

Submission to the United Nations Special Rapporteur on Summary, Extrajudicial or Arbitrary Executions

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We welcome the opportunity to provide input to the Special Rapporteur on Summary, Extrajudicial or Arbitrary Executions for the upcoming 80th session of the UN General Assembly. This submission responds to two questions posed in the call for input: (1) whether particular groups are disproportionately affected by the use of lethal force by law enforcement, and (2) whether emerging trends or patterns in lethal use of force exist.

I. Disproportionate Impact on Black Communities

Black people in the United States are disproportionately subjected to police violence. Making up only 12% of the U.S. population, Black individuals accounted for 25% of those killed in 2024.¹ They were also more likely to be unarmed and less likely to be threatening someone when killed.²

National studies widely confirm that this pattern is not incidental. Analyzing 5,494 police killings from 2013 to 2017, Black residents in U.S. metropolitan areas were found to be 3.23 times more likely to be killed by police than white residents.³ The highest Black-White disparities were in cities with the lowest rates of white fatalities, like in the Chicago, San Francisco and New York metropolitan areas, reinforcing the conclusion that these fatalities were racialized—not incidental.⁴

This violence cannot be divorced from the country's history. After the United States Civil War, from 1861 to 1865, the racialized function of slave patrols did not vanish: "their influence remained and mutated into other forms of social control, both legal and extralegal [T]he work of controlling 'marginal' members of Southern society . . . shifted from slave patrollers to Klansmen [and to] policemen."⁵ In the era following the war's conclusion, known as post-Reconstruction and spanning roughly from the 1870s to the early 20th century, police forces were integral to enforcing racial apartheid known as the Jim Crow system, upholding exploitative convict leasing systems,

¹ MAPPING POLICE VIOLENCE, *2024 Police Violence Report*, <https://perma.cc/JHN5-DNWX> (last visited June 3, 2025).

² *Id.*

³ Gabriel L. Schwartz & Jacquelyn L. Jahn, *Mapping fatal police violence across U.S. metropolitan areas: Overall rates and racial/ethnic inequities, 2013-2017*, PLOS ONE, June 2020, at 5, <https://perma.cc/PD5M-GRV3>.

⁴ *Id.* at 7, 11.

⁵ Christopher J. Lyons et al., *The Lynching Era and Contemporary Lethal Police Shootings in the South*, 14 *Race and Just.* 265, 267 (2024).

and often either facilitated or directly participated in lynchings.⁶ These public executions of Black people served as tools of racial terror—an extralegal continuation of “the slave patrol’s tradition of surveilling” and suppressing Black autonomy.⁷

Racialized systems of control are not relics of the past—they are embedded in the structures and ideologies of modern policing. One study found a statistically significant relationship between the historic prevalence of lynchings from 1877 to 1950 and current county-level rates of lethal police shootings of Black people.⁸ Counties with recorded lynching rates experienced approximately 4.2% more police killings of Black residents than those with none.⁹ This correlation is strong even after controlling for factors like local crime rates, segregation, and socioeconomic conditions. These findings underscore that the extrajudicial killings of Michael Brown and Rekia Boyd are not anomalies; they exemplify an enduring reality where disproportionate and racialized use of lethal force against Black individuals persists, while systemic impunity forecloses justice and undermines accountability.

Emblematic Case: Michael Brown

The State’s handling of the killing of Michael Brown demonstrates how lethal use of force is reinforced by systemic impunity. In 2014, Officer Darren Wilson fatally shot Brown, an unarmed 18-year-old Black teenager, in Ferguson, Missouri. Witnesses contend that Brown raised his hands in surrender as he begged the officer not to shoot.¹⁰ His body was left uncovered in the street for over four hours, in full view of his family and neighbors.¹¹

No criminal charges were ever brought against Wilson. Then-St. Louis County Prosecuting Attorney Robert McCulloch convened a grand jury in a deliberately irregular manner designed to protect the officer from indictment. McCulloch’s conduct throughout the investigation and grand jury process reflected not negligence but strategic manipulation. His actions denied Michael Brown’s family and community any semblance of justice.

