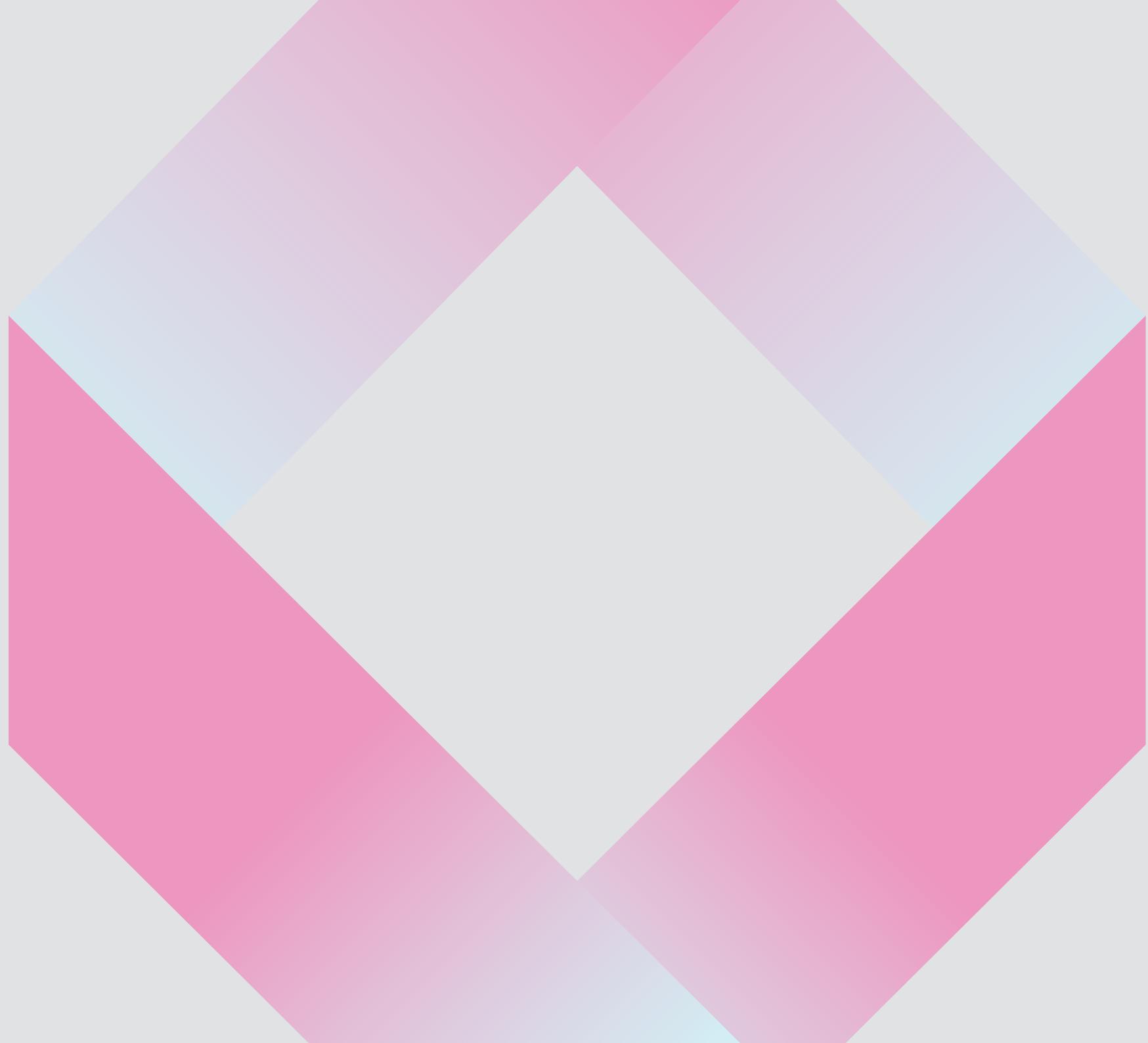


FATAL DIVERSION

THE LEAKAGE OF
WEAPONS FROM THE
LEGAL TO THE ILLEGAL
MARKET IN THE STATE
OF SÃO PAULO



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Introduction

Brazil is one of the countries with the highest number of homicides caused by firearms. Eight out of ten homicides are committed with this type of weapon¹, which is also widely used in common property crimes, such as robbery (56%) and vehicle theft (80%)². Furthermore, firearms are objects desired by organized crime gangs for large robberies and territorial domination linked to drug trafficking and 'vigilante groups'.

Legally sourced firearms often end up in the hands of criminals. However, little is known about how this diversion occurs. The Brazilian

government invests poorly in having more information on the source of firearms used in crimes, especially the path they take to reach the perpetrators.

There are few but commendable initiatives by civil society, universities, and police forces, such as profile surveys on weapons used in crimes³, investigations on the tracking of weapons used in crimes⁴ or the three Parliamentary Inquiry Commissions (CPI) held in Rio de Janeiro and in the National Congress⁵, which also produced critical analyzes on the dynamics of this theme.

However, although much of this research has proved an essential connection between the legal arms market, especially the domestic one, and weapons used in crimes, hardly anything is known about how these diversions occur. In other countries, such as the United States of America (USA), significant research has been carried out to analyze the volume and importance of this migration of weapons from the legal market to crime. Among them, we can mention the one carried out for the

journal *Injury Epidemiology* (HEMENWAY; AZRAEL; MILLER, 2017)⁶, which studied victims most likely to have stolen weapons and showed that states with less control and more weapons, such as those in the South of USA, become suppliers of weapons used in crimes to states where there is control is stricter. These surveys also show that around 280,000 diversion events occur there, resulting in 380,000 weapons being diverted to crime each year. Another study⁷ (COOK and LUDWIG, 2002) also from the USA analyzes the effects of guns at home, seeking to verify whether the pro-gun argument that guns would ward off criminals is compelling. This work concludes that this effect (weapons repelling thieves) is not verified in practice; on the contrary, the data from this work showed that neighborhoods with more weapons are at greater risk of suffering thefts and home robberies. In interviews with people who committed theft, the high price of weapons and how easy it is to find interested parties in the illegal market cause some authors to classify the weapon as '*money with a trigger*'.

¹Brazilian Public Security Yearbook, 2021, p.14.

²National victimization survey – SENASP questionnaire. Victimization research. Center for the Study of Crime and Public Security at the Federal University of Minas Gerais (CRISP, 2013, p. 78, 124).

³"Where do the arms come from? An analysis of the universe of guns seized in 2011 and 2012 in São Paulo" (Sou da Paz, 2016).

⁴"Where do the weapons and ammunition seized in the state of Goiás come from" (Sou da Paz, 2018). "Where do the murder weapons seized in the Northeast come from?" (2018).

⁵"Report of the parliamentary inquiry commission to investigate criminal organizations involved in arms trafficking" (Chamber of Deputies, 2006).

⁶Hemenway, D., Azrael, D. and Miller, M. (2017). "Whose guns are stolen? The epidemiology of gun theft victims", *Injury Epidemiology*, 4(1), p. 0–4.

⁷The effects of gun prevalence on burglary: deterrence vs. Inducement (COOK; LUDWIG, 2002, p. 6)

The situation above is a significant gap in the Brazilian context that this research seeks to fill. From the analysis of a long historical series of police reports (PR) of thefts, robberies, and diversion of firearms in the state of São Paulo (2011-2020) and the subsequent confrontation of these data with those of weapons seized at crime scenes (2015-2020), we seek to understand the problem better and generate subsidies that support policies to prevent diversion and removal of illegal weapons from circulation. This unprecedented initiative becomes even more relevant in the context of the dismantling promoted in the last three years of President Jair Bolsonaro's administration, who so far has edited more than 30 normative acts to facilitate the purchase of weapons and ammunition⁸ and reduce inspection instruments used by the police and other oversight bodies.

These changes led to an increase in the number of legal weapons in circulation and the purchase of more powerful weapons in more significant quantities.

It is important to note that, although there is a legal provision⁹ that obliges the owner to

notify the Civil Police about events with their weapon (such as displacement, loss, theft, or recovery), there is no sanction for those who fail to make such communication.

As a result, many cases will not be appropriately reported to the police.

We structured this research into three chapters. The first is dedicated to understanding the diversions (type of location, times, concentration in different territories and in time), the profile of their victims (gender, age, and profession), and the type of weapons. In addition, the chapter includes a section on significant diversions that brings together an analysis of the leading causes of diversion in private security companies, public offices, and residences. Annex I is related to this chapter as it provides a summary table of the 50 most significant diversions from the base, which alone accounted for more than 2,000 weapons diverted.

The second chapter analyzes data from firearms seizures, considering the profile of events, crimes in which these weapons were involved, and their profile. The third chapter

compares the two bases analyzed in the two previous chapters to verify how similar the profiles of the most seized weapons are. A group made up of just five types of weapons corresponds to 55% of all seized in the state. Automated comparison of serial numbers was also carried out to find firearms present in the two bases, first as a diverted weapon and later as a weapon seized at the crime scene. This made possible an unprecedented analysis of the complete path traveled by the weapon between legality and its arrival to the illegal market and seizure, as well as a unique analysis of the period between a weapon is used in crime and its seizure by the police, and the distance separating the places where the diversion and the recovery of the weapon.

Finally, the Conclusion retrieves the main findings and offers recommendations for the Executive, Legislative, and Judiciary powers that can contribute to reducing this lethal leakage of weapons to criminals.

Good reading!

⁸ "Since the beginning of the government, Bolsonaro has changed gun policy in Brazil 31 times" (RESENDE, 2021). Available at: <https://www.cnnbrasil.com.br/politica/desde-inicio-do-governo-bolsonaro-mudou-31-vezes-a-politica-de-armas-no-brasil/>.

⁹ Provision of article 17 of Decree 5.123/2004. After the repeal of this decree by the Bolsonaro government, the new provision was included in article 6 of Decree 9,845/2019. For private security companies, there is a penalty of liability of the owner or director, if such communication is not made to the Federal Police. (Article 39, Sole Paragraph of Decree 5,123/2004).

Methodology

To carry out this research, we requested the São Paulo Public Security Secretariat (SSP/SP), via the Access to Information Law (similar to FOIA/FOI)¹⁰, the detailed data on the subtraction of firearms in the period from 2011 to 2020, and on seizures, from 2015 to 2020, extracted from the police reports registry (PRR) system, which files police reports in the state of São Paulo.

With this material, we carried out a cleaning process according to the Sou da Paz Institute's methodology, processing the data to obtain closer to actual results. Due to this difference in the treatment, consolidation, and analysis, the data published by the SSP/SP present distinctions concerning the data portrayed in this report. This is because items registered as weapons in the original data but belonging to other categories, such as accessories, ammunition, magazines, etc., were excluded.

Based on this methodology, the data was divided into two main bases: one focusing on records of subtraction events and another on seizures. On these bases, we divided the analyzes into two stages: one to verify the dynamics surrounding the events and another to analyze the number and particularities of the weapons. In the specific case of the subtractions data base, in addition to the two other bases (events and weapons), an additional base was created related with those involved in the events, which made it possible to analyze the profile of the victims of these cases.

The identification of the police reports issued by the São Paulo Civil Police does not create a unique number¹¹; therefore, unique keys were created for each police report, which made it easier to delete duplicates and to move between the different data bases (incidents, weapons, and victims).

Due to the low-quality standardization of the fields that are more frequently used in the analysis (such as types of weapons, brands, caliber, type of location, etc.) and the precarious way they are filled, most of the research work hours were dedicated to the standardization and cleaning of the data. For example, there were initially over 3,000 spellings in the seized weapons database to indicate the brand of these weapons; After the standardization procedure, we reached 87 different brands.

We used *SPSS*¹² and *RStudio*¹³ to automate all standardization and treatment of bases and documented all procedures. This way, it was possible to work with these bases and guarantee the results found. We performed all procedures using programming languages, with codes explicitly developed for this research.

¹⁰ Filed under the numbers 54133215392 and 56858215400.

¹¹ In practice, this means that the Police Report number 100, for example, can be issued in all police stations in the state and in all years. Therefore, to identify a report, it is necessary to aggregate this data with two other fields, namely, the Police Department number and the year of occurrence.

¹² Statistical software is used for data manipulation and analysis.

¹³ RStudio is an environment for the development of R programming language used for data manipulation and analysis.

Matches

We performed the analysis of serial numbers and searched for correspondence after some procedures:

- Cleaning and harmonizing the field: removing spaces, hyphens, dots, slashes, etc. Removal of entries with text in the serial number field (description of the type of number obliteration, for example);
- Removing serial numbers that were too small and could generate more risk of false matches (4 digits or less);
- Reviewing and deleting duplicates;¹⁴
- Creating rules to identify correspondence bringing only seizures that occurred after the diversion.
- Performing a qualitative analysis to check whether, in addition to the serial number, the weapons' other data also matched (type, brand, and caliber).

It is essential to highlight that no value judgments were made regarding the intentions behind the diversions. In other words, the use of the term *diversion* does not assume or suggest intentional participation or dishonesty on the part of the victims, even if that is the case.

¹⁴With equal data for the weapon and occurrence. Data from the same weapon involved in more than one occurrence (diversion, seizure, and a subsequent diversion, for example, were maintained).



No prior value judgments were made regarding the intentions behind the diversions

WEAPONS DIVERSIONS

2011 - 2020

Analysis of events

In total, 23,709 events recorded between 2011 and 2020 were analyzed. In this period, 6.49 cases of diversion happened per day with each event being linked to one or more weapons. As a result, the number of diverted weapons exceeds the number of recorded events, raising the average to 9 diverted weapons per day in the analyzed period.

Since 2011, records have shown a downward trend, with a slight increase (1%) in 2016 compared to the previous year and a steady decline. The year 2020 was the year with the fewest cases of diversions, possibly due to the COVID-19 pandemic, which overturned property crimes and notifications in several states.

A study released by Agência Pública¹⁵ in November 2021 indicated that people in the Collectors, Sports Shooters and Hunters (CSH) category had 840 firearms diverted from January to September 2021, highlighting the increase compared to 2019 and 2020, a counterpoint to the downward trend shown in Chart A1.

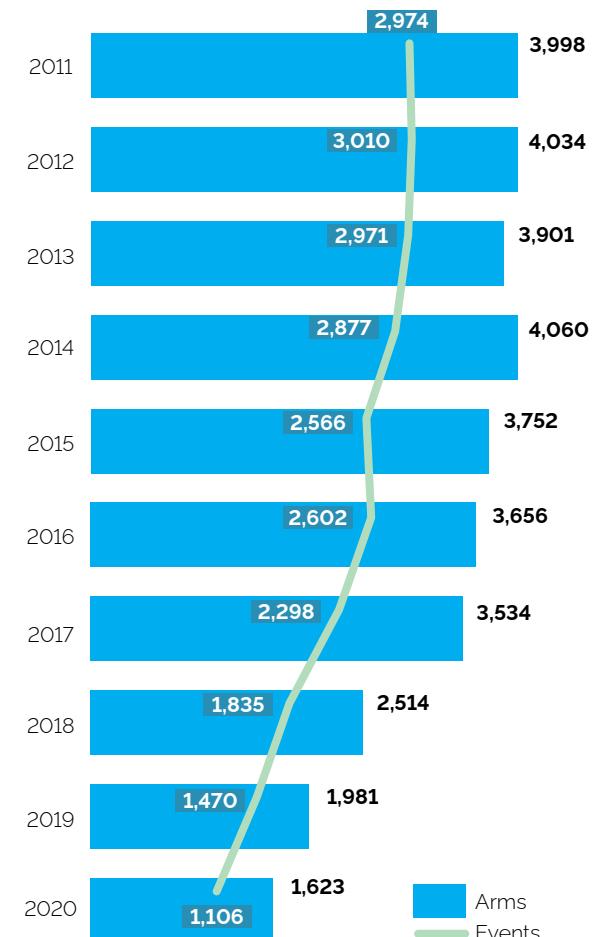
In the monthly distribution of events, January and December are the months with the highest number of records, a phenomenon that may be related to vacation periods and end-of-year festivities. Over the years, these were the least significant tapering months. On the other hand, July and September were the most significant declines in records, with a reduction,

¹⁵ "Collectors, Sports shooters, and Hunters 'lose' three weapons a day in Brazil". 23/11/2021. Agência Pública. Available at: <https://apublica.org/2021/11/cacadores-atiradores-e-colecionadores-perdem-tres-armas-por-dia-no-brasil/>.

Chart A1



Distribution of firearms diversions and number of weapons diverted in the state of São Paulo, by year, 2011-2020



Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.

respectively, of 73% and 70% in 2020 compared to the beginning of the historical series. The most likely hypothesis is that periods in which homes and commercial offices are empty or less busy are more frequently used by criminals to commit theft and steal weapons.

Chart A2



Number of police reports on firearms diversions in the state of São Paulo, by month, 2011-2020

January	2,212
February	1,946
March	1,990
April	1,988
May	2,044
June	1,879
July	1,923
August	1,931
September	1,776
October	1,915
November	1,974
December	2,131

Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.

