

March 6, 2023**Via Electronic Mail (hrc-sr-eje@un.org)**

Special Rapporteur Morris Tidball-Binz
Office of the United Nations High Commissioner for Human Rights
United Nations Office at Geneva
CH 1211 Geneva 10
Switzerland

**Re: Response for call for Input on, “Call for input: Deaths in custody”
Human Rights Council**

Dear Special Rapporteur Tidball-Binz:

Campaign Zero welcomes the [call for input](#) to provide the Office of the High Commissioner for Human Rights input on the importance of “deaths in custody of persons deprived of liberty in the criminal justice context, occurring from the moment of their arrest, and its immediate aftermath; during law enforcement custody; during pre-trial up to post-conviction detention.” We believe that deaths in custody reporting is critical for both understanding disparities in human rights and informing policy interventions aimed to preserve human rights and reduce harm.

About Campaign Zero

[Campaign Zero](#) is a research-driven, activist-led organization with a proven track record of successfully implementing structural change to alter these outcomes at every level.

Birthered from the protests of police violence in Ferguson, Baltimore, and other cities, Campaign Zero was launched in August 2015 as a research-based platform to understand and evolve public safety beyond policing. Since its inception, Campaign Zero has designed and launched research and advocacy projects that have defined their respective field and there are more to come. Notable projects include [Mapping Police Violence \(MPV\)](#), [8 Can't Wait](#), [Nix The 6](#), and [Raise the Threshold](#). More campaigns can be found [here](#). We believe CZ's MPV initiative is well suited to inform the [UN OHCR Report](#).

Context on US Law Enforcement & The Carceral System

The current outcomes of police violence and mass incarceration are failing communities, with an average of 3 people killed by police each day, more than 10 million people cycling in and out of jails each year, and approximately 1 in 6 Black men being incarcerated in their lifetime. In 2022, [1,232 persons were killed by US law enforcement](#) according to our database; this is the highest number of killings recorded since we have been recording data (beginning in 2013).

Our database captures incidents resulting in civilian deaths caused by law enforcement action before an arrest is administered, while an arrest is being administered, and immediately following an arrest. While incidents of in-custody deaths where persons are incarcerated in prisons and jails are critical and we plan to include in the future, we have yet to expand our database to include incidents where law enforcement actions while a person is incarcerated results in a civilian death.

MPV finds that Blacks in the US are three times more likely to be killed than Whites (Mapping Police Violence, 2023). Recent studies employing MPV data have found that the threshold for police killings of Whites is much higher than that for Blacks ([DeAngelis, 2021](#)). Similarly, other research using [Fatal Encounters](#) data finds that Blacks are two times more likely to be killed by police “...even when there are no other obvious circumstances during the encounter that would make the use of deadly force reasonable” ([Fagan and Campbell, 2020](#)).

Context on Failed Law Enforcement Fatality Reporting of US Law Enforcement Killings of Civilians

In 2019, the FBI launched the data collection efforts for the [National Use of Force database](#). However, participation is voluntary and granular-level agency data still has not been released. Thus, to date, there is still no U.S. Government data source which captures all killings by US law enforcement with relevant contextual and demographic information of the victims.¹ The only governmental data source which could be used to identify police killings of civilians is the [National Vital Statistics System \(NVSS\)](#) maintained and monitored by the Centers for Disease Control (CDC). However, the dataset, consisting of birth and death certificate data, suffers from severe undercounting and underreporting concerns. Specifically, the authors of one [study](#), using several data sources, including CZ’s MPV, [find that NVSS undercounts police killings by 55%](#).

Launching Mapping Police Violence

Given the failure of the US federal government in producing transparent and reliable data updates tracking lives taken by US law enforcement, this critical gap has been filled by three different non-governmental data sources, one being Campaign Zero’s Mapping Police Violence (MPV).

For the purposes of this call for input, our database captures incidents resulting in civilian deaths caused by law enforcement lethal action before an arrest is administered, while an arrest is being administered, or immediately following an arrest. While incidents of in-custody deaths where persons are incarcerated in prisons and jails are critical and we plan to include in the future, we have yet to expand our database to include incidents where law enforcement actions while a person is incarcerated results in a civilian death.

