

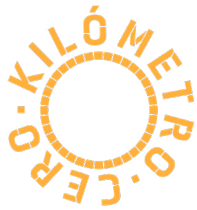


# *LICENSE TO KILL*

**Civilian Deaths due to Police Use of Force in Puerto Rico, 2014-2020**



**CERRO  
KILÓMETRO**



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This report and the accompanying [Methodological Appendix and Database](http://www.kilometro0.org/informes) are available at [www.kilometro0.org/informes](http://www.kilometro0.org/informes).

Kilometro Cero reviewed the information corresponding to Graph 3: Proportion of victims in possession of firearms between deaths by service weapon, in October 2022.

For the United States, the proportion of victims in possession of firearms and unarmed victims is, respectively, 62% and 38%. The numbers published in the former version of this report, 84% and 16%, are not correct. The details of the calculation for these numbers appear in the methodological appendix.

## Acknowledgements

We would like to express our gratitude to Dr. Cruz María Nazario for her critical commentary on this study's initial findings. We would also like to thank Dr. Deepak Lamba Nieves and Dr. Justin Feldman for their suggestions on the methodological aspects of this project.

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Similarly, we would like to extend our gratitude to Megan Price, Tarak Shah, Bailey Passmore and the entire team at Human Rights Data Analysis Group (HRDAG) for their extraordinary technical assistance in handling, processing and analyzing documents on police use of force in Puerto Rico.

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## Introductory Comments: Reckoning with Death

Marisol Lebrón

On the evening July 3, 2018, police lieutenant Carlos H. Cruz Alvarado arrived at the home of his ex, Milagros Ivette Ortiz Alvarado, in a state of jealous rage. Lieutenant Cruz Alvarado had displayed a controlling disposition towards Ortiz Alvarado in the past and had a record of complaints for domestic violence against him. According to a source, however, “with his uniform he would clean that up.”<sup>1</sup> That night, the lieutenant shot his ex with his service weapon before eventually taking his own life with that same gun. When police arrived on the scene, Ortiz Alvarado’s two-year-old daughter was in the other room.

The tragic events of that evening are a clear example of gendered violence facilitated by norms that understand women as property and justify men’s dangerous “passions.” However, the researchers at *Kilometro o* (Kmo henceforth) ask us to consider what it would mean to understand both Lieutenant Cruz Alvarado and Ortiz Alvarado as victims of policing. In their report *License to Kill*, Kmo researchers carefully show how, while this murder-suicide did not occur while the Lieutenant was on duty, both of the individuals who lost their lives that night were failed by a policing apparatus that routinely ignores warning signs of mental distress and patterns of domestic abuse on the part of those in uniform. In their report, the team at Kmo put forth an expansive understanding of police violence and killing that makes us more attuned to the realities of harm that the police perpetrate in the daily lives of Puerto Ricans and makes clear the causes behind those moments when police kill with seeming impunity.

In their report, the team at Kmo breaks with the traditional definition of what constitutes a death resultant from policing, which helps us better understand the scale and impact of police violence. Their discussion of deaths at the hands of the police includes not only police shootings but also deaths caused by tasers, vehicular pursuit, and under custodial supervision. Significantly, Kmo decided to include feminicides and suicides committed by police in their report. This expansion is critical in order to hold the NPPR accountable for its repeated failure to adopt mechanisms that disarm officers who have been identified as a danger to themselves

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1. <https://laislaoeste.com/teniente-asesina-a-su-mujer-y-luego-se-suicida/>

and others. The NPPR's refusal to recognize the threat posed by officers with a history of domestic abuse and/or mental instability puts the lives of both citizens and officers at risk. Ultimately, the report shows that all of these deaths, whether direct or indirect, were avoidable and should be considered a failure on the part of the police as an institution.