At this point, it is important to highlight that not all events are recorded at the exact time they occur since the cases can vary between robbery, theft, and loss. In these last two categories (which together account for 62% of the cases), many times, the owner of the weapon does not notice its disappearance immediately. In some cases, victims can take months or even



**It is important
to note that not all
events are reported to
the police at the exact
time they occur**

Victims can take months or even years to realize that their weapon is missing

years to realize that their weapon was taken. The problem with the delay in notification - or, worse, with the lack of notification - is aggravated by the recent changes made in the Temer and Bolsonaro governments that extended from 3 to 5 years, and later to 10 years the period of firearms license renewal, when the owner must have their weapon's condition verified, present new documents proving their aptitude and updates its address.¹⁶

Professors Cook and Ludwig¹⁷ explain that although weapons may generate fears for some robbers, attacking houses in the absence of residents has the benefit of accessing a valuable asset (firearm) without risk of resistance or confrontation with the resident.

The data reveal that no day of the week is preferred for the occurrence of diversions. Despite a slightly higher number of events recorded on Fridays, the cases are distributed very similarly between the days, as shown in Table A1.

Chart A3



Type of dynamics in the police reports on firearm diversions in the state of São Paulo, 2011 - 2020

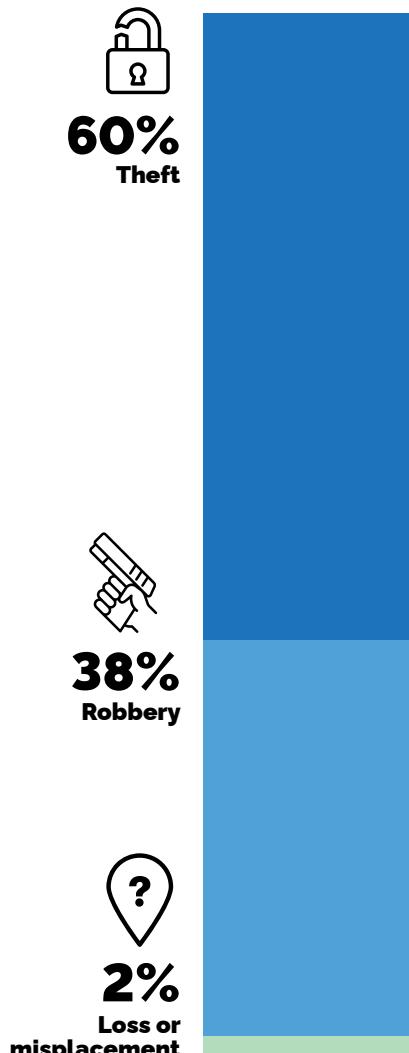


Table A1



Distribution of reports on firearm diversion in the state of São Paulo, by days of the week, 2011-2020

DAYS OF THE WEEK	NO.	%
Sunday	3,365	14.2%
Monday	3,221	13.6%
Tuesday	3,268	13.8%
Wednesday	3,399	14.3%
Thursday	3,463	14.6%
Friday	3,684	15.5%
Saturday	3,309	14.0%
TOTAL	23,709	100%

Table A2



Reports on firearm diversions in the state of São Paulo, by period, 2011-2020

PERIOD	NO.*	%
Morning	3,952	26.3%
Afternoon	4,297	28.6%
Night	5,210	34.7%
Early morning	1,550	10.3%
TOTAL	15,009	100%

* Only reports with time mention

¹⁶ In 2016, the Temer Government changed the renewal period to 5 years (Decree 8,935/2016). The Bolsonaro government extended it again to 10 years (Decree 9,845/2019).

¹⁷ The effects of gun prevalence on burglary: deterrence vs Inducement (COOK; LUDWIG, 2002, p. 4)

The times when diversions happen is recorded as uncertain in most cases. These reach 37% of the cases in the studied period, which jeopardizes the analysis. Focusing only on the universe of events with a defined time, we noticed that night and early morning are periods that account for 45% of the events, with the night period having the highest proportion among the cases. This data is in line with the monthly distribution. Both in the period and the month, the diversions seem to converge to times when the streets are less busy and to unoccupied places (especially in the case of public offices and commercial addresses).

Place

We listed the ten cities with the highest proportion of recorded diversions in the period, represented in Table A3. São Paulo was the city with the highest number, with 7,120 recorded events. The ranking of the ten cities with the most cases represents 44.8% of the total events in the state of São Paulo between 2011 and 2020.

In the grouping by Department, as expected, there is an alignment with the distribution by cities. The Police Department of the Capital (DECAP) and Metropolitan Region (DEMACRO) stand out, followed by the Police Departments responsible for the regions of Campinas (DEINTER 2) and Ribeirão Preto (DEINTER 3). The “Others” category includes the Department of Identification and Miscellaneous Records of the Civil Police (DIRD), the Department of Strategic Police Operations (DOPE), and those described as “Other Police Stations” in the police reports.

Table A3



The ten cities with the highest number of reports of firearms diversion in the state of São Paulo, 2011-2020

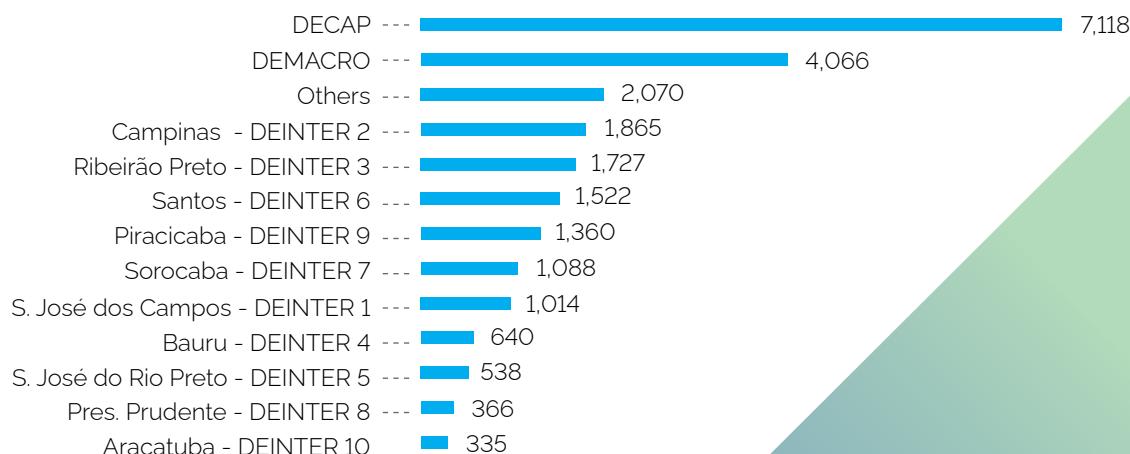
TOP 10 CITIES	NO.	%
São Paulo	7,120	67.1%
Campinas	643	6.1%
Guarulhos	509	4.8%
Ribeirão Preto	467	4.4%
São Bernardo do Campo	365	3.4%
Santo André	326	3.1%
Osasco	319	3.0%
Sorocaba	296	2.8%
São José dos Campos	295	2.8%
Praia Grande	277	2.6%
TOTAL TOP 10	10,617	44.8%

Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.

Chart A4



The ten departments with the highest number of firearm diversion reports in the state of São Paulo, 2011-2020



Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.

Residential environments seem to be more conducive to diversion events, with 46.2% of recorded cases, both because they exist in more significant numbers and because they generally count on more precarious security and surveillance. Soon after, we find public roads and rural units with 22% and 11%, respectively, as shown in Table A4.

Some types of locations account for many events but have a low number of weapons diverted per occurrence (usually only one)¹⁸, such as residences and public roads. There is, however, a group of locations and activity types that gather fewer events, but which have a higher average of diverted weapons per event. This group is formed by public offices, banking institutions, armored vehicles, shops and services, and other business spaces shown at the top of Table A5. In these cases, there are fewer events, but on average more weapons are diverted per episode. These three categories with the highest average of diverted weapons account for 1/5 of the events, but in the distribution of weapons, they are responsible for 1/4 of the weapons diverted to the illegal market.

Table A4



Police reports on firearm diversion in the state of São Paulo, by type of place, 2011- 2020

TYPE OF PLACE	NO.	%
Residence	10,947	46.2%
Public road	5,210	22.0%
Rural unit	2,598	11.0%
Commerce, service, company or office	2,531	10.7%
Bank institution / Bank armored car	1,433	6.0%
Public service	550	2.3%
Others	221	0.9%
Leisure / Accommodation	219	0.9%
TOTAL	23,709	

Table A5



Average number of weapons diverted by occurrence in the state of São Paulo, according to type of location, 2011-2020

Government departments	2.32
Banking institution/Armored car	1.99
Commerce, service, company or office	1.63
Rural unit	1.47
Other	1.43
Leisure / Accommodation	1.30
Residence	1.28
Public roads	1.21

Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.

¹⁸ A survey by Philip Cook in the US found a slightly higher average number of weapons embezzled per occurrence at home, at 1.51 weapons per case in the United States from 2005-2010. "Gun Theft and Crime" (COOK, 2018, p.306)

Analysis of Victims

With the analysis of the base of diversions, we mapped the victims' characteristics to identify the potential profile.

Males represent 80% of the victims of the events analyzed from 2011 to 2020. The National Survey by Datafolha¹⁹, when asking about the possession of guns at home, showed five times more positive responses from men than from women. The analysis of the survey above, together with the sex proportion of the victims of this survey reinforces the hypothesis that men tend to seek and possess firearms more frequently²⁰. Recently, the *Fiquem Sabendo Agency* collected data on gun ownership records at the Federal Police and confirmed that men accounted for 96% of registered guns.²¹

The distribution of events by age group shows that the most frequent victims are in the groups between 30 and 49 years old, representing 46% of the analyzed universe. The elderly population (60 years and older) represented 20% of the victims.

The overrepresentation of white people among the victims (73,4%), as shown in Table A6, coincides with the higher rate of guns possession declared among white people, according to a national survey by Datafolha.²²

¹⁹ Research carried out by Datafolha - Research Institute with 2,086 respondents in 130 municipalities carried out in April 2019. Five percent of men reported having a firearm at home, against one percent of women. (pp.38-39).

²⁰ A study carried out by researchers at the IESB University Center (NASCIMENTO; PIMENTEL; ADAID-CASTRO, 2016), published in 2016, found that men tend to associate firearms with protection if they become victims of crimes, while women tend to associate firearms with committing crimes.

²¹ The news and the complete database are available at: <https://fiquemsabendo.com.br/transparencia/homens-registraram-maioria-das-armas-no-pais/>.

²² Research carried out by Datafolha - Research Institute with 2,086 respondents in 130 municipalities was carried out in April 2019. (p.41)

Chart A5



Age group of the victims of firearms diversion in the state of São Paulo, 2011-2020

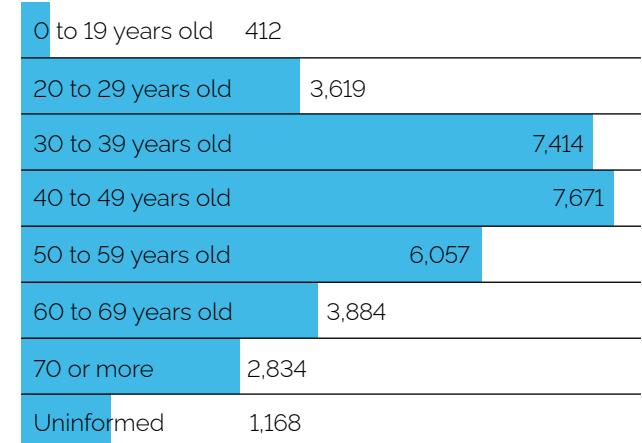


Table A6



Race/color of victims of firearm diversion in the state of São Paulo, 2011-2020

RACE/COLOR	NO.	%
White	24,267	73.4%
Brown	4,574	13.8%
Black	886	2.7%
Yellow	372	1.1%
Uninformed	2,013	6.1%
Others	947	2.9%
TOTAL	33,059	100%

Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.

Table A7

Professions of victims of firearm misuse in the state of São Paulo, 2011-2020

CATEGORIES	OPERATION AREA	NO.	%
 Private sector professions	Security	4,750	14.4%
	Business	2,661	8.1%
	Administrative and operational business	2,144	6.4%
	Entrepreneurship	1,116	3.4%
	Agribusiness	1,062	3.2%
	Transportation	861	2.6%
	Domestic activities	831	2.5%
	Financial institution	630	1.9%
	Legal	626	1.9%
	Health sectors	491	1.5%
 Public, police and military careers	Engineering	437	1.3%
	Military police	3,503	10.6%
	Civil police	1,501	4.5%
	City police	1,112	3.4%
	Public servers	692	2.1%
	Prision guard	360	1.1%
	Military	275	0.8%
	Federal police or Armed forces	98	0.3%
	Uninformed	3,968	12.0%
	Other activities	3,054	9.2%
 Other categories	Retirees	2,910	8.8%
	TOTAL	33,052	100%

Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.



Among the civilians, the **security professionals** represent 14.4% of the victims, with almost twice the participation compared to the commerce, coming in second. When we think about public service careers, military police officers are the most frequent victims (10.6%). Overall, civilians accounted for 47% of the sample, making this category the one with the most victims.

There is no information on the level of schooling regarding 22% of the respondents. The largest group concentrates on victims with a high school diploma (32.6%). The second largest group is people with higher education (22.6%).



Private security professionals represent

14.4%

of the victims, with almost twice the participation compared to second position (business)

Table A8

Level of Schooling of victims of - firearms diversion in the state of São Paulo, 2011-2020

EDUCATION DEGREE	NO.	%
1st degree (incomplete)	1,103	3.3%
1st degree (complete)	5,059	15.3%
2nd degree (incomplete)	400	1.2%
2nd degree (complete)	10,774	32.6%
Higher Education (incomplete)	987	3.0%
Higher Education (complete)	7,469	22.6%
Uninformed	7,267	22.0%
TOTAL	33,059	100%

Analysis of Weapons

Analyzing the diverted weapons according to type, we verify that half of them are revolvers (49.7%), followed by pistols (28.8%) and shotguns (12.1%). Among the weapons with the highest firepower, we have 3.6% carbines, followed by rifles and assault weapons, representing 0.9% and 0.2% of the sample. Grouping the data by short and long weapons, it is evident how the first group has a significant advantage over the second, in a ratio of 8 short weapons for every two long weapons.

Table A9



Firearms diverted in the state of São Paulo, by type, 2011-2020

TYPE	NO.	%
Revolver	16,439	49.7%
Pistols	9,532	28.8%
Shotgun	3,994	12.1%
Carbine	1,201	3.6%
Rifle	301	0.9%
Derringer	201	0.6%
Assault Rifle	66	0.2%
Machine gun and submachine gun	26	0.1%
Craft-produced firearm	25	0.1%
Other	850	2.6%
Uninformed	418	1.3%
TOTAL	33,053	100.0%

Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.

**Revolvers account
for half (49.7%) of the
diverted weapons**



The most common calibers in handguns are the ones that stand out the most. In the first place, the .38 caliber (45%) was followed by the .380 and .40 calibers, with 15.4% and 8.5%, respectively. As most of the data is from before 2019 when there was a change in the classification of weapons of permitted and restricted caliber²³, and as this change is still pending a constitutional analysis, we chose to continue using the old classification (decree 3,665/2000). By this criterion, 84% of the diverted weapons fall within the range of weapons considered to be of a permitted caliber.

After the intensive cleaning and standardization work previously reported in the methodology section, it was possible to list approximately 100 different weapons brands in the universe of diverted weapons. Given the low quality of the weapons classification fields used by the Civil Police of the state of São Paulo, the number of unidentified weapons or weapons without any information reached almost 10%, which represents a considerable obstacle to a better diagnosis. Five (national) brands concentrate 80% of the manufacturers of diverted weapons. Brazilian manufacturer Amadeo Rossi SA was purchased in the 2000s by Taurus. Manufacturer CBC acquired a controlling interest in Taurus in 2014. Thus, together with the three companies, Taurus,²⁴ CBC, and Rossi, currently under the same group, represent ¾ of all diverted weapons, with an excellent advantage for Taurus, with 59.3%.

Table A10



Firearms diverted in the state of São Paulo, by caliber, 2011- 2020

CALIBER	NO.	%
.38	14,869	45.0%
.380	5,101	15.4%
.40	2,818	8.5%
.32	2,079	6.3%
.22	1,690	5.1%
12	1,406	4.3%
7,65mm	748	2.3%
28	615	1.9%
36	413	1.2%
.45	387	1.2%
6,35mm	376	1.1%
20	365	1.1%
9mm	198	0.6%
.44	134	0.4%
Uninformed	1,158	3.5%
Other calibers	696	2.1%
TOTAL	33,053	100%

Table A11



Firearms diverted in the state of São Paulo, by brand, 2011-2020

BRAND	NO.	%
Taurus (Forjas Taurus S.A.)	19,588	59.3%
Rossi (Amadeo Rossi S.A.)	4,195	12.7%
CBC (Companhia Brasileira de Cartuchos)	1,522	4.6%
Boito (E.R. Amantino & Cia)	1,016	3.1%
Imbel	730	2.2%
Glock	623	1.9%
Smith & Wesson (S&W, Smith and Wesson)	403	1.2%
Beretta (Fabbrica d'Armi Pietro Beretta)	355	1.1%
Colt (Colt's Manufacturing Company)	206	0.6%
Winchester	192	0.6%
INA (Indústria Nacional de Armas)	192	0.6%
Uninformed	3,081	9.3%
Other identified brands	950	2.9%
TOTAL	33,053	100%

Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.

