ACLU RESEARCH REPORT

The Other Epidemic

Fatal Police Shootings in the Time of COVID-19

ACLU

ACLU RESEARCH REPORT

The Other Epidemic

Fatal Police Shootings in the Time of COVID-19

Acknowledgements

The report has been a project of the American Civil Liberties Union (ACLU). It was authored by Ezekiel Edwards, Director, Criminal Law Reform Project; Emily Greytak, Director of Research; Udi Ofer, Director, Justice Division; Carl Takei, Senior Staff Attorney, Trone Center for Justice and Equality; and Paige Fernandez, Policing Policy Advisor. Data analysis was conducted by Justin Nix, Associate Professor of Criminology and Criminal Justice, University of Nebraska, Omaha.

We are very grateful to ReNika Moore, Director, Racial Justice Project; Raymond Gilliar, Communications Associate Director, Content Strategy; Thania Sanchez, Senior Social Scientist; and Brooke Madubuonwu, Director of Legal Analytics and Quantitative Research, for their edits and feedback. We also wish to thank Sanjali De Silva, Communications Intern, for her support with identification and review of literature.

We thank members of the ACLU Indigenous Justice Working Group for their insights and recommendations, specifically: Lillian Alvernaz (Dakota/Nakoda), ACLU Montana; Mark Carter (Potawatomi), ACLU Racial Justice Program; Sharen Kickingwoman (Blackfeet/Aaniii), ACLU Montana; and Candi Brings Plenty (Oglala Lakota Sioux), ACLU South Dakota, for their insights and recommendations.

We are indebted to Justin Nix, Associate Professor of Criminology and Criminal Justice, University of Nebraska, Omaha, for performing all data analysis and providing invaluable support with the interpretation of results.

We are grateful to Brandon Cox, Communications Strategist, for his skillful guidance, and to Neil Shovelin, Creative Director, for his support through the design process.

Graphic design for this report was provided by Patrick Moroney.

Contents

Introduction

The killing of George Floyd by Minneapolis police officers on May 25, 2020 was horrific, but it was not unusual. People rose up in protest in streets across America not because such brutality was unprecedented, but because police violence — inflicted disproportionately on people of color — is and always has been woven into the daily fabric of American life. Police in the United States kill an obscene number of people every year. The actual number is not known because the data is not tracked, reported, collected, or analyzed in a systematic fashion. At minimum, we know that police kill more than 1,000 people annually.[1] Even this conservative figure far exceeds the number of people killed by police in other wealthy countries.[2] For perspective, police in America kill people at least three times the rate of their law enforcement counterparts in Canada, a wealthy country with the next highest rate of killing, and at least 16 times the rates of Germany and England.[3]

The epidemic of police violence has been directly and disproportionately targeted at Black people. Indeed, police have played a primary role in anti-Black violence since their inception as an institution. For example, a sociological study in 1933 of 100 lynchings found that white police officers had participated in at least half of all lynchings, and that in 90 percent of others, law enforcement stood by, complicit in their inaction, as mobs murdered Black people.[4] Just as police are more likely to stop, frisk, arrest, and jail Black people than white people,[5] they are more likely to shoot and kill Black people. One study found that young unarmed male victims of deadly force by police are 13 times more likely to be Black than white.[6] At current levels of risk, Black men face about a one in 1,000 chance of being killed by police over the course of their lives. Stunningly, for young men of color, police use of force is now among the leading causes of death.[7] Mirroring the lack of media attention often given to women and nonbinary people of color killed by the police,[8] there is a dearth of research examining racial disparities in police killings among nonmale populations. However, some data indicates that

Our country has to reckon with the scope and impact of centuries of **systemic police violence and racism.**

although women are less likely than men to be killed by police overall, Black women and Native American/Indigenous women are more likely to be killed by police than white women.[9,10] Furthermore, while police killings are higher in high-poverty areas than low-poverty areas for all racial groups, Black people who live in more affluent areas are almost as likely to be killed by police as white people who live in the poorest areas.[11]

The onset of the coronavirus pandemic, during which state governments have issued stay-at-home orders and imposed social distancing requirements, and many police departments have sought to minimize police-initiated contact with the public (by, among other measures, reducing the number of traffic and pedestrian stops),[12] would suggest a reduction in police killings. This report examines whether unprecedented societal isolation combined with police departments relaxing routine enforcement corresponds to a decrease in the frequency with which the police fatally shoot people, and whether such force continues to be used disproportionately against Black, Brown, and Native American/Indigenous people. As detailed in the following results section, we found that despite COVID-19, the rate of fatal police shootings has remained the same nationally. In some states, the rate has even increased.

Our country has to reckon with the scope and impact of centuries of systemic police violence and racism. We issue this report to highlight the current state of fatal police shootings during what are unprecedented times for this generation, and to show a way forward that would, ultimately, shift power away from police officers, police unions, and their lobbying associations, and to the communities that have suffered the most police violence. Communities that are closest to the problem are closest to the solution,[13] and yet often are furthest from the resources necessary for transformational change.

Results

Fatal Police Shootings Over Time

From January 1, 2015, to June 30, 2020, police officers shot and killed 5,442 people. Table 1 breaks this total down by victim race (as reported by *The Washington Post*[14]). Approximately 46% of fatal police shootings kill white people, who account for roughly 60% of the U.S. population. Another 24% of fatal police shootings kill Black people, who account for about 13% of the U.S. population. Latinx people are killed in 17% of fatal police shootings, and account for about 19% of the U.S. population.

As shown in Figure 1, Native American/Indigenous people and Black people experience the highest rates of fatal police shootings, followed by Latinx people. For example, in 2019, Black and Native American/Indigenous people were approximately three times more likely than white people to be fatally shot by police (6.2 and 5.9 shootings per 1 million people for Black and Native American/Indigenous populations, respectively, vs. 2.0 shootings per 1 million for white population).

For the most part, the size of these racial disparities has been remarkably consistent over the last five years. One notable exception is the rate at which Native American/Indigenous people have been fatally shot by police. Their rate of death by fatal police shootings has ranged from a low of 4.3 per million in 2015 to a high of 10.2 per million in 2017 (see Figure 1). The reason for the apparent spike in rates in 2017 is unclear. However, some high-profile events leading up to 2017 may have led to increased police violence in Native American communities, perhaps contributing to the spike. For example,