Using these expanded metrics, Kmo identified 71 deaths by police from 2014-2020. It should be noted, however, that even being able to put forth this number took an incredible amount of labor and skill on the part of Kmo's research team given the NPPR's ongoing efforts to hide information regarding police violence. This aspect of the report deeply resonated with my own experience researching policing in Puerto Rico for more than a decade. It is incredibly difficult for researchers to access information on police operations, especially regarding violence involving officers. For the average person without access to specialized legal databases or governmental archives, it is even more so, yet even that access does not guarantee an accurate accounting of police killings given chronic underreporting by police agencies. As a result, many Puerto Ricans, especially those who live in communities that do not come into regular contact with the police due to race, class, and spatial location (more on that in a moment), can be unaware of the scale of police violence. Indeed, this is why organizations like Kmo have had to not only sue to make this information accessible to the public but also create alternative data sources like *Victimas Fatales de la Policia de Puerto Rico* and *Cuéntame*, both of which compile accounts of police violence that are either hidden, ignored, or flat-out denied by police. The accessibility of this report and the data that it makes available paint a fuller and more accurate portrait of the problems plaguing the police force and will hopefully serve as a catalyst for action that makes the police less lethal.

The most important findings of the report demonstrate the extent to which the police's license to kill is most frequently applied to already vulnerable populations in Puerto Rico. Kmo researchers found that those at the highest risk of being killed by police are likely to be young—especially young men, modestly educated, low-income, and/or racially marginalized. When we think about the ways that race structures class and educational access in Puerto Rico, it is unsurprising that non-white people were the mostly like to experience deadly force at the hands of the police. According to the data compiled by Kmo, the police exercise deadly violence in a highly selective manner that targets the most socially marginalized sectors of Puerto Rican society. And despite the police's repeated claims that police intervention is race-neutral and simply "goes where the crime is," Kmo researchers carefully show that police lethality was most intensely concentrated in Black and racially mixed communities. Indeed, when race and class were taken in tandem, data showed that communities that were

overwhelmingly white—whether they were poor or not—maintained identical levels of mortality, while rates for poor, racially mixed communities were nearly double the rate of predominately white communities. As Kmo researchers conclude, non-white populations are at the greatest risk of dying at the hands of a police officer although class, educational status, and age can function as compounding factors. This finding reminds us that members of the police force, just like other Puerto Ricans, are indoctrinated into a social hierarchy that associates Blackness with danger and criminality. When police are empowered to kill based on the entirely subjective perception that their lives are threatened in some way, Black people in Puerto Rico will always be the ones most likely to find themselves in imminent danger. The issue of police violence and lethality, then, must be understood as part of the larger struggle for racial justice across the archipelago.

The report highlights the way that police violence intersects with some of the most pressing issues in Puerto Rico – feminicides, increased suicide rates, and economic and racial marginalization. Reducing and eventually eliminating police lethality must be a central part of the struggle for a more just and life affirming society, or a place, in the words of Ruth Wilson Gilmore, “where life is precious, life is precious.”<sup>2</sup> The transparency called for and exemplified by this report both sheds light on the issue and works towards solutions. Additionally, as someone reading this report from the diaspora, I see it as a tool for solidarity. Puerto Ricans in the archipelago are connected to Puerto Ricans in the diaspora as well as other communities throughout the Americas who are vulnerable to police violence and are working to literally save lives. Hopefully, the immense work undertaken by the team at Kmo can move us toward a future where the rate of police killings is zero—and not just because of underreporting.

## BIO

Marisol LeBrón is associate professor of Feminist Studies and Critical Race and Ethnic Studies at the University of California, Santa Cruz. She is author of *Against Muerto Rico: Lessons from the Verano Boricua/Contra Muerto Rico: Lecciones del Verano Boricua* (Editora Educación Emergente, 2021) and *Policing Life and Death: Race, Violence, and Resistance in Puerto Rico* (University of California Press, 2019) and co-editor of *Aftershocks of Disaster: Puerto Rico Before and After the Storm* (Haymarket Books 2019).