¹ In 2019, the U.S. The Department of Justice (DoJ) [launched](#) the National Use-Of-Force Data Collection. However, one [investigation](#) found that the FBI was falling short in data collection efforts. In 2021, an [announcement](#) from the DoJ indicated that the program may be shut down given the lack of participation from law enforcement agencies, requiring a 60% participation threshold to release data.

In 2015, Campaign Zero launched MPV which aims to capture all incidents where a civilian is killed at the hands of US law enforcement. In 2022, the MPV team engaged in a significant overhaul and redesign of the MPV methodology and system to ensure its sustainability, data integrity, research rigor, and scalability. This included improving detection of incidents, automating data collection and research management operations, deploying advanced technologies and algorithms, and expanded staffing. This has also allowed us to become more transparent and commit to the [Open Science Framework](#) to advance trust and inclusion. Please refer to the following resources and links for seeing the platform in action:

- [Public Data Visualization Platform](#)
- [Publicly Accessible Dataset](#)
- [Data and Methodology documentation](#)

In contrast to *The Washington Post's* Fatal Force database which only captures US law enforcement killings by firearm, MPV captures all police killings where lethal action is taken. Thus, incidents like the killings of Eric Garner, George Floyd, and Tyre Nichols are not captured in the [Washington Post Database](#).

Racial Disparities in Police Violence

Again, when examining data around police violence outcomes of police killings, we find that Blacks are approximately three times more likely to be killed in comparison to their White counterparts (Mapping Police Violence, 2022). Racial disparities are also present for Hispanic and Native American populations in the US disproportionately being impacted by police violence. These analyses further highlight the critical importance of measuring how state-sanctioned violence disproportionately targets historically disinvested and oppressed groups.

Examples of MPV Being Employed by Government

There have been several notable examples of US local, state, and federal levels of government employing MPV casualty record data and analysis to improve responses to civilian casualties:

- **Federal-level:** [US Government Accountability Office \(GAO\) testifies in support of Death in Custody Reporting Act, citing MPV data to render missingness of US DOJ data on casualties.](#)
 - ↳ [Report:](#) “We also analyzed death in custody data DOJ collected from states for fiscal year 2021. We assessed the reliability of these data by analyzing the completeness of records on deaths submitted by states as of November 16, 2021. We further compared the state data to other sources of publicly available information on deaths in custody. Additionally, we used Mapping Police Violence, a database developed by a civil rights”
- **State-level:** [State of Illinois report highlights the work done by Campaign Zero and other databases to render the scope of police violence.](#)
 - ↳ [Report:](#) “To address the lack of use of force data, citizens and organizations throughout the country have taken steps to compile national statistics for use by researchers and the public. Examples include Fatal Encounters, The Washington Post, and Mapping Police Violence databases.”
- **Local-level:** [Former Oakland mayor touts policing successes using Campaign Zero data.](#)

- ↘ [Report](#): “Campaign Zero verifies that OPD has maintained one of the best rates of reduced racial disparities in arrests, and fewest officer involved shootings in the county.”

MPV Data Informing Policy Interventions Aimed to Curb Violence

MPV has been employed by academic and independent researchers to inform policy interventions intended to prevent and reduce harm. A few are noted below:

- **Protests reduced the number of police killings.**
Olzak, Susan. 2021. “[Does Protest Against Police Violence Matter? Evidence from U.S. Cities, 1980-2019.](#)” American Sociological Review.
- **Body-worn cameras are associated with fewer police killings.**
Kim, Taeho, [Facilitating Police Reform: Body Cameras, Use of Force, and Law Enforcement Outcomes](#) (October 23, 2019).
- **Use of force policies are associated with fewer police killings.**
Sinyangwe, Samuel, Examining the Role of Use of Force Policies in Ending Police Violence (September 20, 2016).

We support and applaud OHCR’s efforts to raise awareness of this issue globally and we welcome any questions, comments, or follow-up on this matter.

Very truly yours,

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