Unlike typical grand jury proceedings, where a prosecutor presents sufficient evidence to establish probable cause, McCulloch flooded the jury with conflicting material, failed to advocate for charges, and allowed Wilson to testify in his own defense—a privilege rarely, if ever, afforded to suspects under investigation.¹² Missouri defendants are not entitled to present affirmative

⁶ See Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New Press, 2010); See also W. E. B. Du Bois, *The spawn of slavery: The convict leasing system in the south*, 14 *Missionary Rev. World* 737 (1901).

⁷ Lyons et al., *supra* note 5, at 267.

⁸ *Id.* at 278–280.

⁹ *Id.* at 280.

¹⁰ Ryan Reilly & Amber Ferguson, *Witnesses to Michael Brown Shooting Tell the Same Basic Story About His Death*, *Huffington Post* (Sep. 16, 2014), <https://perma.cc/9C94-CS3K>.

¹¹ Julie Bosman & Joseph Goldstein, *Timeline for a Body: 4 Hours in the Middle of a Ferguson Street*, *N.Y. Times* (Aug. 23, 2014), <https://tinyurl.com/2s4ds8up>.

¹² Brief on the Merits, *Michael Brown and Lezley McSpadden v. United States of America*, Case 15-169, Pet. 909-15, Inter-Am. Comm’n H.R., at 32–34, (filed July 5, 2023) [hereinafter *Brown Brief*], <https://perma.cc/EF9G-WSPW>.

defenses during a grand jury proceeding, nor are prosecutors obligated to include exculpatory evidence.¹³ McCulloch’s decision to do both for Wilson departed dramatically from the purpose of the process, violating well-established U.S. Supreme Court precedent.¹⁴

Even in the face of these procedural violations, no state or federal body has held McCulloch accountable for engineering an outcome that denied Brown’s family the right to truth, remedy, and a fair legal process.¹⁵ This deliberate misuse of prosecutorial discretion, coupled with the State’s abdication of responsibility, reflects the broader pattern in which the U.S. legal system selectively shields police officers from accountability. Michael Brown’s killing, instigated by a pretextual stop for “manner of walking” under a broken windows ordinance, illustrates how minor infractions become gateways to deadly encounters for Black individuals.

Emblematic Case: Rekia Boyd

Rekia Boyd, a 22-year-old unarmed Black woman, was killed by off-duty Chicago police officer Dante Servin, who fired into a group of civilians without warning or identifying himself. Boyd, who was walking away, was shot in the head and died shortly after. The prosecutor charged Servin only with involuntary manslaughter—a charge the judge ultimately acquitted him of after finding Servin should have been charged with murder because he intentionally aimed his gun into the group. Because of double jeopardy protections, no further charges could be filed.¹⁶ Servin later resigned from the Chicago Police Department (“CPD”) with his full pension.¹⁷ Boyd’s family received a civil settlement, but Servin was never held personally or criminally accountable.¹⁸

Stereotypes casting Black women as dangerous, hypersexual, or undeserving of protection date back centuries.¹⁹ These ideas, revived through mass incarceration and punitive policing, inform how Black women are perceived by law enforcement and treated by the justice system.²⁰ Rekia’s killing followed a familiar script: a police officer’s authority was allegedly challenged, and he responded with violence. Officer Servin described his mindset during the incident: “In my head I’m a police officer. Maybe I’m not in uniform, but I act as a police officer.”²¹ His invocation of

¹³ *Brown Brief*, *supra* note 12, at 34.

¹⁴ *Id.*; *See also United States v. Williams*, 504 U.S. 36, 51–52 (1992).

¹⁵ Loretta Wimbey, *Michael Brown’s mother seeks justice at international human rights hearing*, STLPR, (July 11, 2024), <https://perma.cc/EE4C-YZ36>.