TABLE 1

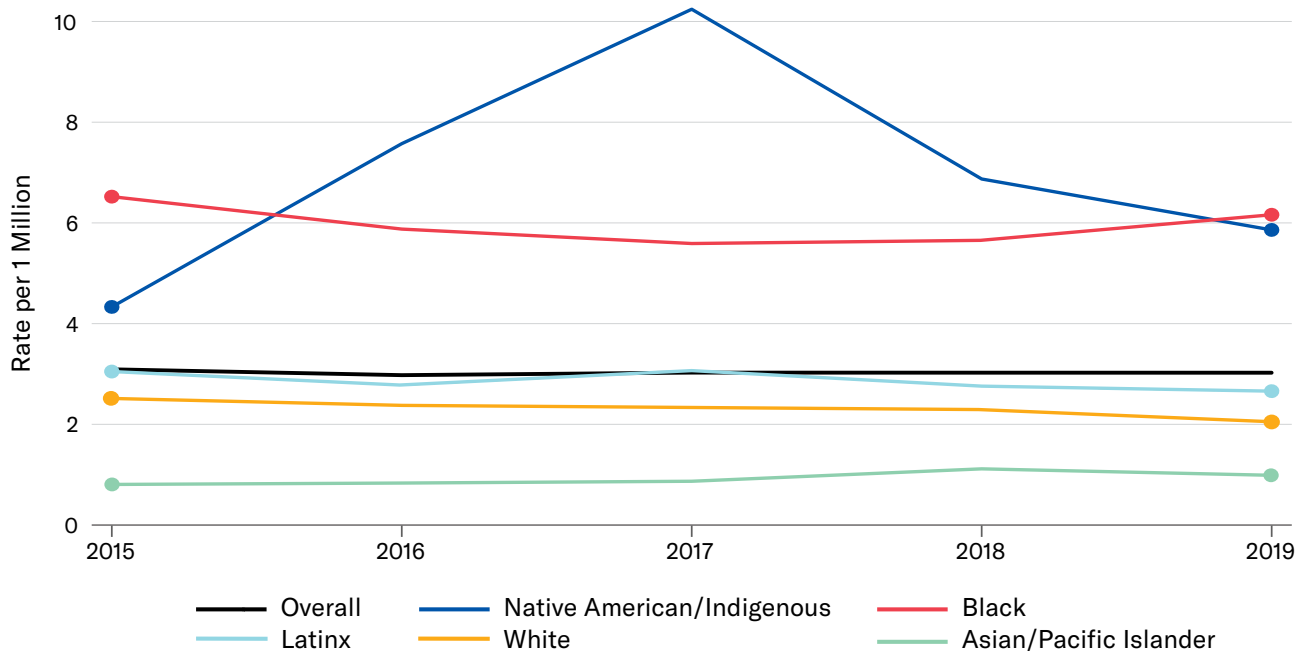
Fatal Police Shootings, by Race of Victim, 2015–2020*

Race	Fatal Police Shootings	% of Fatal Police Shootings	% of U.S. Population**
White	2,491	45.8%	60.1%
Black	1,298	23.9%	12.5%
Hispanic/Latinx	906	16.7%	18.5%
Asian/Pacific Islander	94	1.7%	7.0%
Native American/Indigenous	78	1.4%	1.3%
Other	48	0.9%	0.6%
Undetermined	527	9.7%	—
Total	**5,442**	**100.0%**	—

* As of June 30, 2020. Percentages do not sum to exactly 100% due to rounding.
** As of July 1, 2019, according to the U.S. Census Bureau
Data source: *The Washington Post* Fatal Force Database and U.S. Census Bureau

FIGURE 1

Fatal Police Shootings per 1 Million People, 2015–2019



Data source: *The Washington Post* Fatal Force Database, pulled 7/13/20

outrage over the killing of Paul Castaway, a Native American man shot by Denver police in 2015, helped spark the beginning of the "Native Lives Matter" movement.[15] Tensions between police and protestors of the Dakota Access Pipeline construction were high in 2016, and several instances of police brutality against Native American protestors occurred at the Standing Rock Sioux Reservation.[16] These events may have led not only to more instances of police violence, but also to increased media attention and reporting of police violence against Native Americans/Indigenous individuals, a population that has often been unrepresented in the public discussion of police violence.[17] Furthermore, some have also noted the lack of accurate, consistent data collection related to police violence against Native American/Indigenous populations due to many factors, including tribal lands being under federal jurisdiction and thus less likely to report data of police violence and misidentification of Native American/Indigenous people.[18]

These figures are consistent with public health studies documenting racial disparities in the likelihood of being killed by police in the United States.[19] They are also consistent with the disparities revealed by other databases that track police-involved fatalities (i.e., Fatal Encounters[20] and Mapping Police Violence[21]).

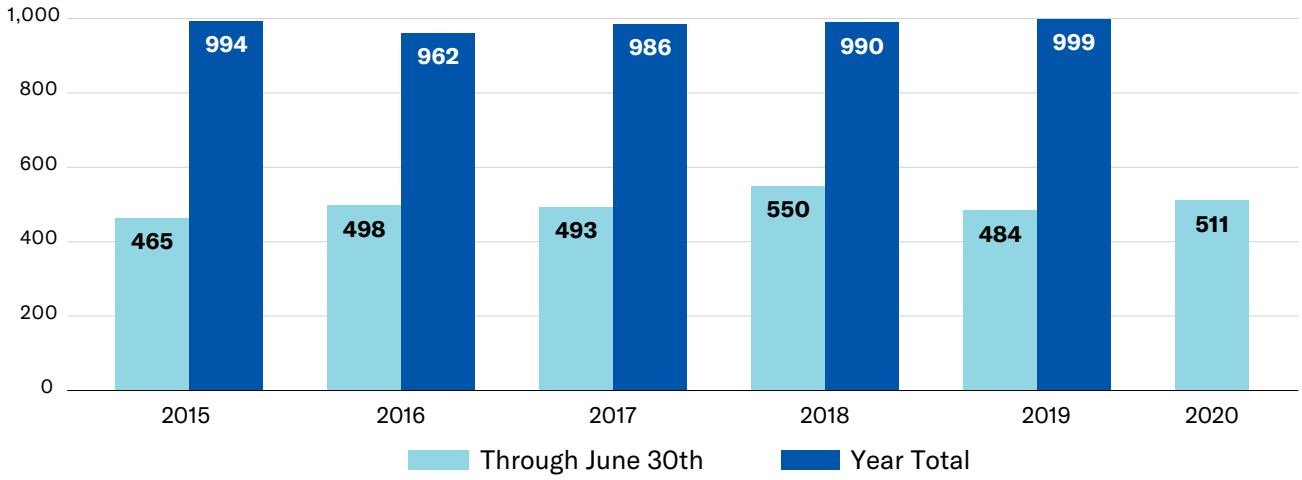
It is not possible to explain the specific mechanisms that account for these racial disparities with the available data, but decades of research suggest they stem from racial disparities in whom police stop[22] and arrest[23], as well as disparities in citizen complaints,[24] crime reporting,[25] 911 calls,[26] access to trauma care,[27] and neighborhood context.[28] Disparities in fatal police shootings are likely also a partial function of racist tropes and stereotypes resulting in misperceptions of Black people as inherently dangerous or threatening.[29] These factors stem from the individual, structural, and systemic racism deeply embedded into our culture and our institutions.

