, a favela complex of around 200,000 and headquarters of the most powerful drug syndicate in Rio, The Red Command—police killings increased. UPP officers were incredibly vulnerable in this territory, where criminals give a bounty to residents to kill officers. Soon after the UPP was installed, two police officers were killed, and the Military Police responded with an increase in armed confrontations, resulting in a high number of police killings, even of children and women.
- ¹³When Governor Wilson Witzel took office, I decided to temporarily halt our cooperation with the Military Police to reduce police violence until better political conditions conducive to generating tangible results emerged.
- ¹⁴Police officers told us that the system “makes it hard to try to dump dead bodies into other battalions” to get rewarded because every Unit Commander is paying very close attention to meet the goals.

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