¹⁶ Brief on the Merits, *Rekia Boyd et al. v. United States of America*, Case 1720-15, Inter-Am. Comm’n H.R., at 27–29, (filed July 5, 2023) [hereinafter *Boyd Brief*], <https://perma.cc/9C5X-CVSH>.

¹⁷ Annie Sweeney, *Police Detective Dante Servin Resigns Before Possible Firing Over Fatal Shooting*, CHI. TRIBUNE (May. 28, 2016), <https://tinyurl.com/yf6m6wu5>.

¹⁸ Shaun King, *Smoking gun: Prosecutor Anita Alvarez deliberately undercharged officer who killed Rekia Boyd*, Daily Kos (Apr. 24, 2015), <https://perma.cc/K2AG-MMBD>.

¹⁹ *See* Michelle S. Jacobs, *The Violent State: Black Women’s Invisible Struggle Against Police Violence*, 24 Wm. & Mary J. Women & L. 39 (2017).

²⁰ *Boyd Brief*, *supra* note 16, at 10.

²¹ *Id.* at 6.

authority, despite being off duty, reflects the entitlement to violence that policing culture confers, particularly in response to perceived “disrespect.”²²

Servin’s conduct reflects the institutionalized impunity that has long defined the CPD. For decades, CPD has maintained a pattern and practice of racially targeted abuse, from the systematic torture of over 100 Black men by Commander Jon Burge and his “Midnight Crew” to widespread excessive force and civil rights violations.²³ Following Rekia’s killing, a 2017 report by the U.S. federal agency the Department of Justice (“DOJ”) confirmed that CPD engages in unconstitutional policing practices, citing failures in training, supervision, and discipline.²⁴ These structural deficiencies are not new; over the past 50 years, more than a dozen investigations and task force reports—including those by the City of Chicago, DOJ, and CPD—have documented the same patterns of misconduct and denial of accountability.²⁵ During that time, CPD’s systemic abuses have incurred over \$600 million in legal settlements, judgments, and fees tied to police abuse.²⁶

Rekia Boyd’s killing and the government’s failure to hold her killer to account must be seen not as a tragic outlier but as part of a systemic pattern in which Black women are targeted by police, deprived of justice, and too often forgotten. That erasure compounds the violence itself, and violates the U.S.’ obligation to act with due diligence to protect women from violence.²⁷

II. Emerging Trends and Patterns in Lethal Use of Force

Militarization and Suppression of Civic Space

The escalation of fatal police violence in the U.S. has been closely tied to the militarization of law enforcement. Through a U.S. federal initiative known as the 1033 Program, the federal government provides local police departments with military-grade weapons, tactical equipment, and armored vehicles—originally intended for use in warzones.²⁸ These tools are now routinely deployed against civilians, including in low-risk encounters such as traffic stops, wellness checks, and mental health crises. Far from enhancing public safety, the presence of militarized police units has increased the likelihood of escalation and fatality, particularly in Black neighborhoods and communities of color. On April 28, 2025, U.S. President Donald Trump signed an executive order, calling to funnel more military-grade equipment to local police departments.²⁹ The Inter-American

²² *Id.* at 12–13.

²³ *Legal History*, Chicago Police Torture Archive, <https://perma.cc/YTN7-GDV4> (last visited June 3, 2025).

²⁴ U.S. Dep’t of Just., Civil Rights Div., *Investigation of the Chicago Police Department* (Jan. 13, 2017), <https://perma.cc/V7YS-UWC8>.

²⁵ *Boyd Brief*, *supra* note 16, at 15.

²⁶ Andrew Schroedter, *Chicago Police Misconduct – A Rising Financial Toll*, Illinois Answers (Jan. 31, 2016), <https://perma.cc/N4QZ-8DDY>.

²⁷ See *Lenahan v. United States*, Case 12.626, Inter-Am. Comm’n H.R., Report No. 80/11, ¶¶ 111, 120, 126 (2011).

²⁸ Philip Lukens, *How President Trump’s recent actions could impact law enforcement*, Police1 (Jan. 25, 2025), <https://perma.cc/R4BZ-TKKS>.