Fatal Police Shootings Amidst the COVID-19 Pandemic

Figure 2 displays the number of people fatally shot by police per year, as well as how many had been fatally shot at this point each year. As of June 30, 2020, police officers had fatally shot 511 people. This is consistent with each of the previous five years for which we have data — which is somewhat surprising given the significant societal disruptions that have been caused in 2020 by the COVID-19 pandemic. Because of stay-at-home orders, social distancing requirements, and police department policies advising officers to initiate fewer investigative contacts,[30] we might have expected fewer fatal police shootings in 2020 relative to years past. In fact,

FIGURE 2

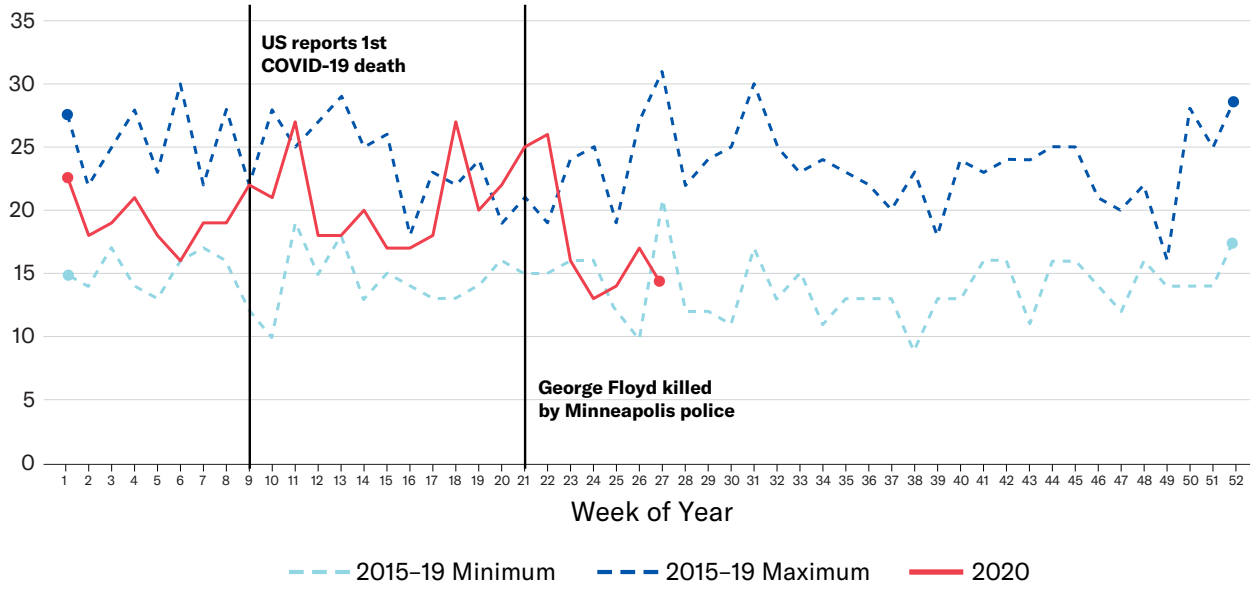
Fatal Police Shootings per Year, 2015–2020



Data source: *The Washington Post* Fatal Force Database

FIGURE 3

Fatal Police Shootings per Week, 2015–2020*



***Data source:** *The Washington Post* Fatal Force Database
Data pulled 7/13/2020

most research indicates that crime has decreased or stayed the same during the pandemic,[31] although some notes an uptick in certain types of crime in some localities.[32]

To investigate further, we plotted the number of fatal police shootings that occurred in each of the first 27 weeks of 2020 relative to the minimum and maximum weekly totals observed from 2015 to 2019 (see Figure 3 on the previous page). For example, in the ninth week of 2020 (when the first COVID-19 related death was reported), police officers fatally shot 22 people, matching the weekly maximum and nearly doubling the weekly minimum (12 during the same week in 2016) from the previous five years. From 2015 to 2019, an average of 19.4 fatal shootings occurred per week during the first 27 weeks of the year (range = 16.2 to 22.4). In 2020, there have been an average of 19.4 fatal shootings per week (range = 13 to 27). At the national level, then, COVID-19 has had no effect on the frequency of fatal police shootings.

Fatal Police Shootings by State

Of course, national-level analyses such as these undoubtedly mask significant variation across smaller geographic units.[33] The maps in Figure 4 compare each state's average rate of shootings per million residents during the first six months each year from 2015 to 2019 to its rate during the first six months of 2020[34] (see Table 2 and Tables A1 and A2 in the Appendices for specific data for each state and D.C.).

Overall, findings from the state data mirror the national findings, in that fatal shootings appear to be occurring at relatively the same rates during the COVID-19 pandemic as they did during the same time period in prior years. Much of the variation that does exist between 2020 and the previous five-year average is small, but there are several states in which the variation from previous years is more pronounced (see Table 2). In four states — Illinois, Michigan, Texas, and West Virginia — there have been fewer fatal shootings thus far in 2020, relative to the last five years, on average. But in another seven states — Alabama, Alaska, Colorado, Connecticut, Florida, Montana, and Nevada — there have been more shootings this year relative to the last five years on average.

Fatal Police Shootings Following Protests and Pressure to Defund Police

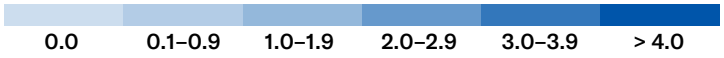
Between late May, when Minneapolis police killed George Floyd and communities in cities and towns across the country took to the streets to demand not just justice but radical and transformative change, and the release of this report, fatal police shootings appear to have dropped precipitously.

In the four weeks leading up to Floyd's killing, there were 27, 20, 22, and 25 fatal shootings, respectively (average = 23.5). The previous five-year average during this four-week period was 17.3. Following Floyd's death and the worldwide protests in the weeks that followed, it appears that fatal police shootings may have slowed (see Figure 3). There have been 17 or fewer fatal police shootings per week each of the last five weeks. This occurred only three times during the first 22 weeks of 2020.

However, we cannot draw meaningful conclusions from data over such a brief time period. Police killings persist, to be sure — police violence is too deeply rooted to be extricated in a matter of weeks, months, or even years, as evidenced by the killing of Rayshard Brooks in Atlanta[35] and the wave of police brutality during the protests.[36] Of course, we will need to carefully — and accurately — track police shootings over the coming weeks and months to better understand if, in fact, protests, public outrage, and accompanying policy changes[37] have reduced police shootings. But until and unless there is fundamental and structural change, police brutality will continue.