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2. <https://www.nytimes.com/2019/04/17/magazine/prison-abolition-ruth-wilson-gilmore.html#:~:text=%E2%80%9CWhat%20this%20policy%20tells%20me,toward%20people%20who%20hurt%20people.>





# LICENSE TO KILL

## Civilian Deaths due to Police Use of Force in Puerto Rico, 2014-2020

### Executive Summary

*License to Kill* is a report prepared by Kilómetro Cero in response to the Puerto Rico Police Bureau's (PRPB) lack of accountability for police use-of-force deaths, as demonstrated in the agency's continued refusal to divulge information related to these cases and to submit it to both institutional and public scrutiny. Police use-of-force deaths are not an inevitable consequence of policing, but rather an urgent problem that can and should be attended to and remedied, by way of governmental and citizen action. These deaths must be treated as priorities in the public policy agenda for public safety, public health, and human rights in Puerto Rico.

*License to Kill* draws from multiple sources of information (government documents, interviews with friends and families of victims, newspaper reports, information retrieved from social media as well as from the demographic registry's database) to estimate, analyze and explain the magnitude of the death toll left by police use of lethal force. As an exercise in critical public policy analysis, this report does not in any way condition its findings on whether the use of force was justified, or whether the responding officer was on or off duty, or if the officer was a member of the state or municipal police. Included in this report are deaths caused by officers' use of their service weapon, by their use of Tasers, as a result of

vehicular pursuits, and those occurring while victims were under police custody. The report also includes instances of intimate femicides, where officers have killed intimate partners or former intimate partners with their government-issued firearms, as well as those instances where officers have taken their own lives with their service weapon. The inclusion of these last two types of cases is significant as they are purposely shielded from public view by the PRPB. Furthermore, accounting for femicides and suicides committed by officers exposes the institutional negligence of the PRPB in failing to adopt the adequate institutional mechanisms that would allow for the identification of officers who should not be armed, as they put other people's lives and health, as well as their own, in danger.

## Main Findings

This is the first statistical analysis of civilian deaths resulting from police use of force in Puerto Rico. It includes mortality rates to identify the most vulnerable sectors among the Puerto Rican population, thus making comparisons—at the national and international levels—possible. During the period under review, 2014-2020, there were 71 police use-of-force deaths, for an annual average of 10.

The mortality rate for police use of lethal force in Puerto Rico is 3.1 deaths per one million inhabitants.

### ● An Alarming Proportion of Unarmed Victims

Among the 46 people killed by police discharging their service weapon (the report excludes intimate partner femicides and suicides), 43% percent of victims were not in possession of a firearm. The high number of victims without a firearm indicates that it is possible to reduce civilian deaths by use of police force without putting officers at risk.

### ● Puerto Rico, Too Much like an Anomaly in the US

The mortality rate for police discharging their service weapon (excluding intimate femicides and suicides) is 2.1 in Puerto Rico, lower than the rate in the US (3.0), but considerably higher than that of other industrialized nations such as Canada (0.98), New Zealand (0.20), and England (0.05).

### ● **The Most At-Risk Populations: The Young, the Poor, and Non-College Attending Individuals**

Mortality rates for police use of force is higher among men (5.7), folks between the ages of 20 and 29 years (8.4), and among non-college-, or technical school-, attending individuals (4.0).

### ● **The Most At-Risk Communities: Racially Diverse and Poor Neighborhoods**

Police use lethal force selectively. The report shows how the most socially disadvantaged sectors in Puerto Rico are disproportionately affected by police violence. The mortality rate for police use of lethal force is higher in poor neighborhoods (3.5) than in non-poor neighborhoods (2.5). Racially diverse neighborhoods (those where less than 66% of residents identify as exclusively white) have a higher mortality rate than Puerto Rico as a whole, regardless of whether they are situated in poverty-stricken areas (4.8 vs 3.3). Furthermore, data suggests that differences in the racial composition between neighborhoods are more significant than differences in social class when it comes to risk of death by police use of lethal force. As such, the mortality rate for residents of racially diverse and poor neighborhoods is more than double than that of those who live in white and poor neighborhoods.

### ● **The Institutionalized Invisibility of Intimate Femicides Perpetrated by Police Officers**

During the period under review, three police officers killed their intimate partners or former intimate partners with their service weapons. The Puerto Rico Police Bureau shielded these intimate femicides from view by not including them in their official statistical reports and has proven to be negligent by failing to attend to instances of gender violence amongst its officers.