²⁹ Daphne Duret, *Trump’s New Order on Policing Seems Sweeping. But What Will it Really Change?*, Marshall Project (Apr. 29, 2025), <https://perma.cc/6AHJ-PJYY>.

Commission on Human Rights (“the Commission”) has repeatedly warned against the militarization of police departments in the U.S., stating that “the use of military-grade tools and tactics by local police forces escalates the risk of excessive force and undermines respect for human rights.”³⁰

The habitual reliance on force, even when alternatives exist, reveals an entrenched institutional culture that prioritizes compliance over safety and domination over deescalation. Nowhere is this clearer than in the frequent, disproportionate violence against people of color during routine encounters and protests—where, alarmingly, constitutionally protected dissent is increasingly met with tactical suppression rather than civil engagement.

Emblematic Case: Manuel Esteban Paez Terán

On January 18, 2023, Manuel Esteban Paez Terán, affectionately known as “Tortugueta,” became the first environmental human rights defender in history to be killed by law enforcement in the United States.³¹ Terán was killed while sitting cross-legged, engaged in peaceful protest of plans by state officials to raze an urban forest for construction of a militarized police training facility known as Cop City.

In December 2021, a group who self-identified as forest defenders began to establish encampments and tree houses in the canopy of the forest, building temporary structures at least fifteen feet off the ground.³² The forest defenders began their campaign to protect the trees and the land in order to prevent Cop City from being built, as well as to interrupt the development of Intrenchment Park.³³ In the weeks leading up to the killing of Terán, the rhetoric and threats of violence against forest defenders surged. On January 3, 2023, in a statement posted to social media, Georgia Governor Brian Kemp “vowed to maintain the aggressive approach” of police raids by multiple law enforcement agencies.³⁴ Terán’s death occurs in the context of increasing police violence in the United States and assassinations of environmental defenders globally. Globally, almost 2,000 environmental activists were killed between 2012 and 2022.³⁵

³⁰ IACHR, *Police Violence Against Afro-Descendants in the United States*, OEA/Ser.L/V/II., Doc. 156 (2018), ¶237, <https://perma.cc/X67J-AWXE>.

³¹ Timothy Pratt, *Shot 14 Times, No Charges For Police: Family’s Grief Over Death Of Cop City Activist*, The Guardian (Oct. 8, 2023), <https://perma.cc/J6LL-SWNX>.

³² Tracey Amick Peer, *Activists Building Treehouses, Living in Tents to Block APD Training Site Construction*, 11 Alive News (Feb. 23, 2022) [hereinafter Peer], <https://perma.cc/HQ6U-LQT2>; Charles Bethea, *The New Fight Over an Old Forest in Atlanta*, The New Yorker (Aug. 3, 2022), <https://perma.cc/2X3A-UGR3>.

³³ *Defend the Atlanta Forest* (2023), <https://perma.cc/J333-QEE5>.

³⁴ Alessandro Marazzi Sassoon & Rick Rojas, *Protester Killed in Firefight at Site of New Atlanta Police Center*, The New York Times (Jan. 18, 2023), <https://tinyurl.com/3a92ahwr>.

³⁵ *Almost 2,000 Land and Environmental Defenders Killed Between 2012 and 2022 for Protecting the Planet*, Global Witness (Sept. 13, 2023), <https://perma.cc/YVF5-VJNY>.

Failures in Data Collection, Trainings, and Reporting

Following the 2020 racial justice protests in the United States sparked by the police killings of George Floyd and Breonna Taylor, the Commission issued a strong condemnation of civilian deaths at the hands of U.S. police and to the government for shielding police from accountability.³⁶ Police violence, including lethal use of force, continues unabated. In 2024, at least 1,366 people were killed by law enforcement, making it the deadliest year on record for killings by police.³⁷ In its second term, the Trump Administration has already moved to roll back the few measures holding police accountable, deleting the National Law Enforcement Accountability Database (“NLEAD”) and freezing work on police reform cases.³⁸ Without a national system to track use of lethal force, “the ability to identify and prevent the continued employment” of officers with troubling misconduct allegations is hindered.³⁹

