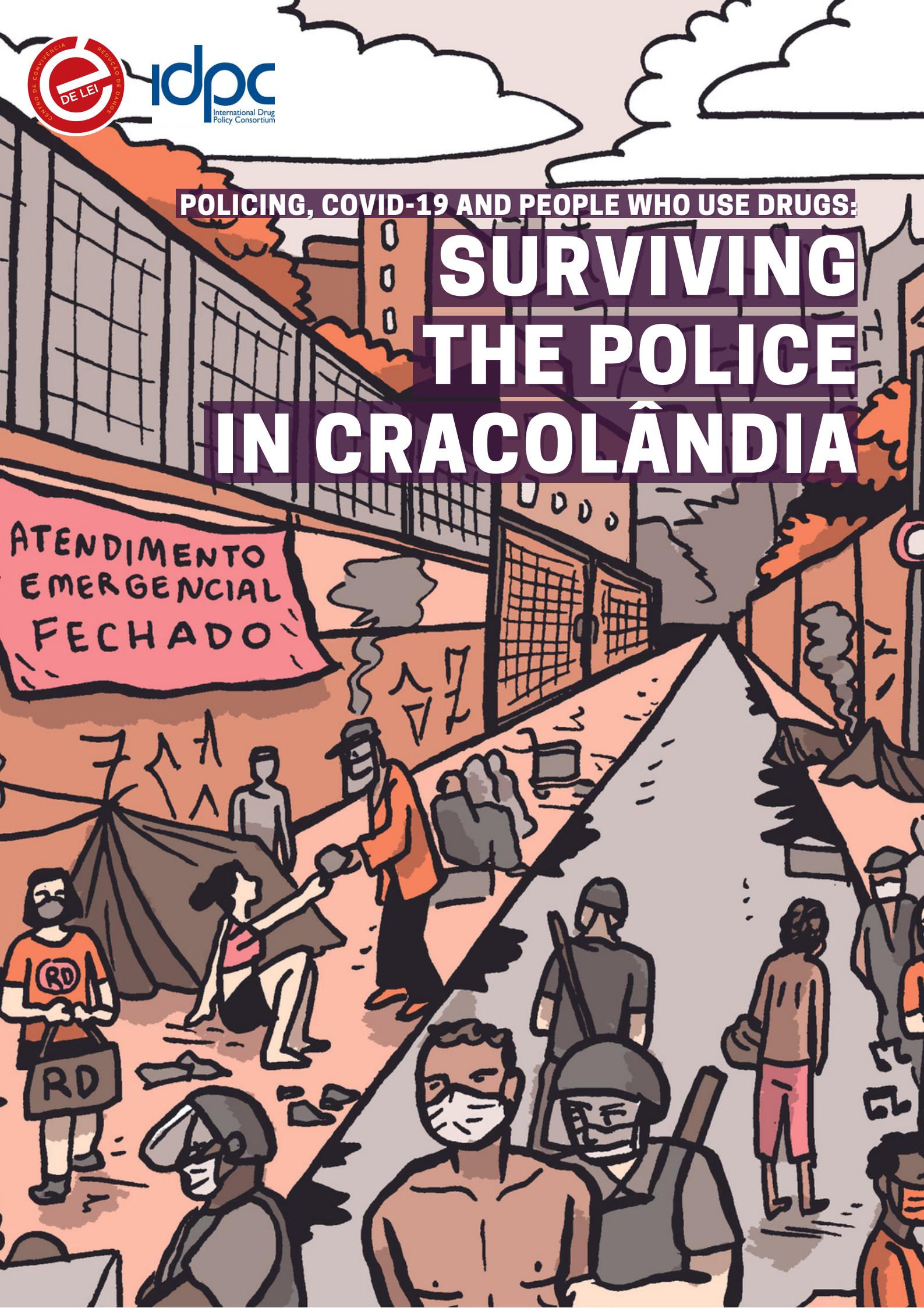
An illustration in the top left corner shows a portion of a building with orange-brown walls and a grey fence in the foreground. The style is simple and graphic.