²³The first change is permitted and restricted calibers were made in the decree (9,785/19) of May 2019 and then repeated in the decrees of June 2019. The change was consolidated by ordinance 1,222 of August 2019 edited by the Brazilian Army, which comes with a table with the list of permitted and restricted calibers.

²⁴In 2014, Companhia Brasileira de Cartuchos acquired 52% of the voting shares of Taurus. In the following year, the Administrative Council for Economic Development (CADE) approved the negotiation. Available at: <https://capitalaberto.com.br/temas/captacao-de-recursos/com-aval-do-cade-cbc-assume-o-controle-da-forjas-taurus-2/>.

The only foreign companies that register more than 1% are Glock, Smith & Wesson, and Beretta.

In the absence of a better-quality field on the part of the Civil Police in which the nationality of the weapon is registered, we used the brand/manufacturer field to assign the country of origin. By this methodology, Brazil leads as a manufacturer of diverted weapons, reaching an impressive 82.7%, followed by the USA, Austria, and Italy, with 3.1%, 1.9%, and 1.2%, respectively.

In previous research,²⁵ we learned that the US factory produces a considerable proportion of the Glock pistols seized, but we chose to classify all as Austrian for methodological purposes. In the same vein, we know that after the Taurus factory was installed in the United States,²⁶ part of the weapons of this brand might have been manufactured outside Brazil. Considering these caveats, US arms probably have a more significant share than reported in Table A12.

Considering that the universe of diverted weapons consists mainly of legalized weapons, it was expected that most weapons would have a serial number in the police reports, a phenomenon portrayed in 82% of the cases. It is not uncommon, however, that the registration of the diversion is made by a third person and not by the owner of the weapon. In several cases, the task is performed by a family member of an owner who has passed away. It is also not uncommon that,

Table A12

Firearms diverted in the state of São Paulo, by country, 2011-2020

COUNTRY	QTD.	%
Brazil	27,349	82.7%
USA	1,009	3.1%
Austria	625	1.9%
Italy	382	1.2%
Germany	163	0.5%
Argentine	94	0.3%
Czech Republic	66	0.2%
Belgium	65	0.2%
Spain	41	0.1%
Uninformed	3,081	9.3%
Other countries	178	0.5%
TOTAL	33,053	100%

Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.

because of how old is the weapon and because most times it has not been kept properly, people do not have documents stating the brand and the serial number of the lost weapon. This is a problem that not only impairs the diagnosis but also prevents the weapon from being returned to the owner, even when it is recovered in seizures.



Chart A6

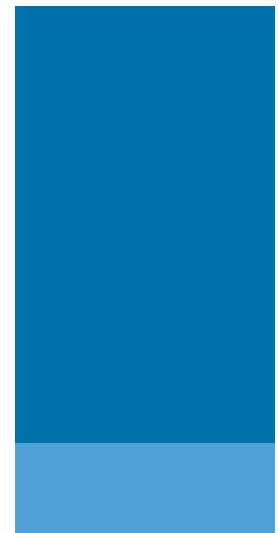
Presence of serial number on the firearms diverted in the state of São Paulo, 2011-2020



82%
With serial
number



18%
Uninformed or
suppressed

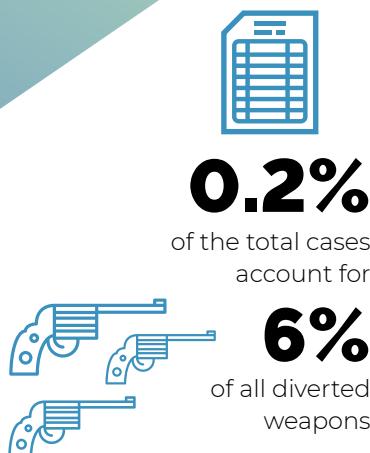


²⁵ Research carried out by Instituto Sou da Paz in 2021 entitled *Less guns, more youth: armed violence, police violence and the arms trade in Brazil*.

²⁶The first Taurus factory in the United States was installed in the 1980s in Miami. In late 2019, a new 18,000 square meter plant was installed in Georgia. Information available at: <https://www.taurusarmas.com.br/pt/institucional/sobre-nos>.

In the group of unnumbered weapons, there are also diverted weapons that were in the custody of the police or justice, but whose initial origin was criminal. Thus, some of these diverted weapons did not in fact have numbers preserved to be included in the police report.

Most significant diversions



As mentioned, in more than 90% of the cases, the reports record one or two diverted weapons. There were approximately 22,000 events, accounting for 25,000 weapons that were diverted. There are thousands of events with few weapons that, in total, represent a large, diverted volume. There is also a much smaller group of events, located in the top percentile of the greatest diversions, which brings together many diverted weapons in the same episode. In view of its specificity and relevance in the supply of weapons to the illegal market, we decided to extract the 50 largest events that involved the diversion of almost 2 thousand weapons for special qualitative analysis.

When compared to the more than 23,000 events in the analyzed universe, these **50 events** represent only 0.2% of the total cases but account for an impressive 6% of all diverted weapons. On average, each case involved more than 38 guns. Table A13 allows us to didactically visualize those three subgroups that stand out in this group: Private security companies; Collectors, Sports shooters, and Hunters; and State Offices or stockpiles. At this point, we list the events that stand out among the subgroups analyzed. It is important to highlight that not all descriptions of the dynamics of the facts came from the police reports. Many of them were complemented by news published by the press. In Annex I there is a table that includes all the analyzed cases.

Table A13



Number of reports on the most significant diversions, by groups, 2011-2020

GROUP	SUB-GROUP	NUMBER	
		Events	Arms
Private security company	Sub-total	19	943
Governmet departments	Justice court	4	457
	Police station	4	76
	Municipal guard	1	12
	Museum	1	15
	Sub-total	10	560
Residences - CSH	Sub-total	13	269
Others	Arms store	2	41
	Arms transportation	2	40
	Others	4	66
	Sub-total	8	147
Total		50	1,919

Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.

Diversions in private security companies

The largest group of incidents and diverted weapons is in the category of private security companies. In most of these episodes (12) the diversion took place during thefts.

The afternoon and evening periods were the ones with the highest number of cases. The most serious event involved 155 weapons taken in a single night, but the average number is significant, with 49 weapons diverted per occurrence.

The profile of the diverted weapon is very homogeneous and consistent with the material authorized by the Army in purchases registered by the companies with the Federal Police: .38-caliber revolvers, 380-caliber pistols, and 12-gauge shotguns, generally national and with similar serial numbers.

In some cases, it was possible to identify that the stolen companies were in a process of financial difficulty or filing bankruptcy.

²⁷ Dynamics surrounding the weapons' theft extracted from the press (BUNDUKY, 2012). Available at: <https://www1.folha.uol.com.br/cotidiano/1158243-arma-vai-alimentar-o-crime-diz-dono-da-empresa-de-seguranca-roubada.shtml>. Data on the recovery obtained from the crossing with the base of seized weapons.

Case 1



Number of diverted weapons | **63**

Date | **January 2019**

Period | **Early Morning**

Place | **Ribeirão Preto**

Type of crime | **Qualified Theft**

Location details	Private security and guard training company
------------------	--

Armament detail	Thirteen 12-gauge shotguns, nine .380 pistols, and forty .38 caliber revolvers
-----------------	---

Dynamics of the incident |

Thieves took advantage of the New Year's holiday to break into the company through the roof and steal 63 weapons from the safe room. Despite the alarm had gone off, the theft was only noticed 24 hours later by an employee who arrived at the company. In addition to weapons, ammunition was taken from the scene. Of the 63 weapons, only 11 are reported to have been recovered by the police. Most of them were in the Ribeirão region, 7 of them on the day after the police report was registered. In this recovery, the police found part of the weapons already dismantled, possibly to be obliterated making tracking difficult.

Case 2



Number of diverted weapons | **62**

Date | **September 2012**

Period | **Morning**

Place | **West Zone of the city of São Paulo**

Type of crime | **Theft**

Location details	Private security company
------------------	---------------------------------

Armament detail	Seventeen gauge shotguns, forty-five .38 caliber revolvers
-----------------	---

Dynamics of the incident |

Taking advantage of less traffic on the streets, on a Sunday morning, criminals approached an employee of a security company on a footbridge of the Raposo Tavares Highway near²⁷ the company. When he saw his colleague surrender, the guard opened the garage door, and a van was used to transport the armory. Two employees were taken by the gang and later left in Carapicuíba, a city nearby São Paulo. Of the 62 weapons taken, only 2 revolvers are listed as recovered, 1 in December 2016, in Campinas, and the other in August 2020, in Sorocaba, in an attempt at femicide.

Diversions in government offices

The emblematic cases of arms diverted from public offices involve mainly two types. There are weapons used by security and justice institutions to carry out their functions, as in the case of weapons stolen from the Cabreúva Municipal Guard. However, most of the episodes portrayed in this section fit the category of seized weapons linked to judicial proceedings and precariously stored in police stations or courtrooms.

In only two of these cases, the use of force was necessary to take the weapons (surrender of police guards or private security guards); in the others, the diversion was easier, generally in thefts carried out at night in police stations and forums. In several cases, the theft was only noticed several hours or even days after the act, making it even more difficult to recover the weapons.

Case 1



Number of diverted weapons | **391**

Date | **June 2017**

Period | **Night**

Place | **Diadema**

Type of crime | **Theft**

Location details | **Diadema Forum**

Armament detail

two hundred and nineteen revolvers, eighty-seven pistols, four submachine guns, three derringers, one assault weapon, one rifle, one carbine, one small pistol

Dynamics of the incident |

Three guards were on duty at the Diadema Forum on a Saturday night when they were surprised by robbers and locked in a room. Several elements indicate that the criminals had privileged information, as they chose a week in which the surveillance cameras did not work and only broke into the weapons room.

As part of the weapons had their numbers suppressed, it is impossible to know for sure how many were seized again by the police. Only 8 appear in the analyzed apprehension base; 1 of them, a revolver, was seized in a vehicle robbery in Santo André in the same year.

Case 2



Number of diverted weapons | **15**

Date | **July 2018**

Period | **Uncertain**

Place | **Public Office**

Type of crime | **Qualified Theft**

Location details | **Taboão da Serra Police Station**

Armament detail

Eleven revolvers, two shotguns, one pistol, and one carbine

Dynamics of the incident |

A man broke into the police station to retrieve a seized cell phone and took the opportunity to also take the weapons. As the police station closes on weekends, the theft that took place on Friday was only noticed on the following Monday. The cell phone helped police reach the suspect, but only part of the weapons was recovered. A Rossi revolver, diverted at the time, was seized in June 2019 during a pedestrian robbery in Guarulhos.



Diversions in government offices usually involve numerous weapons and include weapons of greater firepower

In addition to the large number of weapons taken, there are two factors that make these cases even more serious. First is the fact that among these diverted weapons, there are weapons of greater firepower, such as pistols, submachine guns, carbines, and rifles. The second cause for concern is that when several of these weapons were seized, they already had no serial number on them. So, even if they are recovered, it is very difficult to link them to the diversion and use this information to hold the perpetrators accountable.

Case 3



Number of diverted weapons | **12**

Date | **March 2011**

Period | **Morning**

Place | **Government Office**

Type of crime | **Theft**

Location details | **Cabreúva Municipal Guard Base**

Armament detail | **Nine revolvers, 2 shotguns, one carbine, and eight bulletproof vests**

Dynamics of the incident |

Two armed criminals invaded the Cabreúva Municipal Guard base on a Sunday. There was only one guard on duty, who was surrendered. The cameras at the site did not store images, and the criminals needed only 10 minutes to grab all the weapons and escape in the corporation's own car. Only one of the revolvers is registered in the seizure base, in 2017, in the same city of Cabreúva.

Diversions in residences of Collectors, Sports Shooters, and Hunters (CSH)

Diversions involving Collectors, Sports Shooters, and Hunters' residences (CSH) are second in terms of the number of events and have an average of twenty weapons diversions per occurrence. In eight of the thirteen cases, the diversion occurred during thefts. Most cases (seven) occurred in the afternoon.

The main point of concern with these groups is the type of diverted artifacts. As this category has access to weapons of restricted type and caliber, this is also the category where more powerful weapons are diverted. In five of these events, assault weapons were taken, twelve of them in one of the cases, in addition to two machine guns, one of which was a .50 caliber, capable of piercing armor and widely used in bank and armored car robberies.

²⁸ Available at: <https://g1.globo.com/fantastico/noticia/2021/04/12/estudo-descobre-que-armas-apreendes-em-quatro-crimes-diferentes-tiveram-origem-no-mesmo-theft-the-vault.ghtml>

Case 1



Number of diverted weapons | **43**

Date | **December 2016–February 2017**

Period | **Evening**

Place | **Residential**

Type of crime | **Qualified Theft**

Location details | **Weapons Collector's Residence**

Armament detail	twelve assault-rifles, one .50 machine gun, one 7.62x63mm machine gun, and four submachine guns, fifteen pistols, twelve revolvers, six shotguns, and one carbine.
-----------------	--

Dynamics of the incident |

It took more than 40 days from the moment of the theft to the registration of a police report, as at the time of the theft the victim was traveling, and he estimates that the event took place in December 2016. The police report was only made at the police station in February 2017. The collector was registered with the Army as CSH since 2005. Two of the assault weapons and a pistol were seized in bank robbery incidents in Piracaia/SP in November 2017. Another pistol was seized during an attempted murder in São Bernardo do Campo/SP. Another rifle was seized by the Highway Patrol in Itatinga/SP, after being used in an attempted robbery in Paraná/PR. The weapon was loaded and ready for use. This case was broadcast on the program Fantástico, on Rede Globo, on 04/12/2021.²⁸

Case 2



Number of diverted weapons | **13**

Date | **September 2018**

Period | **Evening**

Place | **Residential**

Type of crime | **Theft**

Location details | **Weapons Collector's Residence**

Armament detail	Four assault weapons, three revolvers, three shotguns, one pistol, and two carbines
-----------------	---

Dynamics of the incident |

The residence of a weapons collector in Olimpia/SP was robbed during the September 7th holiday. On November 2nd of the same year, the police arrested a suspect of this crime with twenty weapons, but only one of them (.308Win rifle) matched items stolen from the collector.

Others

And among the other cases, we highlight a theft of apparently new weapons that were being transported by a company.

Case 1



Number of diverted weapons | **23**

Date | **November 2020**

Period | **Morning**

Place | **West Zone of
the city of São Paulo**

Type of crime | **Theft**

Location Details | **Public roads**

Armament detail

**One carbine, two .357 rifles,
three Taurus T4 assault-
rifles, ten 9mm pistols, one
.45 pistol, five .357 revolvers,
and one .38 caliber revolver.**

Dynamics of the incident |

The weapons were taken from a transport company. No recovery was registered in the seized weapons base.



Weapons diversion from security forces

Not all arms diversions are reported to the police (the main source of this analytical report). This group includes possible institutional diversions involving military security forces (Military Police and Armed Forces), as well as Federal Forces.

To provide an idea of the diversions of these institutions, Sou da Paz Institute made specific requests via the Access to Information Law²⁹ to the police forces of São Paulo. The Military and Forensic police refused to provide the information. In the case of the Civil Police, they sent a different information than the one requested, informing the number of procedures opened to investigate diversions.

It is important to note that Sou da Paz has previously had access to this data via requests for the Access to Information Law. Therefore, the denials are unjustified and show a loss of transparency in the security agencies of the state of São Paulo.

²⁹ Request made to the Technical-Scientific Police, filed under SIC SP 460772113865; Request made to the Military Police of the state of São Paulo, filed under SIC SP 455872113862; Request made to the Civil Police of the state of São Paulo, filed under SIC SP 458442113863.

Table A14



Diversions from the Federal and State Security Forces registered in the state of São Paulo, 2015-2020

INSTITUTION	NO. ARMS	TYPE	BRAND	CALIBER
Brazilian Army	1	Mosquefai	Imbel	7.62 x 51 mm
Brazilian Air Force	2	Pistol	Taurus	9 x 19 mm
Brazilian Navy	0			
Federal Highway Police	4	Pistol	Taurus	.40
Federal Police	1	Sub-machinegun	HK	9 x 19 mm
	13	Pistol	Glock	9 x 19 mm
Military Police of the state of São Paulo	35	Pistol	Taurus	.40
	11	Shotgun	NI	12
	1	Rifle	NI	NI
Civil Police of the state of São Paulo	4	Shotgun	NI	NI
	7	Pistol	NI	NI
	17	Revolver	NI	NI
	61	Other	NI	NI
Total	158			

Source: Elaborated by Sou da Paz Institute, 2022, based report *Less gun, more youth*, by Sou da Paz Institute, published at 2021.