### ● **A Problem of Underreporting: The Police Report Fewer Deaths**

The Puerto Rico Police Bureau releases partial, and/or otherwise incomplete information pertaining to deaths resulting from gunshot wounds, nor does it keep track of the following: 1) deaths resulting from officer's use of Electronic Control Devices or 'Tasers', 2) civilian deaths under police custody, 3) deaths caused by municipal police officers, 4) officer suicides. The scant information that the PRPB begrudgingly parts with—and only because of direct legal action—registers only 36% of all police use-of-force deaths in Puerto Rico.

## Public policy recommendations

- **Reduce the number of deaths related to use of force**

The Puerto Rico Police Bureau must adopt a public policy goal of reducing the number of deaths related to police use of force.

- **Institutional changes to attend to police impunity**

The Puerto Rico Police Bureau cannot continue to investigate itself, nor can such an important task be carried out by governmental bodies and agencies, such as the Special Investigations Bureau, which operate in close contact with the PRPB. An independent civilian and technical oversight board is necessary for the proper evaluation of each killing and wounding resulting from police use of force. Additionally, there is an urgent need to establish a special prosecutor's office in matters of police violence. Police use-of-force deaths should be immediately referred to the proper health authorities for investigation and the information obtained should be made available to the public.

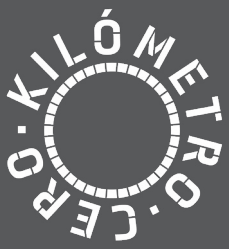
- **Social change**

*Kilómetro Cero* cautions against any legislative measure intended to facilitate the acquisition and/or carrying of firearms by and among civilians, because it would be incompatible with the goal of reducing the number of deaths resulting from police officer's use of their service weapon.

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# LICENSE TO KILL

## Civilian Deaths due to Police Use of Force in Puerto Rico, 2014-2020

### 1. A Problem They've Sought to Hide

In the fictional world of British cinema, agent 007 James Bond has a 'license to kill.' Contrary to other state agents, who can only recur to lethal violence when the lives of others, or their own, are at risk, James Bond has been given authority to kill without being held accountable for his actions.

Whether at the intra-agency level or within the context of criminal procedures in court, Puerto Rico state police officers, who claim to have acted in their official capacity, are not held to account for their actions when ending someone's life. Beyond the more obvious cases where an officer kills their intimate partner or former partner, the state rarely files charges against its officers. Whether it's because at both the administrative and criminal levels, the PRPB is ultimately investigating itself, or because the investigation falls under the purview of a sister agency (the Special Investigations Bureau) that works in close collaboration with the police under the same administrative umbrella of the Department of Public Safety, the necessary mechanisms have not been put in place to guarantee the independence and investigative rigor that these cases warrant. As long as the police continues to operate in the absence of a public policy goal of use-of-force death reduction; as long as it continues to operate free

*Criminal justice experts note that, while the federal government and national research groups keep scads of data and statistics—on topics ranging from how many people were victims of unprovoked shark attacks (53 in 2013) to the number of hogs and pigs living on farms in the U.S. (upwards of 64,000,000 according to 2010 numbers)—there is no reliable national data on how many people are shot by police officers each year.*

**Wesley Lowery**  
- The Washington Post, 2014

[In the United States] we lack basic estimates of the prevalence of police-involved deaths, largely due to the absence of definitive official data.

Frank Edwards and collaborators,  
School of Criminal Justice,  
Rutgers University, 2019

Documenting deaths is a fundamental obligation of governments, and deaths resulting from government actions are perhaps the most important category of deaths to be recorded.

Kristian Lum  
& Patrick Ball,  
-Human Rights Data Analysis Group, 2015

of oversight from an independent, robust and trustworthy civilian entity that could potentially investigate cases of excessive police force; and as long as the police continues to function without a specialized prosecutor's office that would handle crimes and civil rights violations committed by officers, the conditions will remain for the police to act as if it had a license to kill.