# SURVIVING THE POLICE IN CRACOLÂNDIA

ATENDIMENTO  
EMERGENCIAL  
FECHADO





## Datasheet

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**POLICING, COVID-19 AND PEOPLE WHO USE DRUGS:**

# **SURVIVING THE POLICE IN CRACOLÂNDIA**

1990

The so-called "Cracolândia"<sup>1</sup> is one of the largest open drug scenes in the city of São Paulo. **For the last 30 years it has been located** in a neighborhood called "Luz", in the downtown area of the city, with a history permeated by poverty and social exclusion. This territory, inhabited by people in an extremely vulnerable situation, was named "Cracolândia" in order to stigmatize the people who live there, due to the area's open drug scene of crack cocaine use. Under the justification of the "war on drugs" policy, the people who live in "Cracolândia", mostly poor, black and with a history of institutionalization, for example in psychiatric asylums, prisons, shelters, etc., are constant target of rights violations.

Over the years, however, "Cracolândia" has become an identity, as there is much more than vulnerable bodies there. There is art, culture and life, bringing a sense of belonging and resistance to the people who survive in the midst of this war, which turned out to be against them.

Located in the center of the largest city in Latin America, this area is also permeated with political and economic interests, transforming the territory into a place subject to reurbanization and "revitalization" ventures.

Several government initiatives have been focused on social hygienist actions, primarily to remove people from the territory, such as "Operation Cleaning", "Operation Dignity", "Operation Suffocation", "D-Day", "Redemption" and "Operation Caronte"<sup>2</sup>. All operations used police repression and oppression of the population that lives and frequents the area, to the detriment of health and social assistance policies.

2013

Between 2013 and 2016 there was an attempt to change the paradigm in the interventions in this area. During these years, the City Hall of São Paulo implemented a program called **"With Open Arms"<sup>3</sup>** based on a policy of harm reduction to guarantee human rights, offering housing, food, work and income, in addition to health care and comprehensive assistance for people living in the Cracolândia area.

2017

Even with positive responses from the general public, this program began to be dismantled from 2017 onwards, when there was a **change in the administration** of the City Hall. The focus became the reduction of people using drugs on the streets, with abstinence being the only possibility of treatment and with the implementation of a zero tolerance policy for open drug scenes.

1. A literal translation to "Cracolândia" is "Crackland". In this article, the use of the original name will be prioritized.

2. Literal translation from the original, in Portuguese, "Operação Limpeza", "Operação Dignidade", "Operação Sufoco", "Dia D", "Redenção" e "Operação Caronte".

3. Literal translation from the original, in Portuguese, "Programa De Braços Abertos".



As a result of prohibitionism, the creation and continuity of drug policies based on harm reduction are in a fragile situation. This creates difficulties in conceiving programmes that are incorporated as State policy, which means that services became projects linked to each City Hall administration, and not permanent and long-term initiatives. Therefore, with each change in administration, the emphasis of the policy can turn in a different direction and it is up to institutions aimed at defending vulnerable populations, such as civil society organizations and social movements, to prevent practices that violate rights.

Jan 2020 ● The role by human rights organizations was intensified in 2020, when **police violence increased** in the area and there was a threat of closing the health and social assistance services in the area, under the justification that this was a necessary measure to end drug trafficking there.

Mar 2020 ● In March of that year, the **COVID-19** pandemic further contributed to the vulnerability of the area. It was not possible to maintain the necessary isolation to prevent infection by the coronavirus in those streets, mainly because the people circulating there did not even have information about what was happening at the time. They also had greater difficulty accessing food, as businesses were closed and donations ceased at first.

Once again, civil society organizations were essential to guarantee health and rights in the area. The **É de Lei Coexistence Center** is an institution that has been working with Harm Reduction for over 20 years and was one of the organizations that mobilized to provide information to people experiencing homelessness on ways to protect themselves from COVID-19. Several actions were also carried out by different groups in the area, such as spreading posters on the streets and projecting images on the city walls, in addition to the distribution of hygiene materials, masks, hand sanitizer and supplies to reduce risks and harm from drug use.