To mitigate the lack of information and transparency, we chose to use other data obtained and published in a 2021 report that, despite presenting a slight difference in terms of temporal scope,³⁰ helps us to measure the number of weapons that migrated from security forces located in São Paulo to criminals.

As we can see in the analysis of the table above, although the number of reported diversions is not so high, it is still worrying once it involves weapons of greater firepower, such as rifles,³¹ submachine guns, and pistols. The fact that some institutions, such as the Civil Police, are not able to detail the types, brands, and calibers of the diverted weapons is also very serious.

Even having reiterated the request in 2021, Sou da Paz Institute only received the number of inquiries and investigations that were filed, and not the details of weapons of the corporation that were stolen or lost during the research period, as requested. The data sent by the Civil Police is insufficient since an investigation can involve the diversion of dozens of weapons and makes it impossible for a more in-depth analysis.

The important innovation is that the Civil Police of São Paulo claims to have included in the new Glock pistols acquired a radio-frequency identification (RFID) and QR Code marks on the long weapons. Technologies that help the control and identification of weapons.

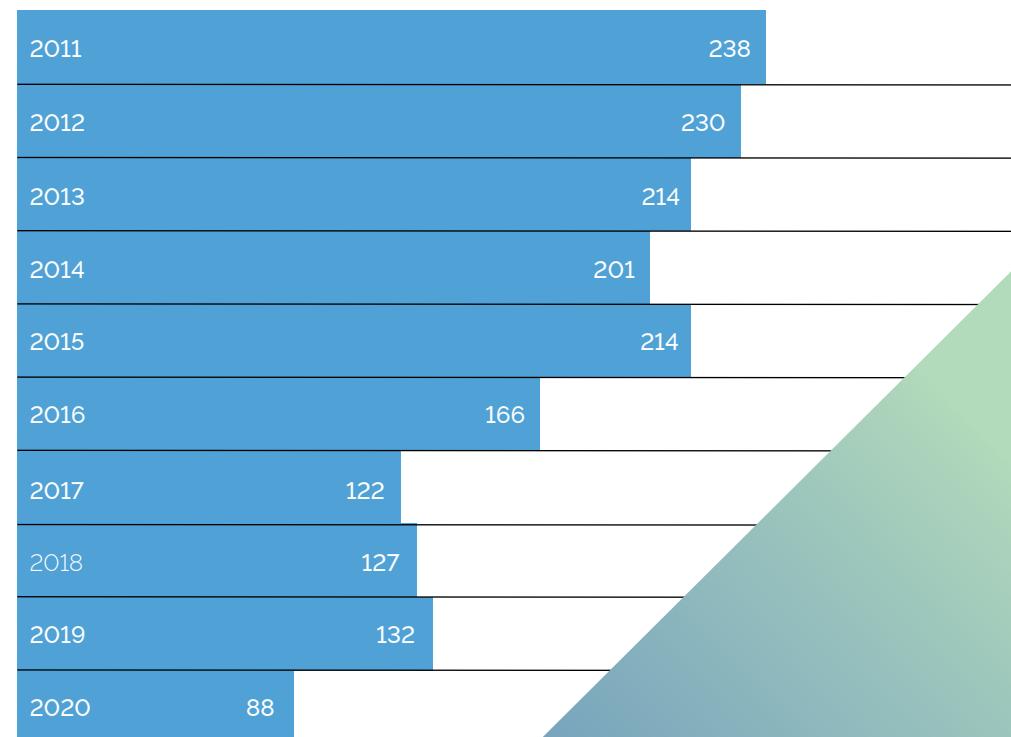
³⁰ This report used arms diversion data from 2011 to 2020. The data used in this section, with deviations from the security forces, took advantage of data from another research by the Sou da Paz Institute, entitled *Less guns, more youth: armed violence, police violence and the arms trade in Brazil*, published in 2021, which period of analysis is from January 2015 to March 2020.

³¹ This is the case, for example, of the theft of 6 rifles (4 7.62x51mm caliber and 2 5.56x45mm caliber) and 200 pieces of ammunition from a Military Highway Police base during a period when no police officer was in the base. The estimated cost of each rifle is 19 thousand reais. UOL, 11/5/2021. Available at: <https://noticias.uol.com.br/colunas/josmar-jozino/2021/11/05/fuzis-santos-policia-rodoviaria-militar.htm>.

Chart A7



Number of procedures put in place by the Civil Police of São Paulo to investigate firearms diversions, 2011-2020



Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.



WEAPON SEIZURES

2015 - 2020

Analysis of events

On time

The cases of seizures follow a downward trend similar to that of diversion cases. The records had a 66% reduction in 2020 compared to 2015, the beginning of the historical series. Over a period of six years, an average of 31.3 events of firearm seizures were recorded per day.

In the monthly distribution, there is little variation in the number of weapons seizures, with a slight emphasis on the months of March and May. And the months of least apprehension are concentrated at the end of the year, between November and December.

In the distribution by day of the week, Table B1 shows that there is a greater concentration of seizures in the middle of the week, on working days, more strongly distributed between Wednesdays and Fridays.

The evenings stood out as the period with the highest concentration of weapons seizures (35.1%), followed by the afternoon, with 28.7%. In cases of apprehensions, the number of reports with uncertain times is lower, once there is usually the person in charge of registering the report, usually from the police itself, who records the time and takes this data to the police station to prepare the report.

Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.

Chart B1



Distribution of police reports on firearm seizures registered in the state of São Paulo, by year, 2015-2020

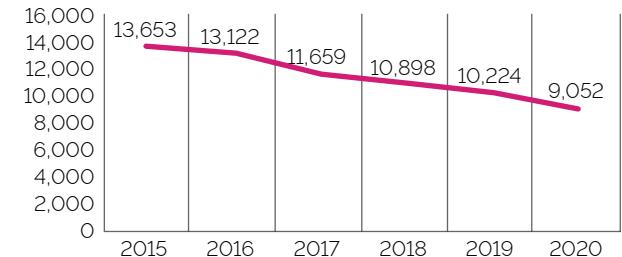


Chart B2



Distribution of police reports on firearm seizures registered in the state of São Paulo, by month, 2015-2020

January	5,875
February	5,682
March	6,053
April	5,866
May	6,052
June	5,548
July	5,567
August	5,695
September	5,536
October	5,878
November	5,433
December	5,423

Table B1

Distribution of police reports on firearm seizures registered in the state of São Paulo, by day of the week, 2015-2020

 DAYS OF THE WEEK	 NO.	%
Monday	9,204	13.4%
Tuesday	10,239	14.9%
Wednesday	10,619	15.5%
Thursday	10,888	15.9%
Friday	10,501	15.3%
Saturday	8,754	12.8%
Sunday	8,403	12.2%
TOTAL	68,608	100%

Table B2

Distribution of police reports on firearm seizures registered in the state of São Paulo, by period, 2015-2020

 PERIOD	 NO.	%
Morning	16,926	24.7%
Afternoon	19,717	28.7%
Night	24,100	35.1%
Early morning	5,897	8.6%
Uncertain time	1,968	2.9%
TOTAL	68,608	100%

Place

In the ranking of the 10 cities with the highest number of occurrences recorded in the period, the municipality of São Paulo also stood out, with 60.5%, followed by Campinas (8.1%) and Guarulhos (5.4%), a municipality in the metropolitan region. It is important to note that the three cities with the highest number of seizures are also (in the same order) the cities with the highest number of diversions, as detailed in the previous chapter. Most of these cities are also among those with the highest population concentration.

In terms of departments, the city of São Paulo also led with the highest proportion of police reports in the region of the Department of Judiciary Police of the Capital (DECAP), followed by the neighboring municipalities grouped by the Department of Judiciary Police of Macro São Paulo (DEMACRO), representing, together, 40% of seizure occurrence records in the historical series. Among the countryside Departments, Ribeirão Preto (DEINTER 3) stands out, with 9% of the records. In the same way, as in the Diversions analysis, the "Others" category includes the Department of Identification and Miscellaneous Records of the Civil Police (DIRD), the Department of Strategic Police Operations (DOPE), and those described as "Other Police Stations" in the police reports.

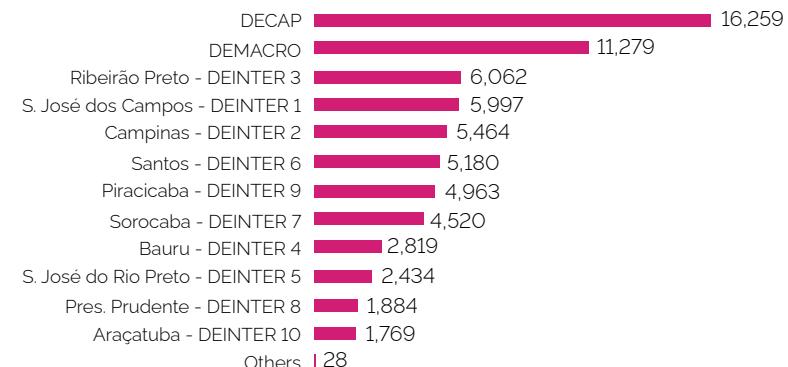
Table B3

The ten cities with the largest number of firearm seizures in the state of São Paulo, 2015-2020

TOP 10 CITIES	NO.	%
São Paulo	16,293	60.5%
Campinas	2,172	8.1%
Guarulhos	1,444	5.4%
São José dos Campos	1,311	4.9%
Ribeirão Preto	1,227	4.6%
São Bernardo do Campo	1,048	3.9%
Osasco	954	3.5%
Sorocaba	893	3.3%
Santo André	809	3.0%
São Vicente	794	2.9%
TOTAL TOP 10	26,945	100%

Chart B3

Firearms seizures in the state of São Paulo, by Department, 2015-2020



Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.

Contrary to the dynamics of diversion, in cases of seizure, public roads are the most recurrent location type, representing 52% of the events, followed by residence and commerce, with 29.7% and 8.0%, respectively.

Military Police professionals were responsible for presenting 76.1% of the events recorded in the analyzed period. Currently, for each civil police officer in the state of São Paulo, there are 3 military police officers working.³² In addition to this numerical superiority, the ostensive and preventive nature of the Military Police's work and the way they handle events (with more chances of flagrant arrests) allow this force to recover more weapons than the Civil Police. Even so, the performance of São Paulo's investigative police (14.8%) can be considered low, which also indicates the low priority given to combating the illicit firearms market.

Table B4

Firearm seizures in the state of São Paulo, by type of place, 2015-2020

TYPE OF PLACE	NO.	%
Public roads	35,689	52.0%
Residence	20,393	29.7%
Commerce, services, company or office	5,518	8.0%
Rural unit	4,368	6.4%
Other	803	1.2%
Empty	773	1.1%
Leisure/Accommodation	401	0.6%
Government Departments	346	0.5%
Banking institution/Armored car	317	0.5%
TOTAL	68,608	100%

Table B5

Firearm seizures in the state of São Paulo, by enforcer/law enforcement agency, 2015-2020

REPORT PRESENTATION	NO.	%
By Military Police Officers	52,205	76.1%
By Civil Police Officers	10,123	14.8%
By City Police	2,866	4.2%
By the interested part	2,724	4.0%
By others	690	1.0%
TOTAL	68,608	100%

³² According to data collected by the Ministry of Justice and Public Security (base year 2018), the Military Police of the state of São Paulo has 83,044 police officers; the Civil Police currently has 29,140 active police officers. (MINISTRY OF JUSTICE AND PUBLIC SAFETY, 2018).

Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.



**The public road
is the place in
which most of the
seizures occurs.**

**The Military Police
was responsible for 76%
of gun seizures cases.**

Analysis of crimes

The database allows us to map in which crimes or types of situations firearms are most seized. It is important to note, however, that a single occurrence and a single weapon are usually associated with more than one crime.³³

Analysis of Table B6 reveals that crimes under the Disarmament Statute are the group most associated with firearm seizures in São Paulo, accounting alone for approximately 1 in 3 seizures. The most associated crime in this category and in the entire universe is possession of a restricted-use weapon.³⁴

³³ For this reason, the universe of this section is 238,046 registered types/crimes.

³⁴ Article 16 of the Disarmament Statute (BRASIL, 2003) encompasses both people caught in possession of a weapon classified by the Army as restricted use, as well as weapons of permitted use, but whose numbering has been suppressed (§ 1º, I).

³⁵ According to one of the few surveys on victimization conducted nationwide, firearms are used in about 56% of robberies and 80% of vehicle robberies (CRISP, 2013, p.124 and 78).

³⁶ Cases of deaths resulting from opposition to police intervention (MDOIP) are aggregated together with homicides.

The second most representative category is property crimes, with 14.6%, with the crime of theft in most of the seizures. As it is a crime that involves violence or threat, it is common for perpetrators to resort to the use of a firearm to subtract the property, especially in the form of vehicle theft.³⁵ The category of crime against the person reaches 13.9%, with homicides³⁶ and personal injuries as the most representative categories. Threats and domestic violence follow.

Despite being the largest share in terms of people arrested in the state, the seizure of weapons in cases involving drugs reaches only 6.7%. The crime of resistance and the capture of a wanted account, respectively, for 4.3% and 1.7% of the events of weapons.

Table B6



Details of crimes and dynamics linked to firearm seizures in the state of São Paulo, 2015-2020

CRIMES AND DYNAMICS	NO.	%
Crimes of the Disarmament Statute (10.826/03)	82,202	34.5%
Illegal possession or possession of a restricted-use firearm (Art. 16)	32,415	13.6%
Irregular possession of a firearm for permitted use (Art.12)	27,841	11.7%
Illegal possession of firearms for permitted use (Art. 14)	16,576	7.0%
Firing firearms (Art. 15)	4,844	2.0%
Illegal trade in firearms (Art. 17)	526	0.2%
Crimes against Property	34,820	14.6%
Theft	27,834	11.7%
Handling of stolen items	6,986	2.9%
Crimes against the person and sexual dignity	33,097	13.9%
Simple and aggravated homicide (includes injury followed by death)	18,799	7.9%
Bodily injury (does not include death or motor vehicle)	7,352	3.1%
Threat	4,166	1.7%
Domestic violence	2,660	1.1%
Rape and other sex crimes	170	0.1%
Location/Seizure of object and vehicle	23,831	10.0%
Drug Law Crimes	15,906	6.7%
Drugs - Traffic	13,738	5.8%
Drugs - Possession	2,168	0.9%
Other	48,190	20.2%
Resistance	10,157	4.3%
Capture of Wanted Criminals	3,939	1.7%
Suicide/Suicide Induction (Attempted and Consummated)	1,191	0.5%
Homicide or Bodily Injury - in a motor vehicle	580	0.2%
Killing wildlife specimens	2,486	1.0%
Self-defense	2,574	1.1%
Other crimes	27,263	11.5%
TOTAL	238,046	100%

Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.

Analysis of weapons



handguns

66%

As well as other analyzes carried out on the profile of criminal weapons in the state of São Paulo or capital, the sample indicates that the revolver continues to be the most seized weapon, with 38.4%,³⁷ followed by pistols and shotguns, which, respectively, concentrate 24.5% and 13.2% of the universe.

Looking at weapons with greater firepower reveals that weapons such as carbines, assault rifles, machine guns, and rifles, together, do not reach 5% of the sample, which may indicate the low circulation of these weapons in the state of São Paulo, possibly combined to the difficulty of the police in designing strategies to seize these types of artifacts.

The predominance of handguns in criminal activity is also evident, reaching 66% of the total. In addition to greater ease of access, handguns are easier to conceal and carry. The existence of the category "Others" in the Civil Police of São Paulo is another flaw that makes data analysis difficult. There are more than 13,000 artifacts whose classification has not been done, impairing diagnoses.

³⁷ In previous surveys carried out by Instituto Sou da Paz, revolvers accounted for 59% of the weapons seized in the capital for the years 2011 and 2012 (Instituto Sou da Paz, 2013). In another survey carried out with data from 2014 with state coverage, revolvers reached 51%.

Table B7



Firearms seized in the state of São Paulo, by type, 2015-2020

TYPE	NO.	%
Revolver	40,201	38.4%
Pistols (includes small pistols)	25,673	24.5%
Shotgun	13,869	13.2%
Derringer	3,730	3.6%
Carbine	1,764	1.7%
Assault Rifles	1,457	1.4%
Craft produced arms	1,003	1.0%
Machine gun and submachine gun	921	0.9%
Rifle	421	0.4%
Other	13,245	12.6%
Uninformed	2,436	2.3%
TOTAL	104,720	100%

Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.

The analysis of calibers reveals a predominance of those most used in handguns, such as .38, .32, and .40.