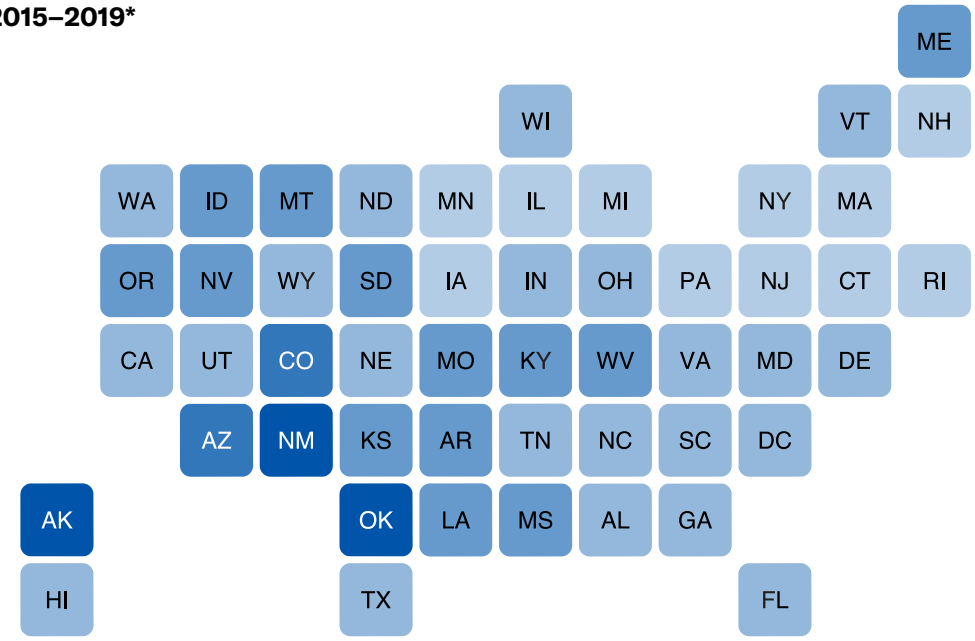
FIGURE 4

Fatal Police Shooting Rates Through June 30th

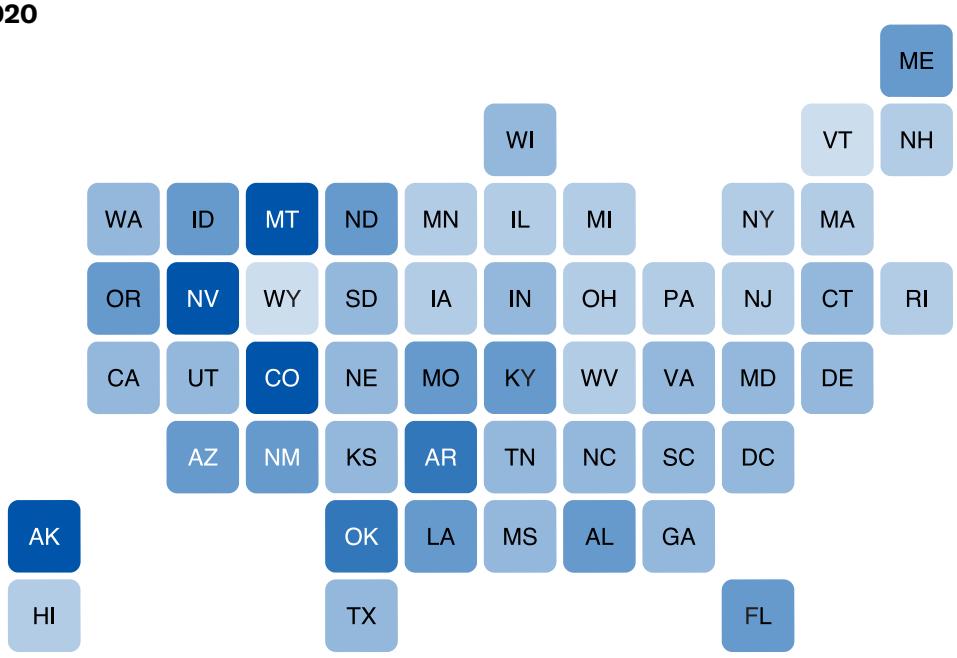


Fatal Police Shootings per 1 Million People

2015–2019*



2020



Data source: *The Washington Post* Fatal Force Database

TABLE 2

Year-to-Date Totals and Rates of Fatal Police Shootings by State, 2015-2020

State	Average YTD,* 2015-2019	Avg. Rate per Million People, 2015-2019	2020 YTD* Total	2020 Rate per Million People
Alabama	8.2	1.7	13	2.7
Alaska	3.6	4.9	6	8.2
Arizona	25.0	3.6	21	2.9
Arkansas	6.8	2.3	10	3.3
California	70.6	1.8	65	1.7
Colorado	17.4	3.1	27	4.9
Connecticut	1.6	0.5	4	1.1
Delaware	1.4	1.5	1	1.0
District of Columbia	1.2	1.7	0	0.0
Florida	30.2	1.5	46	2.1
Georgia	16.2	1.6	18	1.7
Hawai'i	2.8	2.0	1	0.7
Idaho	3.8	2.2	3	1.7
Illinois	11.8	0.9	4	0.3
Indiana	9.2	1.4	10	1.5
Iowa	2.2	0.7	2	0.6
Kansas	4.2	1.4	3	1.0
Kentucky	9.2	2.1	11	2.5
Louisiana	10.0	2.1	10	2.2
Maine	2.8	2.1	3	2.2
Maryland	7.6	1.3	9	1.5
Massachusetts	3.4	0.5	3	0.4
Michigan	8.6	0.9	2	0.2
Minnesota	4.8	0.9	3	0.5
Mississippi	7.0	2.4	4	1.3
Missouri	13.8	2.3	17	2.8
Montana	2.8	2.7	6	5.6
Nebraska	2.8	1.5	2	1.0
Nevada	6.4	2.1	16	5.2
New Hampshire	1.2	0.9	1	0.7
New Jersey	6.6	0.7	5	0.6
New Mexico	8.4	4.0	5	2.4
New York	9.2	0.5	12	0.6
North Carolina	14.2	1.4	18	1.7
North Dakota	1.2	1.6	2	2.6
Ohio	13.6	1.2	11	0.9
Oklahoma	16.6	4.2	14	3.5
Oregon	8.8	2.1	10	2.4
Pennsylvania	9.4	0.7	9	0.7
Rhode Island	0.4	0.4	0	0.0
South Carolina	6.8	1.4	9	1.8
South Dakota	2.2	2.5	1	1.1
Tennessee	12.2	1.8	11	1.9
Texas	51.4	1.8	40	1.4
Utah	4.6	1.5	5	1.6
Vermont	0.8	1.3	0	0.0
Virginia	8.8	1.1	9	1.1
Washington	12.4	1.7	14	1.8
West Virginia	4.6	2.5	1	0.6
Wisconsin	8.2	1.4	9	1.6
Wyoming	1.0	1.7	0	0.0

***Note:** YTD = Year to date, as of June 30, 2020

Data Source: *The Washington Post* Fatal Force Database and U.S. Census Bureau

Conclusions & Recommendations

Fatal shootings by police are so routine that even during a national pandemic, with far fewer people traveling outside of their homes and police departments reducing contact with the public so as not to spread the virus, police have continued to fatally shoot people at the same rate so far in 2020 as they did in the same period from 2015 to 2019. In several states, police are killing people at *higher* rates than the previous five years. Further, our analysis reveals that Black, Native American/Indigenous, and Latinx people are still more likely than white people to be killed by police.