Apr 2020 ● In April 2020, as the pandemic unfolded and despite the struggle of the movements that work with harm reduction, the **Daily Emergency Service**<sup>4</sup>, the last social assistance service in the area of Cracolândia, was closed.

The closure of this service was a continuation of the city administration's objectives of putting an end to Cracolândia to make way for the construction of properties that could add financial value to the area, within the logic of real estate speculation. This was happening during the pandemic, at a time when more and more people were left without jobs and more people were experiencing homelessness.

4. Literal translation from the original, in Portuguese, "Atendimento Diário Emergencial" (ATENDE).

Feb  
2021

Instead of creating effective emergency policies and services, the administrations of the City Hall and of the State Government of São Paulo closed public services. The federal government did not even recognize the seriousness of the health crisis.

Another example was that, even with the recommendation issued by the National Council of Justice<sup>5</sup> in February that there should be no eviction or expropriation of properties during the pandemic, there was the **expropriation** of two entire blocks in Cracolândia at the beginning of 2021, without any housing assistance for the families residing there. This violation became a complaint to the Inter-American Commission on Human Rights (IACHR).

5. Literal translation from the original, in Portuguese, “Conselho Nacional de Justiça” (CNJ).

### Human rights in Cracolândia: State obligations under Brazil’s international commitments

Brazil has ratified all but one United Nations international human rights treaties. These treaties oblige all national, regional, and municipal authorities in Brazil to respect, protect, and fulfill a broad range of human rights for all persons within their jurisdiction, with no exception and no discrimination.

The logic of human rights matches the logic of harm reduction. Both seek to uphold the value and dignity of every single person. They demand that policies are designed paying attention to the needs of each individual from a holistic perspective, and they seek to create spaces in which people are able to live on their own terms.

Many of the events described in this paper – for instance, the decisions to close down the harm reduction centre services at the outset of the COVID-19 pandemic, or to unhouse people in Cracolândia with no warning –, are likely to constitute violations of international human rights such as the right to health, the right to housing, or the right to be free from arbitrary detention. Policy and policing towards Cracolândia is also directly at odds with the principle of non-discrimination, which is a crucial pillar in all human rights conventions

As interpreted by authoritative United Nations experts, the treaties ratified by Brazil provide valuable guidance for the national, regional and municipal authorities in São Paulo on how to develop new policies that are truly supportive and rights-affirming for people in Cracolândia. Three of them should be a priority for the authorities in Brazil.

**-The right to health**, which includes ensuring access to life-saving harm reduction services, preventing harassment of users and providers of harm reduction, and the decriminalisation of drug use and possession for personal use.<sup>6</sup>

**-Right to adequate housing**, which entails ensuring that eviction is a measure of last resort; when evictions do take place, authorities must respect procedural protections and safeguards such as conducting genuine consultations or guaranteeing adequate and reasonable notice; authorities must also provide alternative housing or adequate compensation; and - crucially - they have to make sure that evictions do not result in leaving people unhoused.<sup>7</sup>

**-Equality and non-discrimination**, which requires amongst others that authorities develop and effectively implement policies that define and prohibit racial profiling by law enforcement officials,<sup>8</sup> and amend laws and policies leading to racially disparate impacts, such as mandatory minimum sentencing policies for drug offences.<sup>9</sup>

6. See amongst many others: Committee on Economic, Social, and Cultural Rights (2015), UN Doc E/C.12/KGZ/CO/2-3OLD, <https://uhri.ohchr.org/en/document/c547d2e7-b4bd-434e-b4c0-1d4449f741ca>

7. See amongst many others: Committee on Economic, Social and Cultural Rights (2022), UN Doc E/C.12/TJK/CO/4, <https://uhri.ohchr.org/en/document/c3956e93-c025-4ec1-aa62-7bfe84e32ef3>

8. See: Committee on the Elimination of Racial Discrimination (2020), UN Doc CERD/C/CG/36, <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-recommendation-no-36-2020-preventing-and#:~:text=Summary,among%20communities%2C%20peoples%20and%20States>