Approximately 70% of the weapons seized in the period fall into the category that was considered to be of a permitted caliber until 2018,³⁸ accessible to civilians. The only rifle caliber that appears in the analysis with participation close to 1% is the 5.56 x 45mm caliber, quite common in AR-15 type rifles and for police use, such as the IA2 or T4, made by the Brazilian manufacturers IMBEL and Taurus Armas, respectively.

Table B8



Firearms seized in the state of São Paulo, by caliber, 2015-2020

CALIBER	NO.	%
.38	28,408	27.1%
.32	15,797	15.1%
.40	13,792	13.2%
.22	8,712	8.3%
380	8,190	7.8%
28	3,138	3.0%
9mm	2,752	2.6%
36	2,638	2.5%
12	2,526	2.4%
7,65mm	1,492	1.4%
6,35mm	1,199	1.1%
.45	1,077	1.0%
20	1,015	1.0%
5,56 (5,56x45mm OTAN)	999	1.0%
Uninformed	8,707	8.3%
Other	4,278	4.1%
TOTAL	104,720	100%

Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.



³⁸ As in the diversions chapter, we chose to keep the pre-2019 caliber classification since most of the data refer to this period.

The high number of unmarked weapons significantly hampered brand analysis, with almost 1/3 of all weapons seized. The first three places are held by Brazilian brands, Taurus, Rossi, and CBC, in the same order found in the universe of diverted weapons and previous research on weapons seized in São Paulo³⁹ and with national characteristics. Together, weapons from domestic manufacturers account for 63% of all weapons seized. A previous survey by Sou da Paz Institute on São Paulo recorded 78% of all national weapons among those seized (2011-2012)⁴⁰. The only foreign manufacturers with more than a 1% share in the sample are the Austrian brand Glock, the American Smith & Wesson, and the Italian Beretta.

It is important to highlight an increase in the percentage of unnumbered weapons compared to other surveys. There is a much more significant presence of weapons without a serial number in the universe of seized weapons. Weapons with serial numbers are the minority and represent 47% of the total, while weapons without an informed number or one that is explicitly classified as suppressed reach 53%⁴¹. In 2011 and 2012⁴², Instituto Sou da Paz registered 50.5% of weapons with suppressed serial numbers.

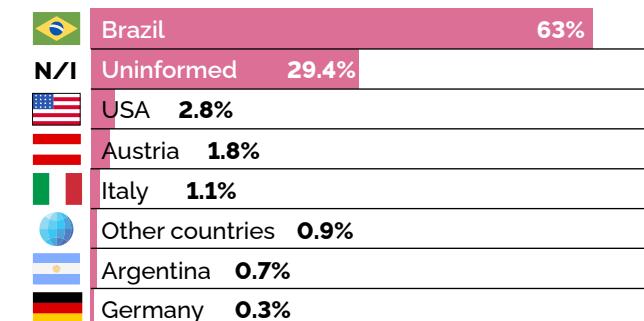
Table B9

Firearms seized in the state of São Paulo, by brand, 2015-2020

BRAND	NO.	%
Taurus (Forjas Taurus S.A)	41,628	39.8%
Rossi (Amadeo Rossi S.A)	12,168	11.6%
CBC (Companhia Brasileira de Cartuchos)	7,516	7.2%
Glock	1,888	1.8%
Boito (E.R. Amantino & Cia)	1,587	1.5%
Smith e Wesson (S&M, Smith and Wesson)	1,501	1.4%
Imbel	1,467	1.4%
Beretta (Fabbrica d'Armi Pietro Beretta)	1,078	1.0%
INA (Indústria Nacional de Armas)	1,075	1.0%
Colt (Colt's Manufacturing Company)	626	0.6%
Winchester	355	0.3%
Bersa (Bersa S.A.)	278	0.3%
Unidentified	30,795	29.4%
Other brands	2,758	2.6%
TOTAL	104,720	100%

**Chart B4**

Firearms seized in the state of São Paulo, by country of origin, 2015-2020

**Chart B5**

Presence of serial number in the firearms seized in the state of São Paulo, 2015-2020



³⁹ Both the research carried out in the state of São Paulo, with data from 2014 (Instituto Sou da Paz, 2016, p. 20) and the research carried out with data from federal seizures and four units of the Federation (Instituto Sou da Paz, 2021, p. 72) found these three brands among the first ones in terms of murder weapons.

⁴⁰ Data from the analysis of 10,666 weapons seized in the years 2011 and 2012 in the city of São Paulo. "Where do Weapons of Crime Come From: an analysis of the universe of guns seized in 2011 and 2012 in São Paulo" (Sou da Paz, 2013, p.12). Another survey considering the state and seizure data from 2014 recorded 72% of Brazilian weapons (Instituto Sou da Paz, 2016, p. 21).

⁴¹ Also, for the serial number field, the Civil Police system does not have standardized entries to classify the different types of unnumbered weapons. For first record purposes, there is no need to detail how the numbering was erased, scraped, painted, etc. It is only necessary to differentiate weapons without a serial number (craft-produced, for example), weapons with an artificially suppressed number, and weapons whose numbering is naturally worn out (by time). With open entries, the list of seized weapons had 36 different wordings for the information 'numbered suppressed' or equivalent.

⁴² Data from the analysis of 10,666 weapons seized in the years 2011 and 2012 in the city of São Paulo. "Where do Weapons of Crime Come From: an analysis of the universe of guns seized in 2011 and 2012 in São Paulo" (Instituto Sou da Paz, 2016, p.13).

FROM LEGAL TO ILLEGAL

Matches between diverted and seized weapons



Several tracking surveys carried out by civil society entities in partnership with the government or directly by the police indicate meaningful participation of legally registered weapons among the weapons seized from crime scenes, thus pointing to a connection between these two universes.

However, there are two significant limitations to these diagnoses. The first is that several of the national banks that contain data on hundreds of thousands of weapons are under the control of the Army⁴³ and inaccessible to the police, including to the Federal Police, before December 2021,⁴⁴ becoming an obstacle to combating armed violence rather than being a support instrument.

To access international database to track weapons not found in domestic banks (especially foreign ones), it is also necessary to transfer data to the Federal Police, which

has essential agreements with other countries that allow the identification of owners and routes followed by the weapons before entering the country.

The second problem is that a significant percentage of seized weapons have had their serial number obliterated (in São Paulo, during the research period, this category reached 53% of the total). Thus, for this group of weapons, even if the São Paulo police had the means to carry out the tracking and showed interest in doing so, this would be virtually impossible.⁴⁵

In order to solve these difficulties and present a complementary analysis to the existing ones, Sou da Paz Institute selected the five most seized weapons in the combination of type and caliber to compare their profiles between seized and diverted.

⁴³They are the Factory Control System (SICOFA), which records information on weapons manufactured in Brazil and imported from other countries, and the Military Weapons Management System (SIGMA), which holds the records of institutional weapons of the Armed Forces and private weapons owned by its members, in addition to the weapons of the Military Police and their members, and also the weapons of collectors, sport shooters, and hunters.

⁴⁴The practical consequence of the lack of access was portrayed in an article in the newspaper Folha de S.Paulo in July 2021. Available at: <https://www1.folha.uol.com.br/cotidiano/2021/07/dificuldade-de-rastreamento-afeta-metade-do-arsenal-de-armas-no-brasil.shtml>.

⁴⁵Serial number suppression attempts that cause very serious damage to marked surfaces have fewer chances of successful recovery by the experts. In many cases, the method used by criminals (chemical or thermal, for example) generates permanent damage to the weapon.

Table M1



Top 5: the most seized firearms in the state of São Paulo, 2015-2020

RANKING	TYPE OF ARM	NO.	%
1	.38 caliber revolver	24,638	42.6%
2	.40 caliber pistol	12,181	21.0%
3	.32 caliber revolver	10,277	17.8%
4	.380 caliber pistol	6,977	12.1%
5	.22 caliber revolver	3,808	6.6%
SUB-TOTAL		57,881	100.0%

Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.

This 5 weapons group represents more than 55% of the universe of firearms seized in the period from 2015 to 2020

Comparing profiles of diverted and seized weapons - Top 5

This group of weapons, together, represents more than 55% of the universe of weapons seized between 2015 and 2020. The distribution of brands for each weapon will be presented below, initially bringing the deviated sample followed by the distribution of seized brands respecting the same order of brands to facilitate comparability.

1

.38 caliber revolver

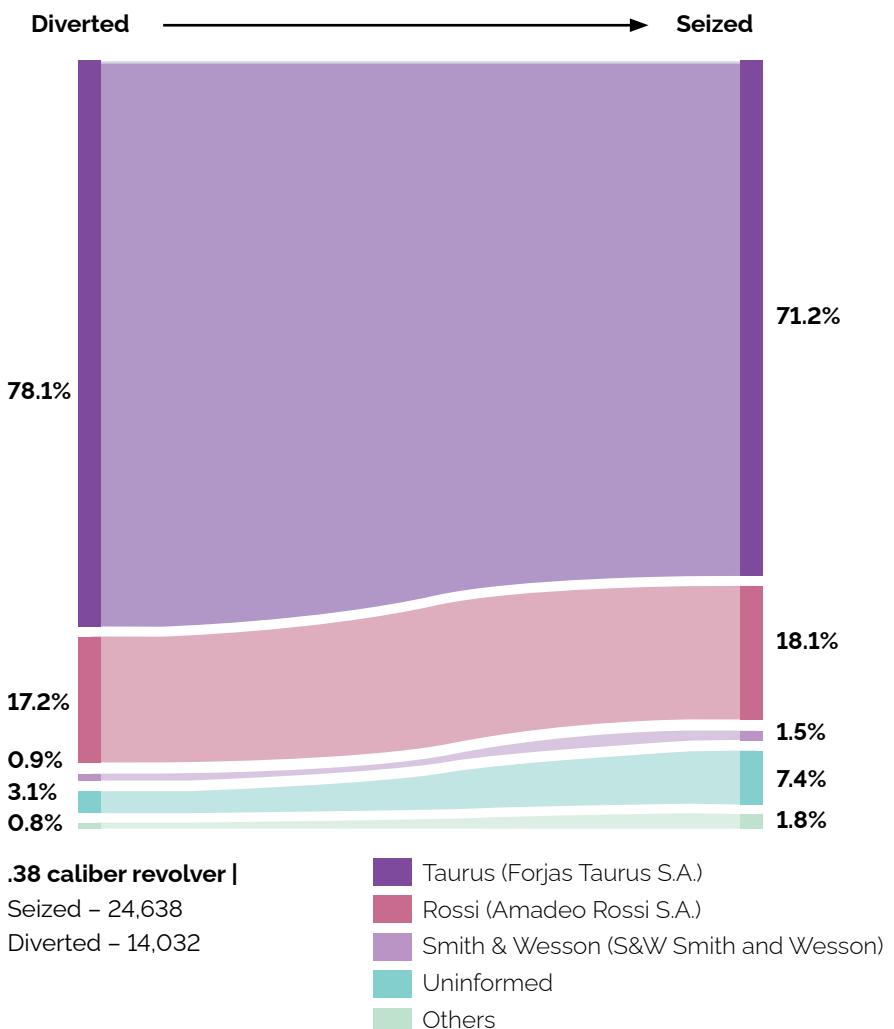
It is relevant to point out that the .38 revolver has been the first to rank seizures in several Brazilian states for some decades. For many years, this type of weapon was used by state police and is still used today by several city police and private security companies. Because it is a relatively cheap weapon, simple to use and maintain, it is also the weapon of choice of many citizens for self-defense purposes.

Analyzing the data below, we notice that the three most frequent brands of .38 revolver (Taurus, Rossi, and S&W) appear in the same order and have very similar distributions. Among the three highlighted brands, two are Brazilian (which today correspond to a single company). The third, Smith & Wesson, is a traditional American brand of weapons marketed in Brazil for some decades. There is a large concentration of weapons within these three brands for the two universes, which reach more than 90% of the .38 caliber revolvers in both databases.

Chart M1



Comparing the profile of .38 caliber revolvers seized and diverted in the state of São Paulo, by brand, 2011/2015-2020



Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.

2

.40 caliber pistol

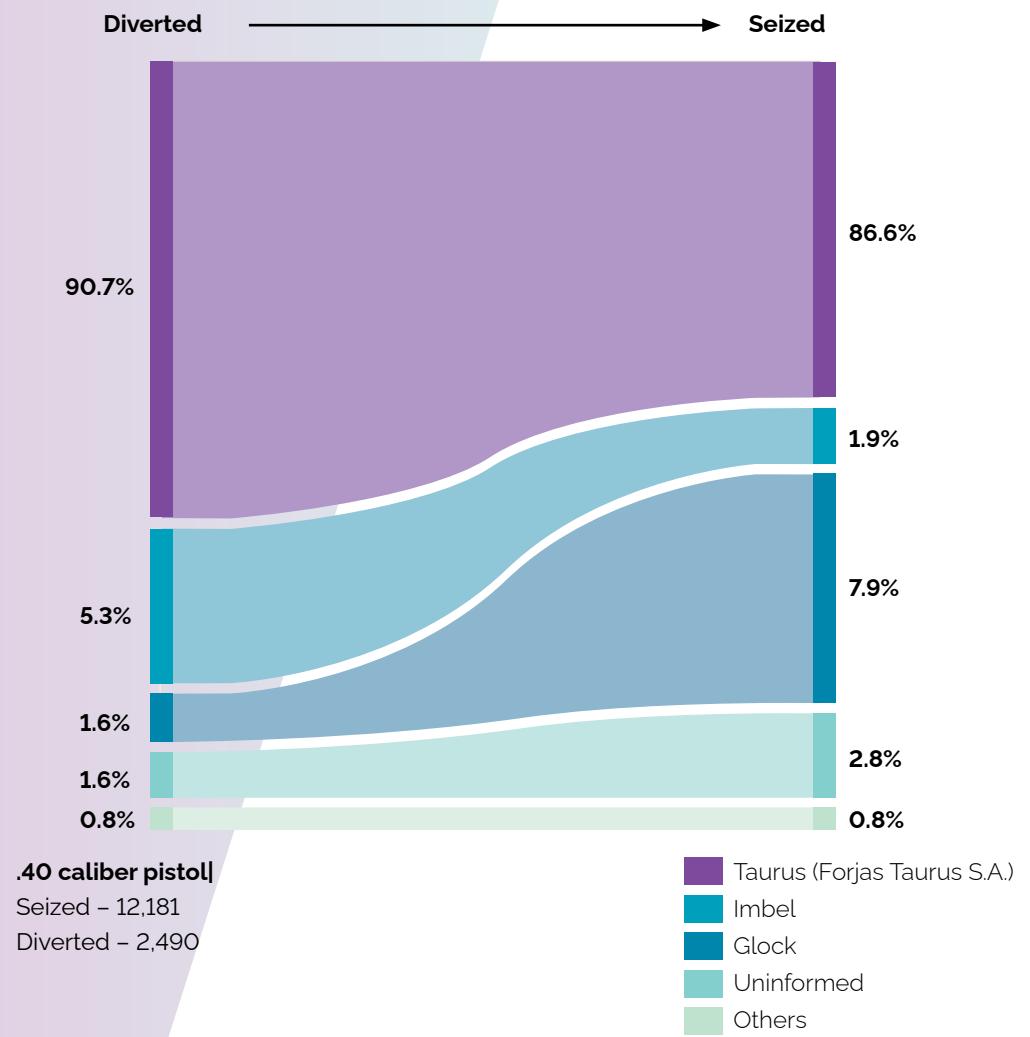
This type of pistol is currently the primary weapon used by state police (military and civil), and since 2019, the Bolsonaro government⁴⁶ has authorized its use by civilians.

When analyzing the distribution in the two samples, we note that the three most deviated brands are also the most seized brands of the .40 caliber pistol, but with essential differences in the order in which they appear and in their distribution. Taurus pistols are in the first place and with very similar numbers both among the diverted weapons and those seized. This suggests that the weapons of crime of this brand are coming from the legal market. In the case of the second most seized brand, the Austrian Glock, the number of diversions is smaller than the seizures, suggesting that its main supply channel is international trafficking and not the domestic market, even though this is the third most present mark among .40 caliber pistol diversions. Imbel pistols appear more prominently in diversions than in seizures in the opposite direction.

The concentration of these weapon profile manufacturers is relatively high, with the three brands dominating approximately 95% of the distribution, both among the diverted and the seized ones.

Chart M2

Comparing the profile of .40 caliber revolvers seized and diverted in the state of São Paulo, by brand, 2011/2015-2020



⁴⁶ Ordinance 1,222 of 2019. Available at: <https://www.in.gov.br/web/dou/-/portaria-n-1.222-de-12-de-agosto-de-2019-210735786>.