These sobering findings suggest that not even a deadly virus — one that has driven people indoors and required social distancing — can curb the American epidemic of fatal police shootings or the disproportionate rate of police killings of Black, Brown, and Native American/Indigenous people. We must take urgent, critical steps to systemically transform policing in this country by dramatically reducing police departments' role, presence, responsibilities, and funding, and in turn, end the scourge of police violence.

Recommendations

- **Divest from current policing budgets and reinvest in life-affirming alternatives** to policing that will keep communities safe. Significantly fewer police, with a significantly reduced role in communities' everyday lives, will result in fewer police-community interactions, which will reduce incidents of police violence.
- **Prohibit police from enforcing a range of nonserious offenses**, including nonserious traffic and minor offenses, which should be addressed through mechanisms outside the criminal legal system. Eighty percent of arrests in the United States are for misdemeanors,[38] and we have witnessed many police killings — Philando Castile, Eric Garner, George Floyd, and more — that arose from enforcement of petty offenses. Eliminating unnecessary interactions between the police and community members will reduce violence and deaths.
- **Dramatically transform use-of-force statutes** so that police officers' use of force against community members is rare. Deadly force should only be allowed if necessary to defend against an imminent threat of death or serious bodily injury to the officer or to another person, and only after all other alternatives to lethal force have been exhausted. Whether such force is necessary should involve consideration of an officer's conduct and decisions leading up to the use of deadly force, including decisions that create unnecessary risks or ignore reasonable and available alternatives to such force.

Eliminating unnecessary interactions between the police and community members will **reduce violence and deaths.**

- **Abolish qualified immunity**, which often shields officers from liability for many constitutional violations, including fatal use of force.
- **Establish alternatives to police response for people in crisis**. People who are experiencing behavioral health crises should not have to communicate with law enforcement as first responders. Instead, the response to such crises should be sufficiently staffed, culturally competent mental health services.
- **End the militarization of police**. Police must be demilitarized, which requires a reduction in access to and use of militarized weapons designed for the battlefield of war, including assault rifles, grenade launchers, incendiary devices, and armored vehicles. Further, communities should encourage programs to mediate conflicts that rely on people who are not police officers, who do not carry weapons, and who work collaboratively within the communities they serve.
- **Create independent oversight structures with teeth** that ensure that when officers use force in violation of the law, policies, or training, they are held accountable. Records of misconduct and ensuing accountability must be made available to the public and other police departments, so as not to allow officers who engage in police violence to easily move from one department to another.
- **Ensure training reflects improved statutes and policies**. Training may be required to effectively implement policies that prioritize de-escalation and limit use of force. However, the need for such training should not function as a backdoor means of increasing police budgets. Training content and methods used should be scientifically evaluated, and selection criteria should be based on empirical evidence of efficacy. Additionally, the provision of such training is meaningless if it is not supported by clear, enforceable policies.
- **Collect and disseminate comprehensive, publicly available data** about police shootings and all law enforcement uses of force, disaggregated by race, ethnicity, gender, self-reported LGBTQ status, and disability.

Methodology

On July 13, 2020, we extracted incident-level data on fatal shootings by on-duty U.S. police officers from *The Washington Post*'s Fatal Force database.[39] To calculate overall and race-specific fatal police shooting rates, we obtained population estimates from the U.S. Census Bureau.[40]

It is important to note that although the overwhelming majority of community deaths at the hands of police officers are caused by gunfire,[41] the data analyzed here do not include other police-caused deaths, such as those of Eric Garner, Freddie Gray, or George Floyd (to name but a few). This research was limited to fatal shootings by police. It does not account for trends in deaths caused by other means, nor does it account for nonfatal shootings by police. These incidents nevertheless involve police officers using deadly force on community members.

Though *The Washington Post* updates its Fatal Force database regularly, there may be some lag time between the occurrence of fatal police shooting incidents and their addition to the database. For example, if a shooting occurred in the evening hours of June 30, it likely would not get covered by local media until the next day (July 1), and it might take journalists at *The Washington Post* several additional days to notice it, confirm details such as the victim's race, and add it to their database. Thus, we cannot be certain that the more recent 2020 figures are complete. Further examination into the first six months of 2020 would be warranted at a later date to provide a more complete accounting. Nevertheless, this is the most up-to-date data available at the time of analysis.

U.S. population estimates by race/ethnicity were only available from the Census Bureau for 2015 through 2018. For the national-level rates presented in Figure 1, we imputed the 2019 populations based on 2015-2018 estimates. For the state-level rates presented in Figure 4, we simply used 2019 populations to calculate the 2020 rates.

There were also some additional limitations in assessing racial disparities. The U.S. Census and *The Washington Post*'s Fatal Force database collect and categorize race and ethnicity somewhat differently—*The Washington Post* relies on news reports and official statements, whereas the Census Bureau constructs five-year estimates from its annual American Community Survey.[42] *The Washington Post* does not include a bi-/multiracial category, so we had to create single-race categories (with the exception of Latinx, which includes those of any race), and thus specific instances of fatal shootings of bi-/multiracial people remains unknown. Furthermore, *The Washington Post* combines all Asian and Pacific Islander people as one racial group, and thus, though it is possible that Asian people and Pacific Islander people have differing rates of fatal police shootings, we were not able to examine that in this report and disparities might have been masked. Future research that disaggregates data of Asian/Pacific Islander people to examine subgroup differences and experiences is needed.

Appendices

TABLE A1

Year-End Totals of Fatal Police Shootings by State, 2015–2020

State	2015	2016	2017	2018	2019	2020 (YTD)	Total Since 1/1/2015
Alabama	17	25	25	13	11	13	104
Alaska	4	7	8	7	7	6	39
Arizona	42	50	44	62	35	21	254
Arkansas	5	15	12	21	21	10	84
California	190	138	161	114	135	66	804
Colorado	29	31	31	44	36	28	199
Connecticut	2	4	6	1	4	4	21
Delaware	3	1	6	0	2	1	13
District of Columbia	4	5	2	1	1	0	13
Florida	61	60	58	64	64	46	353
Georgia	29	26	29	44	37	18	183
Hawai'i	2	6	3	11	7	1	30
Idaho	7	6	6	13	7	3	42
Illinois	21	26	20	20	13	4	104
Indiana	19	14	19	18	16	10	96
Iowa	5	5	5	9	5	2	31
Kansas	9	10	12	7	9	3	50
Kentucky	16	18	17	20	15	11	97
Louisiana	27	19	19	15	20	10	110
Maine	2	2	9	3	3	3	22
Maryland	15	15	9	12	19	9	79
Massachusetts	9	12	3	3	5	3	35
Michigan	16	12	14	21	13	2	78
Minnesota	12	14	9	12	11	3	61
Mississippi	8	8	17	10	18	4	65
Missouri	21	21	31	24	28	17	142
Montana	4	5	6	6	6	6	33
Nebraska	8	7	0	1	6	2	24
Nevada	19	14	16	22	11	16	98
New Hampshire	3	2	3	2	2	1	13
New Jersey	15	12	12	12	12	5	68
New Mexico	20	21	21	20	19	5	106
New York	19	17	16	15	23	12	102
North Carolina	22	33	22	25	34	18	154
North Dakota	1	1	3	4	0	2	11
Ohio	29	26	34	32	24	11	156
Oklahoma	32	26	26	33	35	14	166
Oregon	15	15	12	17	18	10	87
Pennsylvania	18	22	23	23	14	9	109
Rhode Island	0	2	1	1	0	0	4
South Carolina	19	17	12	12	18	9	87
South Dakota	3	4	3	3	3	1	17
Tennessee	20	22	27	26	33	13	141
Texas	100	82	69	85	108	41	485
Utah	10	8	7	18	12	5	60
Vermont	1	2	1	2	3	0	9
Virginia	18	17	23	18	10	9	95
Washington	16	26	38	22	36	14	152
West Virginia	10	12	11	7	13	1	54
Wisconsin	11	17	24	12	18	9	91
Wyoming	6	2	1	4	1	0	14