Use-of-force deaths are not an inevitable consequence of policing. They are, instead, a problem that can and should be attended to by way of governmental and civil action. This report presents police use-of-force deaths as priorities in the public policy agenda for public safety, public health, and human rights in Puerto Rico. With this goal, our investigation documents and presents examples of diverse types of deaths that occurred because of police use of force; it quantifies the annual number of deaths and calculates mortality rates in order to identify the population groups with the highest risk of death as a result of police intervention or of institutional negligence. Mortality rates are also used to make international comparisons. This report offers statistical analyses of the scope and magnitude of police violence that the Puerto Rico Police Bureau routinely occludes, which also turns the institution itself into an obstacle for public accountability.

Violent state actions that result in civilian death require serious public scrutiny. The PRPB should operate under the strictest regulations in any situation where lethal force is used by officers of the state, especially in contexts where social and racial differences imply disproportionate exposure to police violence. This report includes important public policy recommendations, beginning with the call to reduce the number of police use-of-force deaths; a goal that can very well be met without putting officers in further risk. If the PRPB remains uncommitted to this reduction and does not adopt the necessary measures to meet this objective, it will continue operating as if it had a *license to kill*.

## 2. Aims of the Study

1. Estimate the magnitude and document the types of deaths by police use of force in Puerto Rico.
2. Identify the main characteristics of police use-of-force deaths and estimate their relative frequency among and across diverse social groups.



3. Estimate the underreporting of police use-of-force deaths by the Puerto Rico Police Bureau.
4. Propose a series of clear and specific recommendations to reduce police use-of-force deaths.
5. Create an open access dataset with individual and geographical information about these deaths.

### 3. What Do We Mean by Police Use-of-Force Death?

In Puerto Rico, state and municipal officers kill civilians, both during and after service hours. It's hard to justify an officer's use of his service weapon when dealing with a person suffering from an emotional crisis, as was the case of Anthony Maldonado Avilés, who was wielding a machete when police intervened with him and shot him in front of his home (see figure on page 15). On occasion, service weapons become instruments of femicides, as was the case of Milagros Ivette Ortiz Alvarado, killed by a police lieutenant who was her former intimate partner (see page 15). On other occasions, the service weapon is an instrument of suicide, as was the case of agent Orestes Ramos Mateo, who killed himself in front of his own precinct (see page 15). In several cases, police use-of-force deaths resemble extrajudicial executions, like in the case of Francisco Marrero Noa. This young man was not in possession of a firearm when two off-duty officers shot him down with their service weapons after allegedly having made fun of him and having sustained a physical confrontation in a commercial establishment in Bayamón (see page 15).

Recent studies on civilian deaths caused by police typically analyze those deaths that occur as a direct consequence of police use of force (Feldman, Gruskin, Coull & Krieger, 2019; Edward, Lee and Esposito, 2019 Supp). This report includes deaths by gunshot discharged from service weapons, use of Taser, use of chemical substances (tear gas), officer-inflicted blows and deaths resulting from a police chase. Other studies consider that a more rigorous study of police violence should include deaths that result by direct police intervention as well as by mere police presence (GDB Police Violence Group, 2021). These studies advocate for the inclusion of deaths occurring as an indirect result of the use of police force, such as femicides committed by officers with their service weapons, deaths occurring while under police custody, and deaths and suicides occurring while the victim was being placed under arrest.

*A lack of accurate data has arguably been one of the major impediments to adopting a public health approach to deaths caused by police violence.*

**Editorial Board,**  
*The Lancet, 2021*

**LICENSE TO KILL** follows the recommendation of adopting an ample category of deaths by police use of force and includes officer suicides where the officer's service weapon was used. (The methodological appendix includes a table specifying the differences between the diverse concepts related to police use-of-force deaths). In all police use-of-force deaths, the police—as an institution—has an inescapable responsibility and must be held accountable. For example, as it pertains to the three intimate partner femicides that occurred during the period under review, the PRPB was the party who put the murder weapon at the disposal of the offender. The specific case of intimate femicides and the institutional responsibility of the police is broached in a subsequent section entitled *Intimate femicides: a consequence of police impunity*. From a public policy perspective, we understand that using far too limiting concepts to determine police use-of-force deaths have the unfortunate result of making the problem invisible, thus keeping it at the margins of public debate and analysis, as well as shielding governmental structures from essential review. This, without a doubt, keeps the state and the police from having to give an account of themselves.