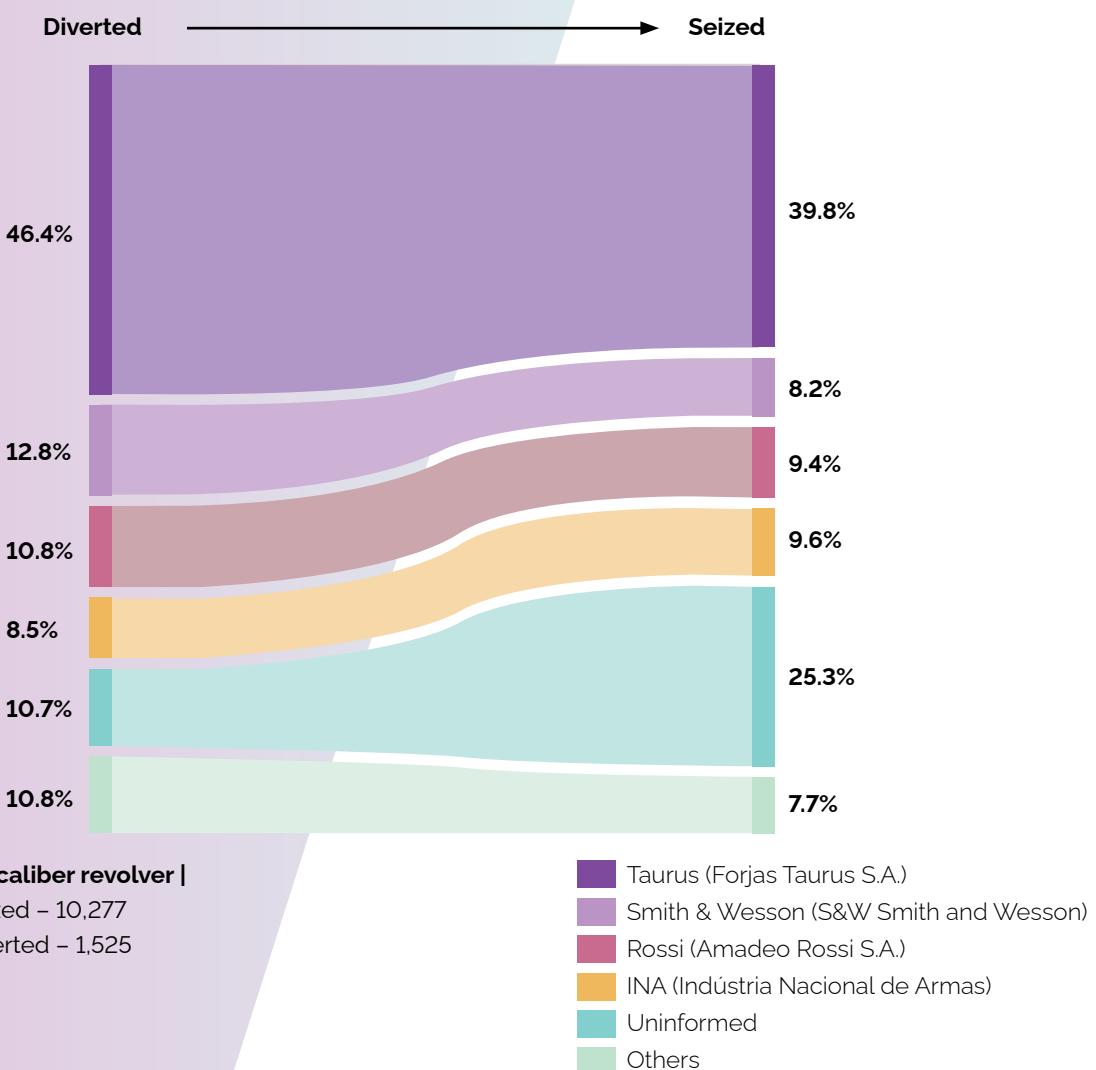
3**.32 caliber revolver**

The analysis of this profile was hampered since, in almost ¼ of the cases, the brand's name was not included in the police reports. Even so, it is possible to notice a significant concentration of Brazilian brands that appear in both universes.

The three Brazilian brands, including the now-closed Indústria Nacional de Armas,⁴⁷ appear in 6 out of every 10 .32 caliber revolvers seized. The American Smith & Wesson appears with more relevance and participation among those diverted than those seized, although in the latter group, it reaches 8%. In this profile, it is possible to notice a slightly larger distribution among the most mentioned brands, with a top not as concentrated as in the first two cases. Together, the four brands represent 78% of those diverted and 67% seized.

Chart M3

Comparing .32 revolver seized and diverted in the state of São Paulo, by brand, 2011/2015-2020



⁴⁷ Founded in 1949 in the Metropolitan region (in the Greater São Paulo), Indústria Nacional de Armas - INA produced revolvers, pistols, and submachine guns until it went bankrupt in the early 1970s. Available at: https://pt.wikipedia.org/wiki/Ind%C3%A3stria_Nacional_de_Armas.

4

.380 caliber pistol

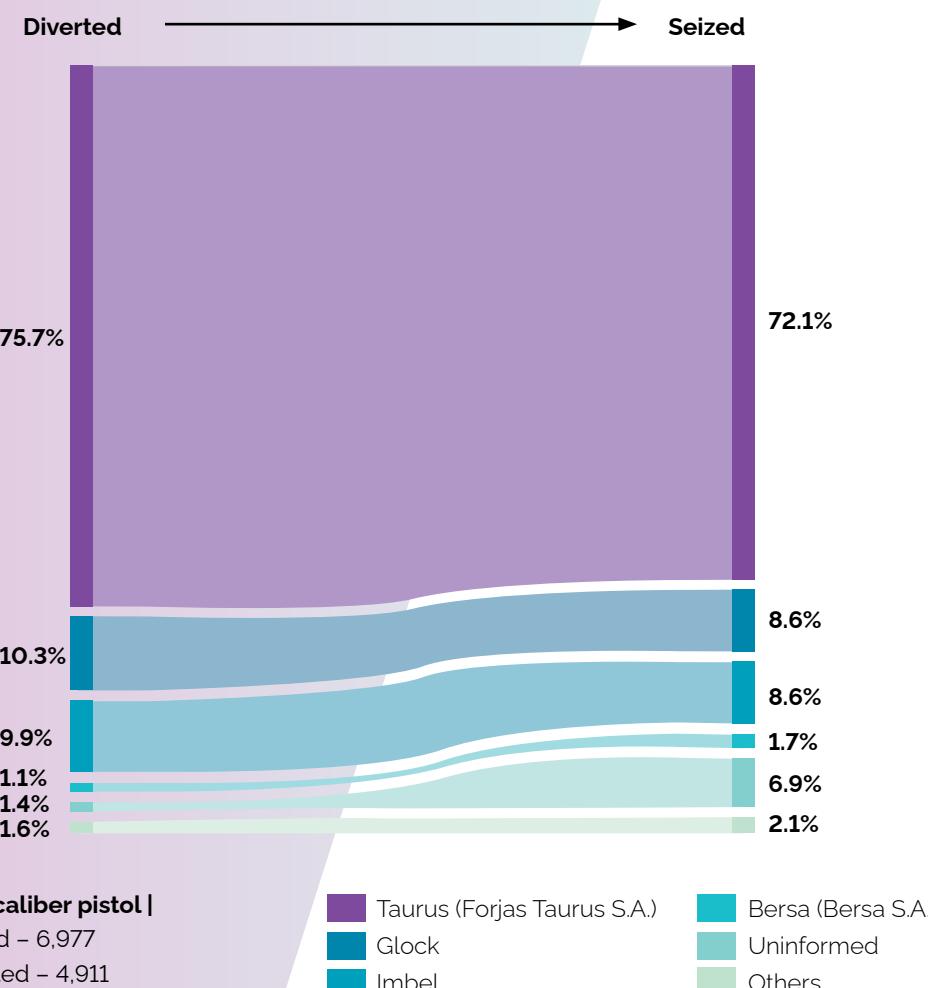
The .380 caliber pistol was, for many years, one of the main calibers available to civilians in the pistol market. It is also a weapon widely used by city polices and has been gaining ground in the private security sector as it is one of the weapons allowed for this type of activity.⁴⁸

The analysis of this profile shows a high concentration in the four leading brands that appear in the same order, both in the sample of diverted and seized weapons, including those with close distributions, which suggests that there is an ample supply of this profile of weapon coming from the legal market to criminal activity. The first place is held by Taurus Armas, and another Brazilian company, Imbel, appears in third place. Among the foreigners, the Austrian Glock and the Argentine Bersa appear in second and fourth places, respectively.

This correspondence shows how, even in the case of foreign brands, it is wrong to assume, without first analyzing, that they were supplied to criminals as contraband since these weapons might have been legally imported and registered in Brazil before migrating to the illicit market, as the data suggests.

Chart M4

Comparing the profile of .380 caliber pistols seized and diverted in the state of São Paulo, by brand, 2011/2015-2020



⁴⁸The list of weapons permitted for each branch of private security is provided for in a Federal Police ordinance. Ordinance 3.233/2012-DG/DPF. Available at: <https://www.gov.br/pf/pt-br/assuntos/seguranca-privada/legislacao-normas-e-orientacoes/portarias/portaria-3233-2012-2.pdf/view>.

5

.22 caliber revolver

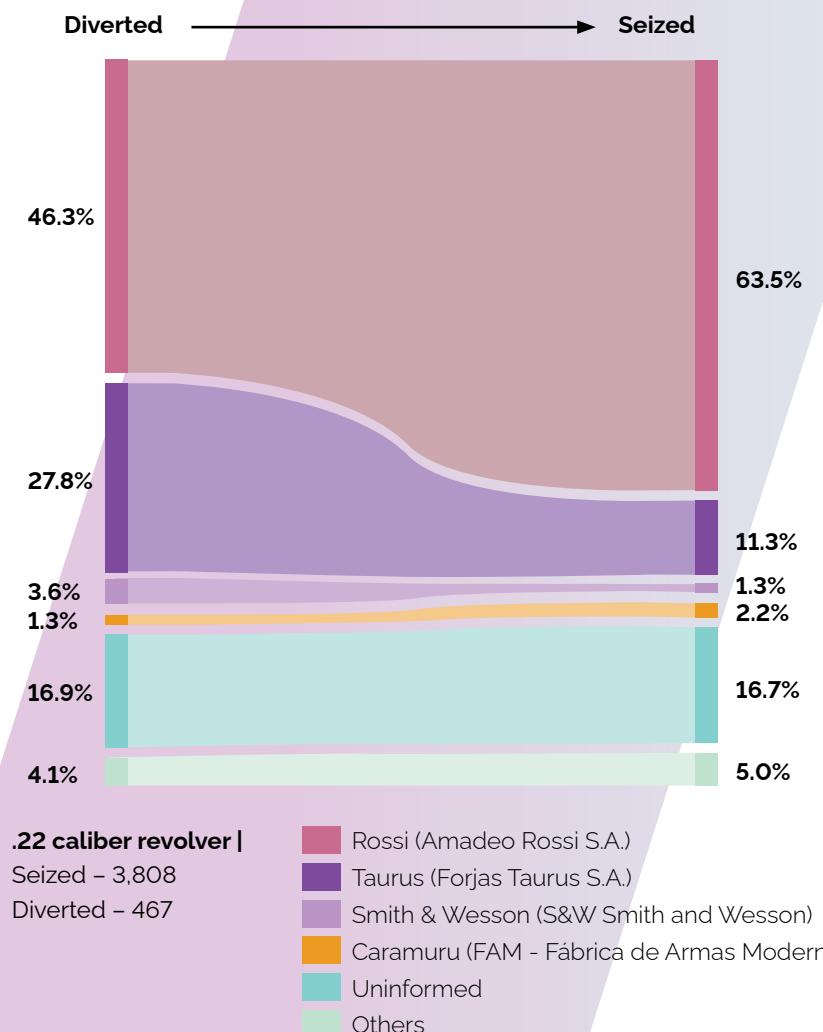
This is the only type of weapon (among the five selected) in which Taurus Armas is not in first place among the diverted and seized weapons. However, the rights and production machinery of the Amadeo Rossi⁴⁹ revolvers were purchased by Taurus, also from Rio Grande do Sul - which continued to produce revolvers with Rossi markings for some years, at the end of the 1990s.

For the .22 caliber revolver, the first two positions are held by Rossi and Taurus, respectively. The extinct Brazilian company Caramuru⁵⁰ and the American Smith & Wesson appear in sequence, disregarding weapons without an identified brand.

Also, in this group, there is a significant concentration. These four brands combined account for 79% of both diverted and seized weapons.

Chart M5

Comparing the profile of .22 caliber revolver seized and diverted in the state of São Paulo, by brand, 2011/2015-2020



⁴⁹Currently, the company Amadeo Rossi has moved away from the production of firearms and is dedicated to the import of pressure weapons under the name of Rossi Airguns Airsoft. Available at: <http://www.rossi.com.br/site/empresa.php?cod=21269>.

⁵⁰The Caramuru brand was used by Fábrica de Armas Modernas (FAM), located in the city of Jacareí, state of São Paulo. Like INA, this company also stopped producing weapons in the 1970s.

The analysis shows that for the group of five most seized types of weapons, except for Glock .40 caliber pistols, there is a strong correspondence between the type of weapon lost in the legal market and the weapon used by criminals. This correspondence may seem obvious, especially to people who work in the day-to-day security or have already visited a room with seized weapons in a police station or courthouse. However, analyses like this are essential to support more diagnoses and debunk myths that prevent more assertive security policies from being implemented.

There are hundreds of weapons manufacturers, active and extinct, and it is no coincidence that a few of them are very present in the realm of diverted and seized weapons (in close percentages).

Matches (serial number correspondence)

To better understand what happens to the guns after they are diverted from the legal market, we carried out a check with guns with serial numbers looking for the ones present in the two data banks.

After carrying out this first effort, we verified the characteristics of these weapons to confirm that they were weapons of the same type and caliber, thus increasing the confidence index. Finally, we only considered seizures that occurred after diversions in the analysis of this section.

This process returned 1,279 correspondence lines to be analyzed. There are cases of the same weapon diverted twice during the study period. Graph M6 shows the distribution of times between the date of the diversion (theft, loss, or robbery) and the date of its seizure. The median time is usually longer than one year (454 days, equivalent to 15 months), which makes the social cost of this diversion evident since it is a very long period in which the weapon is probably being used for criminal activities. The median portrays time by excluding extreme events, such as

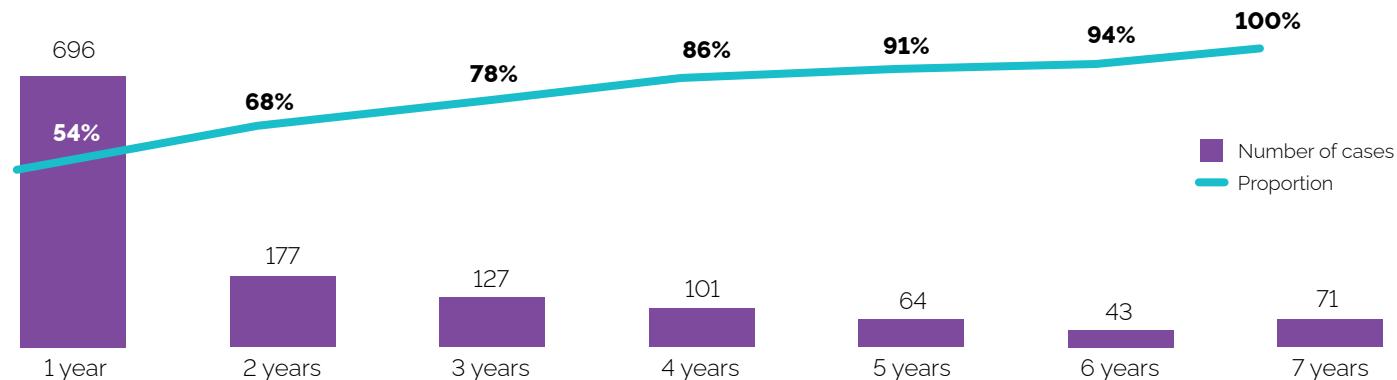
weapons recovery on the same day as the diversion, or cases at the other end, with long intervals between diversion and seizure. There was no significant difference in the recovery time according to the type of weapon. Therefore, we chose not to present data stratified by this category.

Furthermore, Graph M6 looks at the distribution of events according to the time gap between diversion and apprehension. Just over 54% of recovered weapons are concentrated in the range of up to 1 year from their diversion.

Chart M6



Time between diversion and seizure of firearms in the state of São Paulo, 2011/2015-2020



Source: Elaborated by Sou da Paz Institute based on the SSP/SP data, 2022.

Short distance recovery

In 186 cases (14.5%), the weapon was recovered within a week. If, on the one hand, these quick recoveries bring encouragement, on the other hand, a detailed look at some of these events shows us that the time between the diversion and the use of the weapon in serious crimes is short.