9. See: Committee on the Elimination of Racial Discrimination (2022), UN Doc CERD/C/USA/CO/10-12, <https://uhri.ohchr.org/en/document/133396dd-9f5b-43ae-8926-28144f817762>

2022 ● At the beginning of the following year, in 2022, the open drug scene changed location to a square called **Princesa Isabel** a few blocks from where the Cracolândia was originally located. During the following month, the violence continued, but the worst was yet to come. In July 2022, with the purpose of disrupting the drug supply and to disperse people who use drugs in the area, the City Hall and the State Government of São Paulo carried out a **police operation**

Jul 2022 ● that ended up dispersing people throughout the whole downtown area of the city. The justification was to combat drug trafficking; however, the result was a major demobilization of efforts related to the care and monitoring of people who live in the area and/or use drugs.

Health and social assistance services now need to walk extra kilometers to find the people they were monitoring, in addition to favoring polarization between people who live in the area and people in vulnerable situations.

In the same year, an emergency social care service was set up near a police station. However, the police are currently confiscating harm reduction supplies from people, such as pipes for crack cocaine use, in addition to detaining people as a way of convincing them to adhere to hospitalizations aimed at detoxification or as a pretext for incarcerating this population.

# OBJECTIVES AND METHODOLOGY

This research was developed by the É de Lei Coexistence Center in partnership with the International Drug Policy Consortium (IDPC). The purpose of this research is to understand the dynamics of violence in the Cracolândia area during the COVID-19 pandemic, based on reports from people who are directly affected by the drug policy. Six people who frequent, work or live in the Luz neighborhood were interviewed during September 2022. The interview script contained questions about: access to health services, social assistance, housing, substance use and police violence.

## RESULTS

### Sample profile

Most of the people interviewed were women, mostly cisgender. As for sexual orientation, the majority self-identified as heterosexual, while less than a quarter self-identified as homosexual or bisexual. Most of the participants were adults, between 31 and 50 years old. None of the interviewees completed the full cycle of basic education. Approximately one third did not complete primary education (less than 4 years of schooling).

### Drug use

The interviewees were asked about drug use before and during the pandemic, based on questions such as: whether they used drugs, what strategies they developed to get them during this context, access to health and care services related to drug use, and safety.

Most of the sample reported using legal and illegal drugs, including tobacco, alcohol, marijuana and cocaine. Less than a quarter reported the use of crack cocaine before the pandemic. Also less than a quarter reported that they had not used any substances for years and remained so during the health crisis.

Most of the people interviewed reported having access to care services aimed at people who use drugs. On the other hand, all of them mentioned that access to health and harm reduction was provided through civil society organizations in the area. Half of the people reported having already used public health services, but did not adapt to them due to several issues such as judgments, discrimination, excessive medication and the requirement to achieve abstinence.

*I had access to many things. The only place I could really talk about drugs, that is grassroots-driven and that works with harm reduction is the É de Lei. The Psychosocial Care Centers as well, but there was always a fight between Harm Reduction strategies and abstinence over there. (Interviewee 3)*

10. Literal translation from the original, in Portuguese, "Centros de Atenção Psicossocial" (CAPS).



Most interviewees who used drugs reported that it was very easy having access to drugs in the area during the pandemic. Only a small portion of the sample answered that, although there was never a shortage of supply, they sometimes have trouble accessing it lately, depending on the type of substance. For these interviewees, the strategies developed to guarantee the continuity of their use were to ration the use and to look for the substances in other places.

As for their safety while getting the drugs, most of the sample reported not feeling safe, because the area is violated by the State at all times. Regardless of using drugs or not, all the people interviewed suffered serious consequences caused by the current drug policy.

*What is safety afterall, right? My body, my being, my dancing are already places of survival, because in the place where I am there is no safety. Safety never existed, even if I'm in the area to buy a loaf of bread. It was always a risk. If I'm in that area wearing flip-flops and I'm going to buy a beer, a loaf of bread, I'm considered a crackhead. But if I'm in another environment, with a different group of people, it's different. It is the context and the body that define safety. (Interviewee 3)*

## Access to health, care and housing services

When the Daily Emergency Service was closed by the administration of the São Paulo City Hall in 2020, interviewees reported a negative impact on their lives, directly or indirectly. Most of them explained that the service helped them meet basic needs such as food, shelter, access to health, HIV/STI prevention, COVID-19 testing, access to a bathroom and water. With the closure of this service, people in the area who needed it were left unattended. They also reported that seeing friends, colleagues and other people in vulnerable situations without the support of the service brought them psychological distress.