## Examples of Police Use-of-Force Deaths

### Anthony, gunned down during an emotional crisis

**February 17, 2019**

Elsa Avilés requested police assistance to attend to her 32-year-old son Anthony Maldonado Avilés, who was undergoing an emotional crisis. He was epileptic and he had not finished high school. When police officers first encountered Anthony in his house, he was holding a machete in his hand. Instead of attempting to deescalate the situation, one officer fired his government-issued firearm and killed him. Officers also opened fire in the balcony of the house, endangering his mother.

### Milagros, murdered by her intimate partner, a police officer

**July 3, 2018**

Lieutenant Carlos H. Cruz Alvarado arrived at his intimate partner's home in Lajas. He shot Milagros Ortiz Alvarado several times with his service pistol and proceeded to take his own life. Milagros' two-year-old daughter was present in the home at the time of the shooting.

### Orestes, the police officer who committed suicide in front of his precinct

**January 9, 2017**

Officer Orestes Rivera Mateo, 47 years old, arrived at the precinct where he worked, and met his wife, who is also an officer. While in her presence, he took out his service weapon and killed himself in his car.

### Francisco, gunned down by off-duty officers

**September 17, 2019**

Thirty-five-year-old Francisco E. Marrero Noa and his intimate partner, Wilnelia Rodríguez Sáez, were in the food and drink establishment Socios Café in Bayamón. They had just bought their wedding rings. Police officers Lilibeth Torres, José Ortiz Merced, Enrique Feliciano Marrero, and Arnaldo Rodríguez Rodríguez were also in the establishment having drinks. Allegedly, the police officers made fun of Francisco Marrero Noa after he suffered an accidental fall. A confrontation ensued and witnesses alleged that the three male officers proceeded to beat Francisco. Although there are videos of the incident, the prosecutor's office has declined to share them with the victim's family. Following the initial encounter, Francisco left Socios Café, boarded his Dodge Durango and allegedly hit a pot, which caused a slight wound to Eliezer Toledo, a police contractor who was outside the establishment. Agents José Ortiz Merced and Enrique Feliciano Marrero opened fire, with eight bullets hitting Francisco, killing him on the spot.

## 4. Sources of Information

*License to Kill* considers police use-of-force deaths between 2014 and 2020 in Puerto Rico. The study began in 2014, as these are the earliest cases for which there is any information available. The study concluded in 2020 in order to use the most recent data available in the Death Registry Database of Puerto Rico's Demographic Register. Our study is based on the following sources of information:

One of the most striking things about data on excessive police force is what is lacking.

—USA Facts, *Measuring What Matters: Addressing Police Reforms Must Start with Accurate Data, 2020*

- **Fatal victims of the Puerto Rico Police.** This open access dataset, produced by Kilómetro Cero as part of its Document the Violence project, contains cases of people who died due to use of police force between 2014 and 2020. The information included here was obtained by way of press monitoring, social media, official information requests, and from the Death Registry Database of Puerto Rico's Demographic Register.
- **Cuéntame** (Tell me). This project, initiated in 2019, gathers the 'invisible' stories of fatal victims of police use of force in Puerto Rico. Each person's profile is built using newspaper reports and the relevant information from the Demographic Register's Death Registry Database. On certain occasions, interviews with family members have been conducted by the Kilómetro Cero team, to offer the sort of perspective that both the press and the police sometimes fail to give.
- **Use of Force Reports.** As a result of the Puerto Rico Supreme court ruling in *Kilómetro 0, Inc. v. Héctor Pesquera López (CC 2020-004)*, the Puerto Rico Police Bureau was made to make available to Kilómetro Cero information about the deaths and grave injuries caused by their officers. The Bureau has also had to turn over copies of the use of force reports that officers are required to file in cases of use of force against civilians. Kilómetro Cero has utilized these documents and information in the present study, specifically in the section on PRPB's underreport. At present, Kilómetro Cero is still receiving these reports for processing, organizing, and analyzing in order to compile a dataset to be made available to the public in the near future.
- **Fatal Encounters.** This open access dataset is a product of journalist Brian Burghart's initiative to document deaths directly or indirectly related to civilian encounters with police officers in the United States.