This is precisely the case of Taurus .38 caliber revolver (serial number: JY114***). This gun, made in November 2016, was made illegal just two years after it was manufactured. It was stolen from a bank branch in Sorocaba/SP on Christmas Eve, 2018. Just three days later, the weapon was seized by the Military Police in a robbery in the same city. Very short intervals between the manufacturing of a weapon and its seizure are understood by agencies such as the American ATF (*Bureau of Alcohol, Tobacco, Firearms, and Explosives*) and other researchers⁵¹ as a possible indication of trafficking, which the police should closely monitor.

It also appears that the chance of getting a *match* drops every day. The most likely hypothesis is that the more time passes, the higher the chances of the weapon having its numbering suppressed or obliterated.

Research by Prof. Cook⁵², conducted in 2018 in Chicago, found greater chances of recovery in the first three years, indicating a minimal chance of recovery after this period.

This analysis also allows us to take a spatial look at the phenomenon. Thus, using the available data, we identified that, in 45% of the analyzed events, **both the diversion and seizure occurred in the same city**.

Even though most weapons were seized in another city, the M7 Chart shows that weapons **do not travel such great distances**.

Therefore, the diversion in a given city will probably negatively impact the city itself or its surroundings.

Using geographic coordinates (latitude and longitude), we projected a portrait of the distance between the point where the weapon was diverted from the legal market and its seizure for illegal use, which is illustrated in the chart:

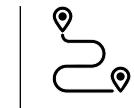


in
45%
of the events the diversion and seizure occurred in the same city

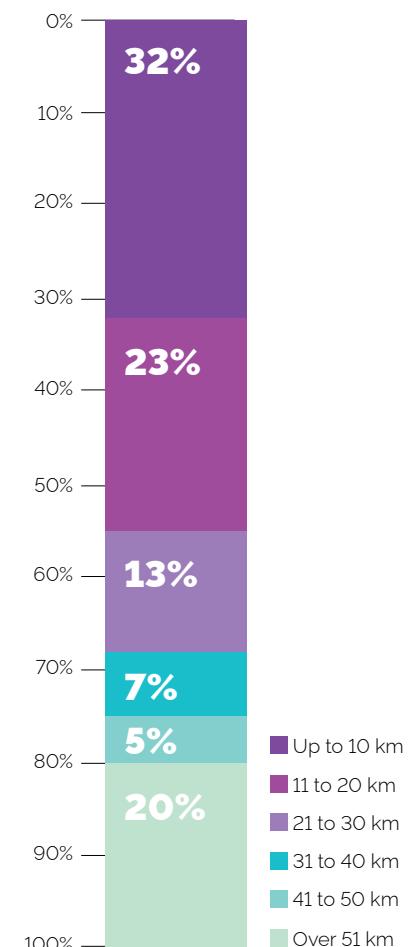


in
32%
of the events the arm are recovered up to 10 km from the diversion

Chart M7



Distance travelled between the diversion and the seizure of firearms in the state of São Paulo, 2011/2015 - 2020



⁵¹The Illegal supply of firearms. (BRAGA, COOK, et al., 2002, p.333).

⁵²"Gun Theft and Crime" (COOK, 2018, p.310).

We noted that, in most cases, the distance between the places of diversion and seizure was up to 10km and that only in 1/5 of the cases was this distance greater than 50km. In the analysis, the median distance between the place of diversion and the place of seizure is 23 km.⁵³

Distant recovery

The more time passes, the more difficult it becomes to retrieve the weapon or even link it to its diversion since, to hide the source of the diversion, the weapon numbering is often suppressed. In 42 cases (3%), the weapon was used for crimes for more than seven years until its recovery.

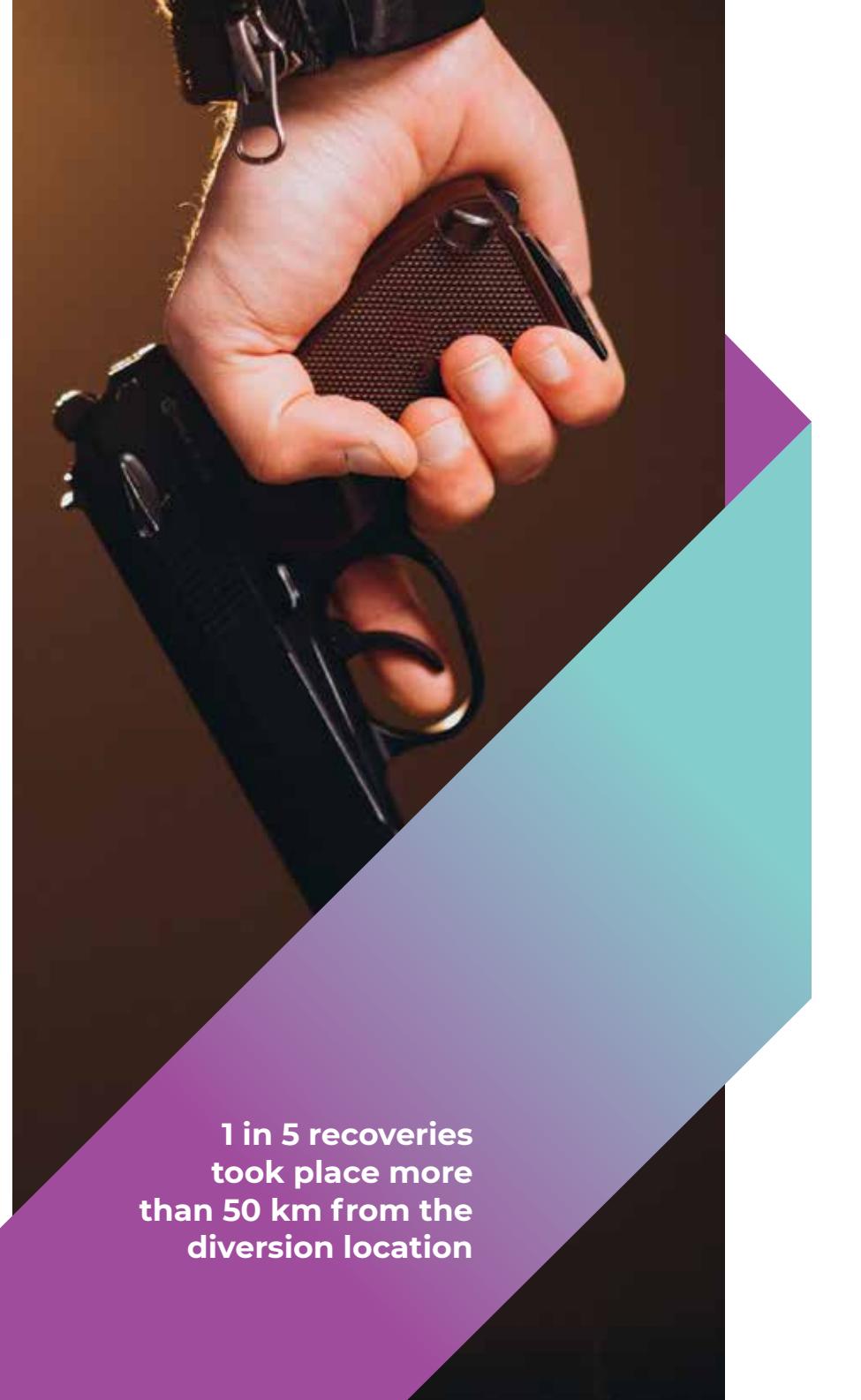
In February 2013, another .38 caliber revolver (number OF79***), manufactured by Taurus in 1995, was stolen from a residence in Jaboticabal. This weapon was later seized by the Military Police 50 km away in vehicle theft in the city of Ribeirão Preto in March 2020. This revolver was used for crimes for more than seven years before the police recovered it.

An even more serious case was the .40 pistol (number SBX30***), manufactured in November 2008, stolen a few years later during a rodeo in the city of Itapira (Mogi Guaçu region) in July 2011.⁵⁴ This weapon was only recovered nearly nine years later in the theft of vehicle⁵⁵ in Parque São Rafael (extreme east of the city of São Paulo), more than 210 km from the location of the theft. The Military Police carried out the arrest of the suspect and the recovery of the pistol. This weapon was used by criminals longer than its owner legally used it (eight versus three years).

⁵³ Not all events had an address and precise latitude and longitude coordinates. The calculation of the distance between the diversion and the seizure of weapons was made considering the coordinates (latitude/longitude) that were in the database. In cases where this information was not filled in, we used as a reference the centroid, which is the point located "approximately in the center of the polygon" (LAURINI; THOMPSON, 1992) of the district police station where the diversion or seizure took place. In 8% of the analyzed cases, there was no information from the district police station, so we used the police station that produced the police report as a reference.

⁵⁴ Report 2290 of 2011, Itapira Police Station.

⁵⁵ Report 177 of 2020. 55th Parque São Rafael Police District



Conclusion

This research report is further evidence of the relevance of the legal market to the supply of the criminal market. In the studied period, more than 33 thousand weapons left the hands of civilians, companies, public institutions, and security agents to fuel crime. Nine weapons were diverted per day in the study period (2011-2020). This sample only portrays reported cases, and we understand that the number is probably higher when we consider that there is no punishment for the civilian owner of firearms who does not notify the diversion of their weapon.

The decrease in the number of notifications of events coincided with the changes made by the Temer Government in 2016, and later by the Bolsonaro Government in 2019 extending from 3 to 5 years, and later to 10 years the validity of firearms license. This longer validity allows for the information on the weapon and its custody to become even more outdated.

We find it essential to mention that, in addition to the listed reasons, the identification of cases of significant diversions whose record was not included in the SSP/SP database or that reported a lower number than the press did leads us to believe that the number of diversions is likely to be higher than what the study states.

Two other factors that limit the analysis are related to the denial of information about the diversion of the São Paulo police institutional weapons. Although Sou da Paz had previously received this information via Access to Information Law, this time, the data was not sent or it received a different response from the one we requested (in the case of the Civil Police). The second limitation is related to deficiencies in the structure of the police reporting system and failures to fill in the data. The lack of standardized entries for the leading brands, for example, makes it impossible for the Civil Police to diagnose the primary weapons supplied to crime in São Paulo.

We must look carefully at the downward trend in the occurrence of diversions, both in terms of a possible underreporting and the significant growth in the number of legal weapons in the last three years after Bolsonaro put in place permissive laws in the field of gun control⁵⁶. National data on categories with many weapons, such as the

**At least
33 thousand
weapons were
diverted in 10 years.
An average of nine
weapons diverted
every day**

⁵⁶In just two years, the armament in the hands of civilians exceeded 1 million weapons. In the Federal Police, from 2018 to 2020, there was an increase of 72% (346 thousand weapons to 595 thousand). In the Army Command, weapons in the hands of Hunters, Sports Shooters, and Collectors rose from 351,000 to 556,000, a growth of 58%. Data was compiled by Sou da Paz and Igaparé Institutes and published by the newspaper O Globo. Available at: <https://oglobo.globo.com/politica/politica-belicista-armamento-em-poder-de-civis-ultrapassa-1-milhao-24862673>.



destroy the argument that the weapon is a great instrument for self-defense

CSH (Collectors, Sports Shooters, and Hunters) show an increase in diversions during this government. In 2021 alone, according to a report by Agência Pública with data obtained from the Brazilian Army, Collectors, Sports Shooters, and Hunters lost 840 weapons,⁵⁷ an average of 3 per day, from January to September 2021. Although the data for 2021, even partial, surpass those of previous years (2019 and 2020).

The significant number of diversions puts into question the argument of pro-gun groups that point to the gun as a great instrument to ward off criminals and carry out self-defense.

The invasion of places with armed guards and the highlight of the residence as the primary place where the diversion occurs demonstrate that firearms end up working more like a magnet to attract criminals than to keep them away from the domestic environment. This effect is declared in studies that heard theft authors, such as the one carried out in Belo Horizonte – MG⁵⁸.

“.. the second question verified in the research shows that the fact that the victim is armed is not always considered an impediment for

some robbers. In the case of security guards, for example, the weapon ends up being an additional stimulus for thieves, who see the guard’s revolver as a valuable object to be stolen.” (BEATO and CAMINHAS, 2020, p. 656)

By analyzing the events, criminals opt for the theft modality, which stands out as the greatest strategy for obtaining the weapon (60%). The 38% of diversions from theft also show that, despite being armed, the victim was not able to prevent the crime against property and even provided an additional weapon for the crime.

White men between 30 and 49 years old make up the most victimized group. This profile coincides with the profile of those people who most seek to buy weapons. Professions that use weapons daily also stand out among the main targets of events. Among the **professions in the private sector**, security guards and property guards are the most victimized category, with 14.4%. **In the group of public careers**, state police officers and municipal civil guards together account for almost 20% of victims.

The section dedicated to the qualitative analysis of the events with the highest



private security professionals are the most frequent victim of firearms diversion with

14.4%



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20%
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⁵⁷ Available at: <https://apublica.org/2021/11/cacadores-atiradores-e-colecionadores-perdem-tres-armas-por-dia-no-brasil/>.

⁵⁸ “Every thief will work with his mind”: The use of force and weapons in robberies in Belo Horizonte, Minas Gerais” (BEATO and CAMINHAS, 2020)

number of weapons diverted (average of 38 weapons per occurrence) shows us that criminals prefer to attack on weekends, during night hours, and periods close to weekends, holidays, and celebrations. In addition, they demonstrate that the greater the number of weapons kept, the greater the attraction of criminals to these locations. It is not surprising, therefore, that private security companies, government offices, and residences of Collectors, Sports Shooters and Hunters (CSH) are the groups most present in the analysis of major diversions. These categories had already appeared prominently in other investigations, such as those carried out in the Parliamentary Inquiry Commissions and also in surveys carried out by the press⁵⁹.

Other seized weapons profiling and tracking surveys already pointed to an essential share of national weapons and other registered weapons in the legal market appearing in criminal activities. However, confronting the two databases (of diversion and apprehension) allows us to draw more clearly the proximity between these two universes. All over the world, there are hundreds of thousands of combinations of makes, models, calibers, and types of weapons. However, when we compare the most seized weapons

with the diverted ones, we realize that in several cases, there is an almost mirrored correspondence. This is the case, for example, of the .38 caliber revolver, the most seized weapon in the state for decades,⁶⁰ subsample in which we have the three most seized brands appearing not only in the same order but with very close distributions.

Not all weapon types will have this same feature. Based on information from other reports, we understand that, for some types of weapons (such as rifles, assault weapons, and machine guns, for example), the supply has other channels, such as international trafficking. However, the third chapter shows that, for the standard criminal weapon, in the five types of weapons that reached 53% of all seized weapons, the primary source of supply is the legal market.

This data, together with that on time and distance between diversions and apprehensions, show that, despite the public debate being strongly focused on national borders, diversion and its negative impact on criminal dynamics are occurring within the limits of the municipalities or on regional scales. In most cases (32%), the recovery is carried out within 10 km of the diversion

site. In more than half of the cases (55%), the recovery was made at a distance of up to 20 km. In 54% of cases, recovery occurs within one year of the weapon's arrival in the illegal market. In 14% of the cases, the recovery took up to a week. However, it is essential to highlight that the analyzed cases show that it is expected that as soon as the weapon is taken from its legal owner, it will start to be used in crimes, sometimes on the same day.

The analysis of diversions by location types allows us to verify that those with many events concentrate, on average, a low number of weapons (close to 1 weapon per event). As they form the group with the highest number of events, although the number of weapons is low (with the exception of the homes of CSH),

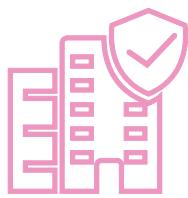
The greater the number of weapons owned/stored, the greater the attraction of criminals to these locations

⁵⁹ An article by El País Brasil showed that 12,000 weapons were lost by private security companies in the last five years. Available in: <https://brasil.elpais.com/brasil/2021-09-13/empresas-de-seguranca-perderam-em-media-7-armas-por-dia-nos-ultimos-5-anos.html>.