California, often viewed as a national leader in police accountability, has taken modest steps toward reform. Senate Bills [1421](#) and [16](#) have expanded public access to officer personnel records involving use of force, dishonesty, and bias.⁴⁰ However, recent data demonstrate the limits of these reforms in disrupting the structural protections law enforcement officers continue to enjoy. Between 2007 and 2016, at least 824 officers were arrested in California, less than 0.1% of the State’s 78,400 officers during that time.⁴¹ The most common charges were for aggravated and simple assault, often arising from excessive use-of-force incidents.⁴² Yet convictions and consequences to employment remain rare. Of the 2,075 documented civilian fatalities from police encounters between 2007 and 2016, only 20 resulted in officer arrests, roughly 0.72%.⁴³ For unarmed civilians killed by police that number rose to just 1.2%.⁴⁴

While California has recently passed legislation narrowing the legal justifications for deadly force ([AB 392](#)) and requiring state investigations of unarmed civilian shootings ([AB 1506](#)), implementation remains incomplete.⁴⁵ As of mid-2021, only 12% of officers had completed

³⁶ IACHR, Press Release No. 129/20, The IACHR Expresses Strong Condemnation for George Floyd's Murder, Repudiates Structural Racism, Systemic Violence Against Afro-Americans, Impunity and the Disproportionate Use of Police Force, and Urges Measures to Guarantee Equality and Non-Discrimination in the United States (June 8, 2020), <https://perma.cc/2FYD-UZYC>.

³⁷ N’dea Yancey-Bragg, *US Sets Another Grim Record for Killings by Police in 2024*, USA Today (Feb. 26, 2025), <https://perma.cc/GUF4-HJT3>.

³⁸ Tom Jackman and Elizabeth Dwoskin, *Justice Department deletes database tracking federal police misconduct*, Wash. Post (Feb. 21, 2025), <https://tinyurl.com/3hmumnmmy>; Marco Poggio, *Trump DOJ’s Shift Threatens To Upend Police Reform*, LAW360 (Mar. 7, 2025), <https://perma.cc/HVX8-PQ2P>.

³⁹ Texas Southern University Center for Justice Research, *Police Reform Action Brief: National Police Misconduct Database* (2021), <https://perma.cc/73UY-UWVJ>.

⁴⁰ Deepak Premkumar et al., *Police Use of Force and Misconduct in California*, Pub. Pol’y Inst. of Cal. (Oct. 2021), at 25, <https://perma.cc/4KHQ-NFR3>.

⁴¹ *Id.* at 26.

⁴² *Id.* at 26–27.

⁴³ *Id.* at 28.

⁴⁴ *Id.*

⁴⁵ *Id.* at 29–30.

mandatory training to comply with the new deadly force standards.⁴⁶ This training gap impairs the efficacy of reforms aimed at reducing civilian fatalities—56% of which involve unarmed individuals, many of whom are Black or Brown.⁴⁷

Additionally, crowdsourced data and public records requests continue to expose gaps in reporting. Many use-of-force incidents are never officially logged, and serious offenses by law enforcement—such as sex crimes, false reporting, and obstruction of justice—remain underreported.⁴⁸ Though California emerged as a bellwether with initiatives like the OpenJustice [portal](#), transparency alone does not ensure accountability. Without mandatory and enforceable consequences, access to data becomes little more than a window into an unchanged system.

Respectfully Submitted,

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⁴⁶ Premkumar, *supra* note 40, at 29.

⁴⁷ *Id.* at 23, 30.

⁴⁸ See generally Simone Weichselbaum et al., *Violent Encounters With Police Send Thousands of People to the ER Every Year*, Marshall Project (June 23, 2021), <https://perma.cc/J4KJ-94BX>; See also Andrew Eichen, *Broken Trust, The Pervasive Role of Deceit in American Policing*, CATO Inst. (Sept. 2024), at 17, <https://perma.cc/7HAU-DPZ3>.