*When the Daily Emergency Service and other services were closed, it was very bad for all of us. It was bad for me too, because I already had a bond there, with the agents that were there. When you're in the open drug scene, where can you get condoms? You had to buy them. At the service, they distributed condoms, they took care of you, took you out of the scene, gave you water or food, and you were able to participate in activities there. That hurt us a lot. For those who were experiencing homelessness, where could they use a toilet? How could they get an HIV test? The service had it all. Even when they didn't have those things, there were people who helped you. (Interviewee 2)*

*After the Daily Emergency Service was closed, there was no way for people to take a shower, get water to drink or even use the toilets. So the service being closed really got in the way. Everybody got very lost. Nowadays it is difficult even to get a bottle of water. There are bars where people who go ask for water get punched in the face. The service being closed was the worst mistake that this administration made. (Interviewee 4)*

Another change that affected the routine of the population of the area was the expropriation of two whole blocks. All interviewees reported having been negatively and indirectly affected, since seeing people in vulnerable situations being placed on the streets with their entire families (children, elderly, pregnant women...) affected the mental health of the participants of this research. One interviewee reported that these expropriations directly affected her, as she works in the area helping people to access housing, the demand increased after the expropriations.

*Totally negative, because the families who live there, who have always lived there, stayed at home when a large encampment of poor people began to emerge. People who make their living from the commerce in the area who are living there, children, pets... everyone! The Princesa Isabel square became a large encampment. It affected my routine because it is very difficult to see people who are trying to survive in their own way being massacred, trivialized and criminalized. When they see people gathered together, they think it is a new Cracolândia, but it is not. It was where people had made their homes. (Interviewee 3)*

Another relevant moment for the interviewees was when people who were gathered in the Princesa Isabel square spread to other areas in the downtown area of the city. The majority of the interviewees reported that the people who lived in Cracolândia received care and assistance from social movements and health agents. However, by scattering these people around the downtown area, services aimed at these people were hampered or interrupted due to the difficulty in finding the people previously assisted. Another fact also reported by them was that police violence now occurs throughout the whole downtown area of São Paulo, affecting the entire local community (people in vulnerable situations, traders, residents and visitors to the area).

*It changed everything. Everywhere I go, through streets downtown, (inaudible) we see users everywhere. I don't have a problem going through there. Because I know the area, I live in the area, I do social work there. But you never know if all of a sudden a bomb from a policeman will come up when I'm passing by. (Interviewee 2)*

*It changed because we no longer have access. But it's still the same. The police chief is saying that he's destroying Cracolândia, but what are they destroying? They are just doing injustices. With the scattering, contact is difficult. Some people stay in one place, others in another place. Everywhere you go, you see a cluster of users hiding from police violence. (Interviewee 4)*

## Police violence

Regarding the subject of police violence in the Cracolândia area, interviewees were asked if they suffered any violence before or during the pandemic, what were the motivations for the police actions and/or approaches, how people reacted and if they reported the cases to any public institution such as the Public Prosecutor's Office, the Public Defender's Office or the Access to Rights project, which offers legal advice to the population of the area.

11. A literal translation of the project name is "Counter of Rights", or "Balcão de Direitos", in Portuguese.

Most of the interviewees reported being the target of multiple police approaches and suffering police violence, both before and during the pandemic, and regardless of whether the person uses drugs or not. However, all interviewees mentioned that drug use or drug dealing is used as a motivation for these approaches. The interviewees filed no complaints because they were afraid of retaliation by the police agents both against themselves and against family members who live in the area.

