





## On the Relationship Between Organized Crime and the Brazilian Prison System\*

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The aim of the present paper is to analyze how criminal organizations influence the daily life of Brazilian prisons and how ineffective the solution presented by the government is in terms of trying to control the conflicts and rebellions in which they are routinely involved. To this end, we will study the emergence of the main criminal organizations in Brazil, namely the “Comando Vermelho” and the “Primeiro Comando da Capital (PCC)”, in order to determine what factors influenced their founders to converge their interests and form these groups, which are currently no longer limited to the intra-prison space, but rather control entire slums in large Brazilian cities, controlling not only drug trafficking, but also the daily lives of their inhabitants. Subsequently, based on the theoretical framework of penal abolitionism, we will demonstrate that the solutions presented by the government are incapable of controlling the emergence and action of criminal organizations.

**KEYWORDS:** criminology / criminal organizations / organized crime / Brazilian prison system / Thomas Mathiesen

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## **Introduction**

### **Overview of the Brazilian Prison Crisis**

In 2017, the already well-known Brazilian prison situation became even more evident, when, on January 1st, a conflict between organizations occurred in the Anísio Jobim Penitentiary Complex, in the city of Manaus, in which 60 (sixty) inmates were killed, becoming the second largest massacre in the history of the country. In the same week, in retaliation for the previous attack, 33 (thirty-three) people were executed in the agricultural penitentiary of Monte Cristo, in the state of Roraima. Later, another 26 (twenty-six) were executed on January 14th, in the penitentiary of Alcaçuz, in Rio Grande do Norte (Oliveira, 2017).

The policy commonly adopted by Brazil, regarding its prisons overcrowding is the constant investment in the construction of new prisons, an ineffective solution which has high economic and social costs. In the present paper, we specifically analyze the connection between the prison situation in Brazil and the emergence of the largest criminal organizations operating in the country.

### **The Brazilian Prison System and Organized Crime**

#### **Emergence of Criminal Organizations**

During the Brazilian military regime, many people convicted of political crimes were sent to the “Ilha Grande” Prison, one of the poorest and most unhealthy penitentiaries in the State of Rio de Janeiro, where the most dangerous convicts were sent, due to a government policy that attempted to equate these crimes with the so-called “common crimes” (Amorim, 1993).

The convictions resulting from the National Security Law, regarding political crimes, had a strong influence on the origins of the “Comando Vermelho”. With the political prisoners, the inmates learned several techniques to increase the effectiveness of their ventures, such as escape techniques, organizing more elaborate robberies and assembling more effective devices at home. But, even more importantly, they realized that if they joined forces, they would have a strong power to gain traction with the prison administration (Amorim, 1993, p. 27–44).

The most important episode for its emergence occurred on September 17th, 1979, in an episode known as “Saint Barts' Night”. After a failed escape attempt, the Comando Vermelho ordered an attack and took control of the Ilha Grande Prison after eliminating the main leaders of the so-called “Falange Jacaré” (Amorim, 1993; Shimizu, 2011).

The Comando Vermelho’s policy was then established in the Ilha Grande Prison, an ideology that ended up spreading throughout the prison system in Rio

de Janeiro, which was aggravated by a poor judgment made by the government of Rio de Janeiro, who transferred inmates due to the incident. As a result, the group's policies gained notoriety, increasing its number of members (Amorim, 1993, p. 27–44).

It is important to note, therefore, that contrary to what is commonly reported in the press, Comando Vermelho was not always directly linked to drug trafficking, having been founded, on the contrary, with clear objectives of “self-defense” for the inmates, who saw in unity among themselves a possibility of improving conditions in prison (Shimizu, 2011, pp. 123–124).

Just as had happened with the Comando Vermelho, the so-called “Primeiro Comando da Capital (PCC)” emerged within the prisons of São Paulo, with the main purpose of protecting prisoners from the inhumanities committed against them by other inmates and also by the police and prison administration.

It originated in the Penitentiary Readaptation Center attached to the Taubaté Custody Center, in the state of São Paulo, popularly known as “Piranhão”, because it housed the most dangerous convicts in the state. This establishment soon gained notoriety for being one of the cruelest in the country, due to the atrocities committed there, such as daily beatings, isolation of inmates, difficulties in contacting lawyers and family members, and torture (Teixeira, 2006, pp. 119–126). The establishment operated similarly to a “strong cell”, with inmates locked up for up to 23 (twenty-three) hours a day and allowed to take short sunbaths in small groups, with communication between them prohibited. Visits were limited and prisoners were beaten with iron bars, and they also received poor and scarce food. Hygiene conditions were precarious, with insects being inserted into food and the toilet flushed by prison staff from outside the cell at their discretion (Dias, 2011, pp. 101–102).