Note: YTD = Year to date, as of June 30, 2020
Data source: *The Washington Post* Fatal Force Database

TABLE A2

Year-to-Date Totals of Fatal Police Shootings by State, 2015–2020

State	2015 YTD	2016 YTD	2017 YTD	2018 YTD	2019 YTD	5-Year Avg YTD	2020 YTD
Alabama	9	15	6	7	4	8.2	13
Alaska	1	4	4	4	5	3.6	6
Arizona	26	22	19	36	22	25.0	21
Arkansas	4	7	5	9	9	6.8	10
California	76	62	87	57	71	70.6	65
Colorado	14	17	12	26	17	17.2	27
Connecticut	0	3	3	0	2	1.6	4
Delaware	2	1	4	0	0	1.4	1
District of Columbia	1	2	2	1	0	1.2	0
Florida	28	34	29	31	29	30.2	46
Georgia	13	15	13	26	14	16.2	18
Hawai'i	1	4	3	2	4	2.8	1
Idaho	4	3	3	9	0	3.8	3
Illinois	11	15	11	12	10	11.8	4
Indiana	11	7	9	12	7	9.2	10
Iowa	3	3	1	3	1	2.2	2
Kansas	6	4	4	3	4	4.2	3
Kentucky	6	9	9	14	8	9.2	11
Louisiana	10	9	9	10	12	10.0	10
Maine	1	1	8	2	2	2.8	3
Maryland	8	7	7	5	11	7.6	9
Massachusetts	6	8	0	1	2	3.4	3
Michigan	8	5	7	15	8	8.6	2
Minnesota	5	6	4	4	5	4.8	3
Mississippi	4	7	6	8	10	7.0	4
Missouri	10	14	17	17	11	13.8	17
Montana	2	3	2	4	3	2.8	6
Nebraska	6	4	0	0	4	2.8	2
Nevada	3	6	8	9	6	6.4	16
New Hampshire	1	1	2	0	2	1.2	1
New Jersey	9	4	8	8	4	6.6	5
New Mexico	7	15	6	8	6	8.4	5
New York	13	10	6	8	9	9.2	12
North Carolina	11	16	12	15	17	14.2	18
North Dakota	1	1	2	2	0	1.2	2
Ohio	11	10	19	19	8	13.4	11
Oklahoma	19	9	18	21	16	16.6	14
Oregon	9	9	6	10	10	8.8	10
Pennsylvania	8	11	11	14	3	9.4	9
Rhode Island	0	2	0	0	0	0.4	0
South Carolina	9	6	6	4	9	6.8	9
South Dakota	0	4	3	2	2	2.2	1
Tennessee	7	10	17	9	18	12.2	11
Texas	51	45	41	61	59	51.4	40
Utah	5	5	4	8	1	4.6	5
Vermont	0	1	0	2	1	0.8	0
Virginia	8	13	8	10	5	8.8	9
Washington	8	12	15	8	19	12.4	14
West Virginia	3	3	5	5	7	4.6	1
Wisconsin	5	10	12	7	7	8.2	9
Wyoming	1	1	0	2	0	0.8	0

Note: *YTD = Year to date, as of June 30, 2020*
Data Source: *The Washington Post* Fatal Force Database

Endnotes

1 Fatal Force, *The Washington Post,* July 2020, https://www.washingtonpost.com/graphics/investigations/police-shootings-database/. The counted: People killed by the police in the U.S. recorded by The Guardian with your help, *The Guardian,* 2017, https://www.theguardian.com/us-news/series/counted-us-police-killings.

2 Alex Jones and Wendy Sawyer, *Not Just "a few Bad Apples": U.S. Police Kill Civilians at Much Higher Rates than Other Countries*, Prison Policy Institute (June 2020), https://www.prisonpolicy.org/blog/2020/06/05/policekillings/.

3 Alex Jones and Wendy Sawyer, *Not Just "a few Bad Apples": U.S. Police Kill Civilians at Much Higher Rates than Other Countries*, Prison Policy Institute (June 2020), https://www.prisonpolicy.org/blog/2020/06/05/policekillings/.

4 Nikole Hannah-Jones, "What Is Owed," *New York Times Magazine* (June 25, 2020), https://www.nytimes.com/interactive/2020/06/24/magazine/reparations-slavery.html, citing Arthur Franklin Raper, *The Tragedy of Lynching* (Montclair, NJ: Patterson Smith, 1969).

5 Elizabeth Davis, Anthony Whyde, and Lynn Langton, *Contacts between Police and the Public, 2015,* Bureau of Justice Statistics (October 2018): 1-33, https://www.bjs.gov/content/pub/pdf/cpp15.pdf; Alexi Jones and Wendy Sawyer, *Arrest, Release, Repeat: How Police and Jails Are Misused to Respond to Social Problems*, Prison Policy Institute (August 2019), https://www.prisonpolicy.org/reports/repeatarrests.html; Zhen Zeng, *Jail Inmates in 2016,* Bureau of Justice Statistics (February 2018), https://www.bjs.gov/content/pub/pdf/ji16.pdf.

6 Ulrich Schimmack and Rickard Carlsson, "Young Unarmed Nonsuicidal Male Victims of Fatal Use of Force Are 13 Times More Likely to Be Black Than White," *Proceedings of the National Academy of Sciences* 117, no. 3 (January 2020): 1263-1263, https://doi.org/10.1073/pnas.1917915117.

7 Frank Edwards, Hedwig Lee, and Michael Esposito, "Risk of Being Killed by Police Use of Force in the United States by Age, Race-Ethnicity, and Sex," *Proceedings of the National Academy of Sciences* 116, no. 34 (August 2019): 16793-16798, https://doi.org/10.1073/pnas.1821204116.