*Everyday. They [the police] arrive hitting and kicking. I don't know if it's because of the [skin] color, but they immediately ask: "What do you have in your bag?" and "Have you ever been a drug dealer?" They always imply that the reason is drugs. (Interviewee 6)*

*[The police say] That people [at Cracolândia] are users, drug addicts, crackheads, layabouts. That they are beggars, dead humans with no life. That's what they [the police] say. But most of them [the police interventions] were because of my sexual orientation and my [skin] color. For being black. They say other things, but... They kept calling me with by male pronouns, even after I explained them that I am a trans woman. It didn't help at all. (E2)*

As for the fact that they felt insecure before and from the beginning of the pandemic until the moment of the interview, all interviewees reported that the downtown area of São Paulo, more specifically the territory of Cracolândia, is a very hostile space for people who live in vulnerable situations. They suffer violence from State security agents on a daily basis. For them, unsafety has always been part of their daily lives, regardless of the COVID-19 pandemic.

*As long as this war on drugs, this war on people, this war on poverty exists [I don't feel safe]. It didn't change my feeling in the territory, so much so that, when there's an operation in the area, I get very anxious, attentive and it is very difficult to sleep. I have a very big trauma. (Interviewee 3)*

*We never had safety, right? I don't feel safe here. I live here because I have to. If I could move from here I would.(...) The people who should provide us with security are the first ones to mistreat us, to behave with violence. (Interviewee 4)*

All the people who participated in the interviews reported that, at the beginning of the pandemic, the police operations slowed down. However, after a few months, until the time of the interview, there was an increase in police approaches and police violence. To avoid violence, the strategies developed by the interviewees were: deviate paths or staying away from the police.

*When I pass by, they look at me with a frown. Those who already know me say: "This negona<sup>12</sup> has something". They look at me with a frown and I don't care about them. When I see that they are aggressive, that violence is more likely to happen, I don't even go near them. I walk away. (E4)*

12. The term "negona" is used in Portuguese to refer to a black woman, most often with a pejorative connotation, especially in relation to skin color.

# FINAL REMARKS

The results obtained from this research indicate that the forms of police approaches became even more truculent during the COVID-19 pandemic, a characteristic that extends to the present day. The interviews carried out in this research and the work carried out by the É de Lei Coexistence Center over the last 24 years of operation show us that there is no systematic State policy concerned with the lives in the area of Cracolândia. On the contrary, the stigma carried by living in that area, which is often not a choice, turns people into targets of rights violation that do not depend on legal justifications.

The situations briefly highlighted in this document point out that police approaches happen regardless of whether the person is working, using drugs, accessing a public service, etc. At the same time, there is a common denominator to whom violence is pointed to: people who are poor, black, LGBTQIAPN+, with a history of limited access to basic rights, such as health, education and housing.

The attempt to criminalize the people in vulnerable situations who live in Cracolândia is one of the ways for the State to silence them, prevent their voices from being heard and prevent their protagonism from being recognized in the area. Public safety is one of the only policies mobilized in the area to address the drug issue, and the police act with brutality, without articulation with health services, social assistance and social movements.

Harm reduction appeared in the answers of almost all the people interviewed as a logic of survival, going beyond a simple health strategy linked to the use of substances. Networking, mutual help, fighting for rights and working with peers were frequently cited aspects that showed us the importance of the presence of civil society organizations and social movements in the area. The interviewees also demonstrated the desire that harm reduction be a guideline in health and assistance services, proving to be more efficient than abstinence or hospitalization, for example.

# RECOMMENDATIONS

We understand that it is urgent to **qualify the debate** on drug policies and human rights, as well as to **deepen the relationships** established between the State, vulnerable people who frequent the area, people who live in the area and are also affected by public policies and by the police, in order to enable the construction of strategies that respect rights and are effective for the area.

It is necessary to **develop and implement policies at the local and state levels** based on harm reduction. These policies must be evaluated and monitored by the civil society and competent bodies in the long term.

Broadly speaking, it is also necessary to make **proposals for structural changes in the National Policy on Drugs**, so that it prioritizes people's lives and not just perpetuates racist and transphobic policies, policies based on psychiatric asylums, punitive and social hygienist institutions as justifications for public care and safety.

## SUGGESTED READING

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