It was in this context that, in 1993, the founding pact of the PCC was sealed, with the aim of seeking better prison conditions by directly combating those primarily responsible for the situation at the time. Among the organization’s declared objectives, taken from its own “manifesto” promulgated at the time, was the deactivation of the Taubaté Custody House and the protection of inmates in light of the recent events at Carandiru.

Despite the size and complexity that it acquired, the public authorities initially adopted a defensive position, denying any speculation in the press about the existence of a group that controlled the prisons in São Paulo. This situation was only changed with the mega-rebellion that occurred in 2001 (Shimizu, 2011, pp. 138–139). Using cell phones as the main means of organization, the group promoted a rebellion that affected 29 (twenty-nine) prisons in the State of São Paulo, which resulted not only in direct damage, namely deaths, injuries and damage to public and private property, but also in the dissemination of the PCC and its ideology (Dias, 2011, p. 171). It is estimated that the number of rebels was

close to 28,000 (twenty-eight thousand prisoners), in 19 (nineteen) different municipalities (Porto, 2007, p. 75).

In May 2006, however, an even larger rebellion occurred, once again organized by the PCC. On this occasion, between the 12th and the 20th, approximately 73 (seventy-three) prisons rebelled, and 439 (four hundred and thirty-nine) people died. These deaths were also accompanied by waves of violence and attacks against police officers and prison guards, private buildings, buses and civilians (Camilo, 2009, p. 63). It is speculated that the uprising only ended after an agreement between the faction's leaders and public authorities (Souza, 2007, pp. 230–231), being also speculated the existence of a possible arrangement regarding a division of internal control of the prisons, transforming the faction into a private manager of them (Caldeira, as cited in Shimizu, 2011, p. 144).

### **The Role of the State**

Brazilian prisoners are subject to situations of extreme human degradation resulting from prison overcrowding and state abuse. The environment in which they live is conducive to revolt and the need to assert independence, which occurs in defiance of the social values responsible for the legitimacy of the functioning of the penal and penitentiary system (Shimizu, 2011, p. 188).

Few examples seem clearer than the Brazilian prison system when it comes to demonstrating the potential of the State to become a traumatic agent, since the “war against criminals” carried out by the Brazilian State ends up operating its penal system almost as a genocidal apparatus. It is against this “tyrannical” State that represses the people subjected to it that the founders of the criminal organizations sought to impose themselves while planning the founding of the resistance groups (Shimizu, 2011, pp. 195–199).

### **Policy Implications**

The pro-incarceration policy adopted in the country and the degrading conditions of the Brazilian prison system are the origins of those groups, which are instruments of defense of the prisoners, who unite in the form of a mass, to resist the oppression of the “father”.

### **Conclusion**

That being said, the Brazilian policy of building new prisons in order to control the penitentiary crisis and remedy the historical problem of controlling criminal factions in these spaces is shown to be irrational, since, as demonstrated, not only are they a favorable environment for the emergence of those groups, due to the

constant disrespect for human rights that are committed in them, but also because incarceration itself is an institution that is increasingly less sustainable as a way of solving crime.

## References

- Amorim, C. (1993). *Comando vermelho: A história secreta do crime organizado*. Rio de Janeiro: Editora Record.
- Camilo, J. (2009). *O jornal e a prisão: Uma análise da cobertura dos ataques do PCC em 2006 pela Folha de S. Paulo e O Estado de S. Paulo* (Master's thesis, Cásper Líbero Faculty, São Paulo).
- Dias, C. C. N. (2011). *Da pulverização ao monopólio da violência: Expansão e consolidação do Primeiro Comando da Capital (PCC) no sistema carcerário paulista* (Doctoral dissertation, Faculty of Philosophy, Literature and Human Sciences, University of São Paulo, São Paulo). Retrieved from <http://www.teses.usp.br/teses/isponiveis/8/8132/tde-13062012-164151/pt-br.php>
- Oliveira, N. (2017). Entenda a crise no sistema prisional brasileiro. *Agência Brasil; TV Brasil. Rádio EBC*. Retrieved from <https://www.ebc.com.br/especiais/entenda-crise-no-sistema-prisional-brasileiro>
- Porto, R. (2007). *Crime organizado e sistema prisional*. São Paulo: Atlas.
- Shimizu, B. (2011). *Solidariedade e gregarismo nas facções criminosas: Um estudo criminológico à luz da psicologia das massas*. São Paulo: IBCCRIM.
- Souza, F. (2007). *PCC: A facção*. Rio de Janeiro: Record.
- Teixeira, A. (2006). *Do sujeito de direito ao estado de exceção: O percurso contemporâneo do sistema penitenciário brasileiro* (Master's dissertation, University of São Paulo), pp. 119–126.