8 Kimberlé Crenshaw, Andrea J. Ritchie, Rachel Anspach, Rachel Gilmer, and Luke Harris, *Say Her Name: Resisting Police Brutality Against Black Women*, African American Policy Forum (July 2015), http://static1.squarespace.com/static/53f20d90e4b0b80451158d8c/t/560c068ee4b0af26f72741df/1443628686535/AAPF_SMN_Brief_Full_singles-min.pdf.

9 There is a virtually no data on police shootings of nonbinary people. Future research should explore experiences of nonbinary people as related to police violence.

10 Frank Edwards, Hedwig Lee, and Michael Esposito, "Risk of Being Killed by Police Use of Force in the United States by Age, Race-Ethnicity, and Sex," *Proceedings of the National Academy of Sciences* 116, no. 34 (August 2019): 16793-16798, https://doi.org/10.1073/pnas.1821204116; Matthew Harvey, *Fatal Encounters Between Native Americans and the Police*, The Center for Indian Country Development (March 2020), https://www.minneapolisfed.org/~/media/assets/articles/2020/fatal-encounters-between-native-americans-and-the-police/fatal-encounters-between-native-americans-and-the-police_march-2020.pdf?la=en%20%20.

11 Justin Feldman, *Police Killings in the U.S.: Inequalities by Race/Ethnicity and Socioeconomic Position*, People's Policy Project (June 2020), https://www.peoplespolicyproject.org/2020/06/23/class-and-racial-inequalities-in-police-killings/.

12 Shaila Dewan, Vanessa Swales, and Neil Vigdor, "Police Tread Lightly as Pandemic Spreads," *The New York Times* (March 22, 2020), https://www.nytimes.com/2020/03/22/us/coronavirus-police.html.

13 Coined by JustLeadershipUSA. *See* Glenn E. Martin, "Those Closest to the Problem Are Closest to the Solution," *The Appeal* (September 22, 2017), https://theappeal.org/those-closest-to-the-problem-are-closest-to-the-solution-555e04317b79/.

14 Fatal Force, *The Washington Post*, July 2020, https://www.washingtonpost.com/graphics/investigations/police-shootings-database/.

15 Elise Hansen, "The Forgotten Minority in Police Shootings," CNN (November 12, 2017), https://www.cnn.com/2017/11/10/us/native-lives-matter/index.html.

16 Sandy Tolan, "After Violent Clashes, Native American Protesters Vow to Continue Their Fight Against the Dakota Access Pipeline," *Los Angeles Times* (October 29, 2016), https://www.latimes.com/nation/la-na-north-dakota-pipeline-20161029-story.html; Julia Carrie Wong and Sam Levin, "Standing Rock Protestors Hold Out Against Extraordinary Police Violence," *The Guardian* (November 28, 2016), https://www.theguardian.com/us-news/2016/nov/29/standing-rock-protest-north-dakota-shutdown-evacuation.

17 Jean Reith Schroedel and Roger J. Chin, "Whose Lives Matter: The Media's Failure to Cover Police Use of Lethal Force Against Native Americans," *Race and Justice* 10, no. 2 (April 2020): 150-175, https://doi.org/10.1177%2F2153368717734614.

18 Fatal Encounters (@fatalencounters), "Public Information Officer Friendly says, 'The U.S. government honed its systemic-racism chops on indigenous people, and it still successfully hides more native killings by police than any other group.' There are many reasons for that," Twitter, July 2, 2020, https://twitter.com/fatalencounters/status/1278879577033658377.

19 Frank Edwards, Hedwig Lee, and Michael Esposito, "Risk of Being Killed by Police Use of Force in the United States by Age, Race-Ethnicity, and Sex," *Proceedings of the National Academy of Sciences* 116, no. 34 (August 2019): 16793-16798, https://doi.org/10.1073/pnas.1821204116.

20 Fatal Encounters, https://fatalencounters.org/people-search/.

21 Mapping Police Violence, https://mappingpoliceviolence.org/.

22 Charles R. Epp, Steven Maynard-Moody, and Donald P. Haider-Markel, *Pulled Over: How Police Stops Define Race and Citizenship*

(Chicago: University of Chicago Press, 2014); Andrew Gelman, Jeffrey Fagan, and Alex Kiss, "An Analysis of the New York City Police Department's 'Stop-and-Frisk' Policy in the Context of Claims of Racial Bias," *Journal of the American Statistical Association* 102, no. 479 (2007): 813-823, https://doi.org/10.1198/016214506000001040; Emma Pierson, Camelia Simoiu, Jan Overgoor, Sam Corbett-Davies, Daniel Jenson, Amy Shoemaker, Vignesh Ramachandran, Phoebe Barghouty, Cheryl Phillips, Ravi Shroff, and Sharad Goel, "A Large-Scale Analysis of Racial Disparities in Police Stops Across the United States," *Nature Human Behaviour* 4, no. 7 (May 2020): 1-10, https://doi.org/10.1038/s41562-020-0858-1.

23 Tammy Rinehart Kochel, David B. Wilson, and Stephen D. Mastrofski, "Effect of Suspect Race on Officers' Arrest Decisions," *Criminology* 49, no. 2 (May 2011): 473-512, https://doi.org/10.1111/j.1745-9125.2011.00230.x.

24 Robin S. Engel, Michael R. Smith, and Francis T. Cullen, "Race, Place, and Drug Enforcement: Reconsidering the Impact of Citizen Complaints and Crime Rates on Drug Arrests," *Criminology & Public Policy* 11, no. 4 (November 2012): 603, https://doi.org/10.1111/j.1745-9133.2012.00841.x.

25 Min Xie and Janet L. Lauritsen, "Racial Context and Crime Reporting: A Test of Black's Stratification Hypothesis," *Journal of Quantitative Criminology* 28, no. 2 (June 2012): 265-293, https://doi.org/10.1007/s10940-011-9140-z.

26 Chan Tov McNamarah, "White Caller Crime: Racialized Police Communication and Existing While Black," *Michigan Journal of Race & Law* 24, no. 2 (2019): 335, https://repository.law.umich.edu/mjrl/vol24/iss2/5/; Carl Takei, "How Police Can Stop Being Weaponized by Bias-Motivated 911 Calls," American Civil Liberties Union (June 18, 2018), https://www.aclu.org/blog/racial-justice/race-and-criminal-justice/how-police-can-stop-being-weaponized-bias-motivated.

27 Robert J. Sampson and Janet L. Lauritsen, "Racial and Ethnic Disparities in Crime and Criminal Justice in the United States," *Crime and Justice* 21 (1997): 311-374, https://doi.org/10.1086/449253.