⁶⁰ An article in the O Estado de São Paulo newspaper of October 9th, 2005 ("Tresoitão, criminals' favorite in São Paulo"), based on a survey by Professor Túlio Khan, indicated that .38 caliber revolvers were present in 44.6% of the robberies and 67% of homicides in the capital of São Paulo.



account for a large volume of artifacts that diverted and migrate to crime



Banks, transport companies, public offices, and security companies have a higher average of diverted weapons per event

in the aggregate, weapons diverted **from the residential environment** account for a large volume of artifacts that migrate to crime. This data should, therefore, be used to inform and help estimate the risk that recent facilitation of purchase and the expansion in the number of weapons that can be purchased by each citizen will have in the public security scenario. If this research shows a diversion of legal weapons to crime, if the profile of the civilian's weapon changes, with the permission of more powerful calibers like 9mm, or .40, or even rifle calibers like 7.62x51 and 5.56x45mm, part of these more powerful weapons will also increase the firepower of criminals.⁶⁵

On the opposite side of this pyramid, we have some types of locations with few events but with large numbers of diverted weapons. **Banking and cash-in-transit institutions, government offices, and businesses** (among which the category of security companies stands out) have few events, but the average of diverted weapons is high. This data should serve for the control bodies to be able to make adjustments and an inspection that serves to improve and prevent significant diversions, which in many cases waste weeks or months of police work to remove illegal weapons from circulation. A practical example is a diversion at the Diadema Forum in 2017 when 391 weapons were taken. In the same year, only 205 weapons were seized in the city of Diadema, joining all the efforts of the state police and the municipal guard⁶¹. In other words, the

lack of care in the custody of weapons in the Forum threw away almost two years of efforts by security institutions to seize illegal weapons in the city.^{1P6}

Some of these problems, such as the diversion of weapons already seized in justice forums and police stations, have dragged on for decades and remain without a definitive solution. Although, since 2011⁶², the National Council of Justice has already determined the destruction of at least two shipments of weapons per year per state, the Executive (in charge of the police) and Judiciary (responsible for determining the destruction of weapons) still struggle to resolve the problem. In 2014, a survey commissioned by the Ministry of Justice was published analyzing gun custody in three states (MS, SP, and PE). For São Paulo, a sample of 67 weapons seized in August 2011 was extracted and traced by the research team two years after their seizure. The result is an example of the obstacles in the custody of weapons. After 26 months of the seizure,⁶³ 55% of the weapons were still in warehouses at the Court of Justice, and 7% were still stored in police stations. Only 33% of the weapons had been destroyed, 3% had been returned, and one weapon had simply disappeared.

Although this research was published in 2014, problems persist. In the last two years, São Paulo has had the worst performance in weapons destruction since 2010, with average destruction of only 13 thousand weapons. As the state seizes more weapons than that annually and still has accumulated liabilities, we can say that this problem is getting worse rather than heading towards a solution.

⁶¹ According to official data from the São Paulo state Security Department.

⁶² Resolution 134 of June 2011. Available at: <https://atos.cnj.jus.br/atos/detalhar/139>.

⁶³ "The flow of weapons in state custody: Comparative analysis between Campo Grande (MS), Recife (PE) and Campinas (SP)." (BAIRD, 2014, p. 43).

Recommendations

Rules for purchasing firearms and renewing their licenses

Since 2019, dozens of new regulations have been published by the Bolsonaro government to facilitate the purchase of weapons and ammunition. In short, registration was made more accessible, the number of weapons that each person is allowed to own was increased, and access was granted so civilians could buy weapons that were previously of a restricted caliber.

In some cases, such as for sports shooting, a new limit was released by the new management that contemplates up to 60 weapons per person,⁶⁴ with the possibility of up to 30 weapons of restricted calibers, such as semi-automatic rifles.

The explosion in the number of weapons on the legal market and of more powerful weapons will consequently influence the illegal market, as demonstrated by this research. Although the incidents involving ordinary citizens (with weapons for self-defense) in general result in the diversion of one weapon, the total of these incidents (once they are the most numerous) results in many diverted weapons and causes a high social impact. Thus, it is essential to return

to earlier, more rational rules that allow citizens who meet the requirements and justify the need to have a weapon to be able to access an amount and a type of weapon consistent with their need and with the collective risk of possession. The purchase of new weapons must once again require proven justifications⁶⁵ on a case-by-case basis and evaluated by the police authority. This is the path that the country should rescue.

With this, the person interested in owning a weapon has to prove that he has no criminal records and has psychological and motor conditions to maintain the registration of a weapon. Additionally, aware of the effect generated by firearms in the residential environment and their migration to the criminal market, it is necessary to resume requirements checks in shorter periods, every three or five years, as before. Renewal is also an opportunity to inform the most current

The sharp rise in the number of weapons purchased in the legal market will consequently impact the illicit market

⁶⁴ Article 3 of Decree 9,846 of 2019. Available at: <https://www.in.gov.br/web/dou/-/decreto-n-9846-de-25-de-junho-de-2019-172805688>

⁶⁵ This requirement of the law, illegally withdrawn using a decree of the President, is still pending analysis by the Federal Supreme Court until the moment of publication of this report.

The law must foresee any form of sanction for the owner who fails to report the diversion of his weapon to the police

residence address, allowing inspection bodies to have access to more up-to-date information at the same time as it makes the owner more accountable about whether he still keeps the weapon with him, being able to notify diversions more quickly.

It is also essential that the law provides for a sanction for the owner who fails to report the diversion of his weapon to the police. This sanction could take the form of a fine and impediment to purchase a new weapon for a certain period.

⁶⁶The amounts of fees and fines related to Inspection of Controlled Products were established by law 10,834/2003, which strangely did not provide its own mechanisms for correcting the amounts. Thus, the rates will soon reach 20 years without readjustments.

⁶⁷In this sense, we celebrate the edition by the Civil Police of Ordinance DGP 61 of November 2021, which updates the distribution and control of weapons and ammunition for civil police officers among its units. Published in the Official Gazette of 11/6/2021. Available at: https://www.imprensaoficial.com.br/DO/BuscaDO2001Documento_11_4.aspx?link=%2f2021%2feexecutivo+secao+i%2fnovembro%2f06%2fpag_0009_06221f1f28991e027be7346157bf6ad0.pdf&pagina=9&data=06/11caderno 201&páginaordenacao=100009.

Supervising vulnerable groups

Groups that gather many weapons diverted by events **need to be the target of greater control and inspection**. In the case of private security companies, greater rigor is needed in the preventive inspection of the Federal Police, not only in the documental scope but with physical inspections at headquarters and armories. The Federal Police Department needs to act preventively with companies that have financial difficulties or file bankruptcy proceedings to generate a precautionary seizure of these weapons before they fall into the hands of criminals.

Likewise, it is necessary that the Brazilian Army, through its Controlled Products Inspection Services (DFPC in its Brazilian acronym), cover the increase in the values of its controlled products fees so that they are up to the risk and costs that the activity generates⁶⁶. It is unreasonable that public resources that should have been used in oversight activities of collective benefits, such as oversight of weapons and ammunition factories or explosives control, should be directed to taking care of *hobby* and private sports. It is necessary to carry out prior

verifications of the places where weapons are kept and the profile of applicants (selecting athletes and competitors from opportunists interested only in accessing weapons) to reduce the occurrence of diversions, especially of weapons with greater firepower, in the hands of this group.

For both institutions, the events of previous diversions should be a warning sign to intensify inspections and justify administrative sanctions on people and companies that still hold firearms and ammunition.

Security Forces Institutional Weapons

For arms and ammunition of the Armed Forces and Security Forces, it is necessary to update and strengthen the regulations⁶⁷ to expand the control and traceability of artifacts in daily and sporadic use. In addition, it is vital to reinforce the security of gun storage areas, especially places that close at night or on weekends, which are preferred targets for criminals. Finally, it is crucial that institutions transparently disclose the loss and theft of weapons so that society and external control bodies can exercise control over this issue

and promote rigorous investigations and accountability of those involved.

Transporting new weapons

One of the emblematic cases reveals a problem that has become frequent in the press, which is the theft of weapons from carriers, which deliver weapons to final customers, such as civilians or stores. With the new caliber releases, many of these deliveries contain semi-auto rifles and pistols, generating significant interest in the criminal market. In the same way that the Army began to require an escort for transporting explosives, it is essential that there be increased security requirements regarding carriers of controlled products to minimize diversions that seriously impact security⁶⁸.

Weapons seized

After the completion of the expert report, the firearms seized have little procedural interest but great interest for criminals, as demonstrated by the dozens of cases of invasions of forums and police stations for theft and robbery of weapons. There is no lack of regulations (federal⁶⁹ and state⁷⁰) to promote quick and safe disposal of seized weapons, primarily for destruction by the Army and alternatively for donation to security forces (if requested by them). Even so, the carelessness of judges and the lack of strategies of the courts for the disposal of weapons makes this, even today, an important source of stocking of storage places that make control difficult and facilitate the occurrence of diversions.

By refusing to receive custody of weapons and ammunition, the Judiciary, which is a central part of the solution to the problem, was able

to reduce the occurrence of diversions in its premises, but, in practice, in many states, it only transferred the problem to the Civil Police. We understand the initiative of the São Paulo Court of Justice to change the Internal Affairs Service Norms and guide the rapid destruction of weapons, without interest, unclaimed or unidentified, as very positive⁷¹. Without judges ordering weapons destruction, both the Civil Police and the Army Command are left with their hands tied.

For its part, the Civil Police also urgently needs to update its regulations and design a shorter and faster flow of custody, reducing the time for weapons in standard police stations and concentrating storage in regional centers, with Sectional Police Stations, or other buildings with better structure and 24-hour surveillance. In the case of the Civil Police of São Paulo, the body's current regulations⁷² of

⁶⁸ In January 2022, a new episode was recorded. Forty-seven weapons were stolen in Francisco Morato from a carrier. Available at: <https://noticias.r7.com/sao-paulo/suspeitos-sequestram-motorista-e-roubam-47-armas-na-grande-sp-04012022>

⁶⁹ Resolution 134 of June 2011. Available at: <https://atos.cnj.jus.br/atos/detalhar/139>.

⁷⁰ Provision CSM No. 2018/2012: Changes the Rules of Service of the General Justice Department. Available at: https://www2.oabsp.org.br/asp/clipping_jur/ClippingJurDetalhe.asp?id_noticias=22018.

⁷¹ Provision CG nº 36/2021 amending article 509 of the General Corregedoria of Justice Rules of Service. Allied to the communiqué CGnº 1774/2021.

⁷² Ordinance DGP 34 of 1997. Its validity was confirmed in January 2022 by the General Office of the Adjunct Police through the response to the SIC-SP request: 467052123521. I further state that the Civil Police confirmed that the 24-year-old Ordinance is still in force and that the Division of Controlled Products and Miscellaneous Records - DPRCD is responsible for: 1. receiving weapons unrelated to police investigations or other procedures of the Civil Police units, for referral to the Army or the Federal Police; 2. Inserting incidents involving firearms into the state and federal gun registration systems, when appropriate.

**Seized firearms
have a low utility
for the judicial case
but great utility for
criminals. Therefore
they should have a fast
chain of custody until
the destruction.**

It is alarming that the Civil Police is not able to identify the manufacturer of 30% of weapons taken to them after a seizure.

1997 predates the 2003 Disarmament Statute and, therefore, disregard the current systems of weapons registration in the Federal Police and the Army. It is unacceptable that the current rule references paper logbooks, not electronic systems, with greater security and integrity

of information and the possibility of tracking. The Army must assign people to sort and forward these weapons for destruction at least four times a year, avoiding unnecessary stock accumulation.

The number of seized weapons sent for destruction must be equal to or greater than the number of weapons seized per year, ensuring that inventories do not grow unnecessarily.

At the end of the intelligence work, the fact that the Civil Police cannot identify the brand of 30% of the weapons that are brought for police reports is a serious issue, and it is even more severe that this force does not have a police station dedicated to understanding and fighting the illicit trade and trafficking of arms and ammunition. Therefore, it is not surprising that the state faces successive drops in the number of seizures and that the participation of the Investigative Police in these seizures is reduced.

Several tracking surveys show a concentration of only a few dealers involved in irregular sales of weapons⁷³ that end up in the criminal market. Without tracking, this illicit activity goes unpunished. It is evident in the analysis of what is practiced by other security agencies and in the lessons learned by other researchers that the intelligence work on the data helps identify suspicious channels and practices that can anticipate the diversions.

Thus, this research can be an essential input to understand better how the criminal market benefits from the legal arms market from embezzlement. We also believe that implementing the report's recommendations can represent a fundamental contribution to the reduction of weapons available in the illicit market, thus generating support for strategies to reduce armed violence in the cities of São Paulo.

⁷³ Survey on weapons seized in crime in the US state of California. Ten shopkeepers were involved in cases with over ten weapons seized at the crime scene. These weapons appeared on the illegal market in less than three years. "The life cycle of crime guns" (Wintemute et al., 2004, p. 739)

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ANNEX I

50 biggest cases of diversion, by number of diverted weapons

DATE	PERIOD	CITY	TYPE LOCATION/SUBTYPE (BO) OFFICIAL DATA	ITEM (THEFT, ETC.)
18/06/2017	Evening	Diadema	Government Office - Board/ Forum/Court	Theft (art.157)
09/01/2014	Morning	São Paulo	Commercial/Business Center	Theft (art.157)
09/12/2015	Evening	São Paulo	Public roads	Theft (art.157)
09/06/2015	Early morning	Osasco	Trade and Services	Qualified theft (art. 155, §4)
01/05/2016	Afternoon	Campinas	Trade and Services	Theft (art.157)
02/01/2019	Early morning	Ribeirão Preto	Trade and Services	Qualified theft (art. 155, §4)
23/09/2012	Morning	São Paulo	Trade and Services	Theft (art.157)
13/03/2011	Evening	São Paulo	Trade and Services	Qualified theft (art. 155, §4)
02/05/2017	Evening	São Paulo	Office - Warehouse/ warehouse	Theft (art.157)
13/02/2015	Early morning	Guarulhos	Store	Theft (art.157)
07/04/2020	Uncertain	São Paulo	Store	Qualified theft (art. 155, §4)
22/03/2015	Evening	São Paulo	Store	Theft (art.157)
17/02/2017	Uncertain	São Paulo	Office - Law/others	Qualified theft (art. 155, §4)
12/07/2011	Early morning	São Paulo	Trade and Services	Theft (art.157)
15/12/2013	Evening	Louveira	Commercial/Business Center	Theft (art.157)
28/06/2017	Uncertain	Mairiporã	Government Office - Board/ Forum/Court	Theft (art.155)
28/03/2016	Uncertain	Santos	Trade and Services	Qualified theft (art. 155, §4)
27/10/2016	Early morning	São Paulo	Residence - House	Theft (art.157)
29/09/2020	Early morning	Guaratinguetá	Government Office - Police Station/District	Qualified theft (art. 155, §4)
29/06/2012	Morning	São José dos Campos	Trade and Services	Theft (art.157)
21/09/2015	Morning	Itupeva	Residential Condominium - Houses	Theft (art.157)
27/04/2015	Uncertain	São Paulo	Residence - House	Theft (art.155)
08/11/2016	Evening	Angatuba	Rural unit - Farm/House	Qualified theft (art. 155, §4)

DATE	PERIOD	CITY	TYPE LOCATION/SUBTYPE (BO) OFFICIAL DATA	ITEM (THEFT, ETC.)
17/03/2020	Morning	Sorocaba	Trade and Services	Qualified theft (art. 155, §4)
23/11/2017	Morning	São Paulo	Trade and Services	Theft (art. 157)
04/11/2020	Morning	São Paulo	Public roads	Theft (art. 157)
11/05/2015	Morning	Campinas	Trade and Services	Theft (art.157)
09/07/2019	Early morning	Ribeirão Preto	Trade and Services	Qualified theft (art. 155, §4)
08/12/2014	Afternoon	São José dos Campos	Residence - House	Theft (art. 155)
11/04/2012	Uncertain	São Paulo	Residence - House	Qualified theft (art. 155, §4)
05/10/2012	Evening	São João da Boa Vista	Residence - House	Theft (art. 157)
10/07/2018	Morning	São Bernardo do Campo	Government Office - Police Station/District	Qualified theft (art. 155, §4)
20/12/2019	Afternoon	São Paulo	Residence - House	Qualified theft (art. 155, §4)
31/10/2014	Evening	Campinas	Public roads	Theft (art.157)
08/10/2014	Incerto	Itu	Government Office - Board/Forum/Court	Qualified theft (art. 155, §4)
29/06/2011	Uncertain	Barretos	Residence - House	Theft (art.157)
27/05/2016	Early morning	Santos	Public Office - others	Qualified theft (art. 155, §4)
17/03/2012	Morning	Cotia	Residence - House	Theft (art. 157)
16/07/2018	Uncertain	São Lourenço da Serra	Public Office - Police Station/other	Qualified theft (art. 155, §4)
15/07/2011	Early morning	Birigui	Government Office - Board/Forum/Court	Theft (art.157)
14/09/2020	Uncertain	São Paulo	Government Office - Police Station/District	Theft (art. 155)
26/12/2016	Morning	Elias Fausto	Residence - House	Theft (art. 157)
15/08/2016	Morning	Guarujá	Residence - House	Theft (art.157)
24/12/2020	Early morning	Pirassununga	Residence - House	Theft (art.157)
07/09/2018	Evening	Olímpia	Residence - House	Theft (art.157)
10/09/2014	Afternoon	Suzano	Rural unit - Farm/House	Theft (art. 155)
08/12/2016	Evening	Rio Claro	Rural unit - Site/House	Theft (art.157)
13/03/2011	Morning	Cabreúva	Public Office - Headquarters/Command	Theft (art.157)
16/04/2011	Morning	São Bernardo do Campo	Educational Establishment - Higher Education	Theft (art.157)
15/01/2020	Uncertain	São Paulo	Residence - House	Theft (art.155)

**Cases highlighted in yellow were portrayed in more detail in Chapter 2, in the "Most significant diversions" section



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