28 Giovanni M. Circo and Andrew P. Wheeler, "Network Distance and Fatal Outcomes Among Gunshot Wound Victims" [Preprint], *SocArXiv* (August 2019), https://doi.org/10.31235/osf.io/cuhy9; Penelope J. Hanke and James H. Gundlach, "Damned on Arrival: A Preliminary Study of the Relationship Between Homicide, Emergency Medical Care, and Race," *Journal of Criminal Justice* 23, no. 4 (1995): 313-323, https://doi.org/10.1016/0047-2352(95)00022-I; Michael Wandling, Jess Behrens, Renee Hsia, and Marie Crandall, "Geographic Disparities in Access to Urban Trauma Care: Defining the Problem and Identifying a Solution for Gunshot Wound Victims in Chicago," *The American Journal of Surgery* 212, no. 4 (2016): 587-591, https://doi.org/10.1016/j.amjsurg.2016.06.020.

29 Kimberly Barsamian Kahn and Paul G. Davies, "Differentially Dangerous? Phenotypic Racial Stereotypicality Increases Implicit Bias among Ingroup and Outgroup Members," *Group Processes & Intergroup Relations* 14, no. 4 (July 2011): 569-580, https://doi.org/10.1177%2F1368430210374609; Yara Mekawi and Konrad Bresin, "Is the Evidence from Racial Bias Shooting Task Studies a Smoking Gun? Results from a Meta-Analysis," *Journal of Experimental Social Psychology* 61 (November 2015): 120-130, https://doi.org/10.1016/j.jesp.2015.08.002; Michael R. Smith and Geoffrey P. Alpert, "Explaining Police Bias: A Theory of Social Conditioning and Illusory Correlation," *Criminal Justice and Behavior* 34, no. 10 (October 2007): 1262-1283, https://doi.org/10.1177%2F0093854807304484.

30 Cynthia Lum, Carl Maupin, and Megan Stoltz. "The Impact of COVID-19 on Law Enforcement," Center for Evidence-Based Crime Policy. (April 13, 2020), https://www.theiacp.org/sites/default/files/IACP-GMU%20Survey.pdf

31 ACLU Analytics, "Decarceration and Crime During COVID-19," American Civil Liberties Union (July 27, 2020), https://www.aclu.org/news/smart-justice/decarceration-and-crime-during-covid-19/; Thomas Abt, Richard Rosenfeld, and Ernesto Lopez, *COVID-19 and Homicide: Final Report to Arnold Ventures,* http://craftmediabucket.s3.amazonaws.com/uploads/COVID-19-Homicide_061520_Final.pdf; Gian Maria Campedelli, Alberto Aziani, and Serena Favarin, "Exploring the Effect of 2019-nCoV Containment Policies on Crime: The Case of Los Angeles," arXiv:2003.11021 (April 2020), https://osf.io/gcpq8/; George Mohler, Andrea L. Bertozzi, Jeremy Carter, Martin B. Short, Daniel Sledge, George E. Tita, Craig D. Uchida, and P. Jeffrey Brantingham, "Impact of Social Distancing During COVID-19 Pandemic on Crime in Los Angeles and Indianapolis," *Journal of Criminal Justice* (May 2020): 101692, https://doi.org/10.1016/j.jcrimjus.2020.101692.

32 Thomas Abt, Richard Rosenfeld, and Ernesto Lopez, *COVID-19 and Homicide: Final Report to Arnold Ventures*, http://craftmediabucket.s3.amazonaws.com/uploads/COVID-19-Homicide_061520_Final.pdf; Matthew P.J. Ashby, "Initial Evidence on the Relationship Between the Coronavirus Pandemic and Crime in the United States," *Crime Science* 9 (May 2020): 1-16, https://crimesciencejournal.biomedcentral.com/articles/10.1186/s40163-020-00117-6; Daniel Nass, "Shootings Are a Glaring Exception to the Coronavirus Crime Drop," *The Trace* (April 29, 2020), https://www.thetrace.org/2020/04/coronavirus-gun-violence-stay-at-home-orders/; Justin Nix, Kyle McLean, and John Hall, "No Significant Decline in NYC Shootings Amidst COVID-19 Pandemic" (June 3, 2020), https://jnix.netlify.app/post/post11-nyc-covid-shootings/.

33 Frank Edwards, Michael H. Esposito, and Hedwig Lee, "Risk of police-involved death by race/ethnicity and place, United States, 2012–2018," *American Journal of Public Health* 108, no. 9 (September 2018): 1241-1248, https://doi.org/10.2105/ajph.2018.304559.

34 Day 181 corresponds to June 29 in 2015, 2017, 2018, and 2019. Because 2016 and 2020 are leap years, day 181 corresponds to June 30.

35 Ryan Young, Eric Levenson, Steve Almasy. and Christina Maxouris, "Ex-Atlanta Police Officer Who Killed Rayshard Brooks Charged With Felony Murder," CNN (June 17, 2020), https://www.cnn.com/2020/06/17/us/rayshard-brooks-atlanta-shooting-wednesday/index.html.

36 Gareth Hutchens, "Black Lives Matter Protesters Have Unwittingly Recorded the Single Largest Outbreak of Police Brutality in U.S. History," ABC News (June 7, 2020), https://www.abc.net.au/news/2020-06-07/police-brutality-caught-on-film-black-lives-matter/12330672.

37 Sarah Holder, "The Cities Taking Up Calls to Defund the Police," Bloomberg (June 9, 2020), https://www.bloomberg.com/news/articles/2020-06-09/the-cities-taking-up-calls-to-defund-the-police.

38 Arrest Trends, *Vera Institute of Justice,* https://arresttrends.vera.org/arrests?compare%5Boffense%5D%5Bpart1%5D=part1&compare%5Boffense%5D%5Bpart2%5D=part2#infographic.

39 *See* Fatal Force, *The Washington Post*, July 2020, https://www.washingtonpost.com/graphics/investigations/police-shootings-database/. We used this database because it provided the most up-to-date data, and our research partner has more extensive experience working with it than others, such as Fatal Encounters (https://fatalencounters.org/) or Mapping Police Violence (https://mappingpoliceviolence.org/).

40 American Community Survey, U.S. Census Bureau, https://www.census.gov/programs-surveys/https://www.census.gov/programs-surveys/acs/acs/. *See* Table DP05 at https://data.census.gov/cedsci/. Where available, we used official population projections for 2019 and 2020 (see Table 1 at https://www.census.gov/data/tables/2017/demo/popproj/2017-summary-tables.html). No such projections were available for 2019 race-specific populations, so we imputed these using ordinary least squares regression models. Open source code for the data analysis for this report is available here: https://github.com/jnixy/replication-materials/tree/master/ACLU_report_2020.

41 Frank Edwards, Hedwig Lee, and Michael Esposito, "Risk of Being Killed by Police Use of Force in the United States by Age, Race-Ethnicity, and Sex," *Proceedings of the National Academy of Sciences* 116, no. 34 (2019): 16793-16798, https://doi.org/10.1073/pnas.1821204116. See p. 18 (line 251) of the Supplemental Appendix, "Gunshots account for 91% of these cases."

42 American Community Survey, U.S. Census Bureau, https://www.census.gov/programs-surveys/acs/about.html.

ACLU