The data compiled here arises from multiple sources of information, as well as from the careful inspection of public documents and from information pooled through crowdsourcing. For the period between 2000 and 2020, there are 29,416 recorded deaths, for an annual average of 1,400 fatal encounters with police officers in the US.

- **Fatal Shootings.** This open access dataset is a result of Washington Post reporter Wesley Lowery's initiative to document civilian deaths by police use of their service weapon in the United States. For the period between 2015 and 2020, Lowery documented 5,946 cases of civilians gunned down by police, which translates into an annual average of almost 1,000 deaths by use of service weapon.

## 5. Puerto Rico: 71 Deaths by Police Use of Force in 7 Years

Between 2014 and 2020, we identified 71 police use-of-force deaths (Table 1), which translates to a little over 10 deaths per year. Of these, 46 (64.8%) were due to service weapon discharges made by state police officers (36 deaths) and by municipal police officers (10 deaths) (Table 2 and Graph 1). The proportion of deaths due to use of service weapons does not always account for most fatalities each year (Graph 2).

In Puerto Rico, on average, there are **10** police use-of-force deaths each year.

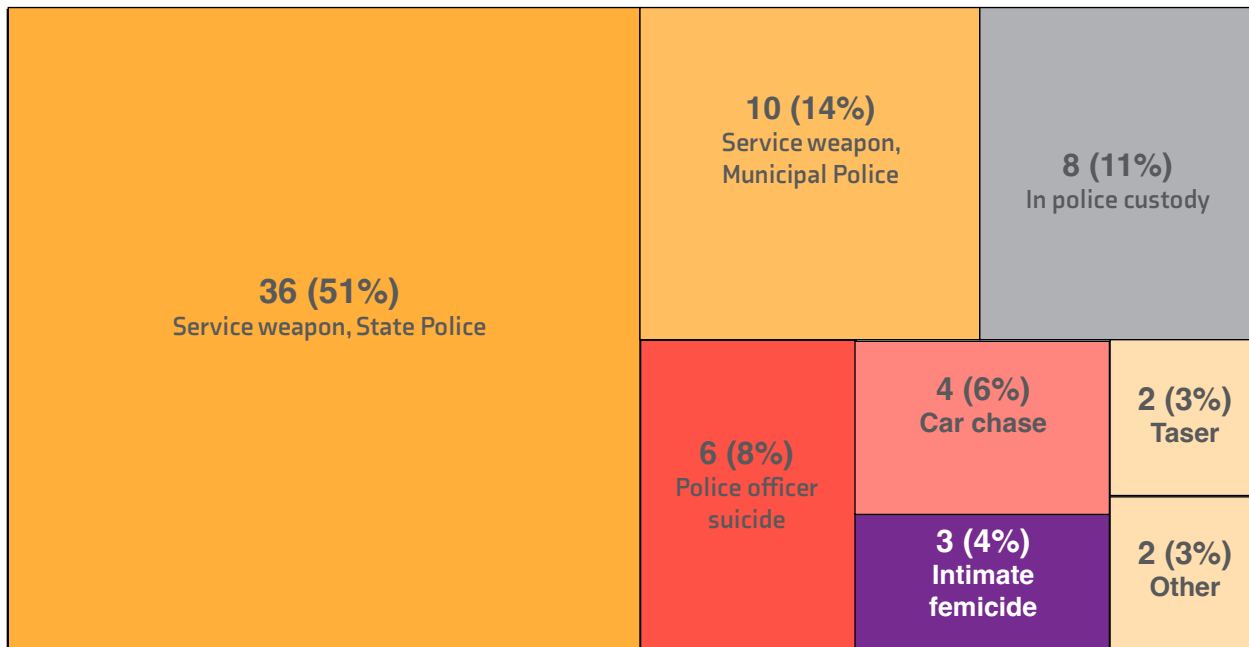
**7** of these are the result of an officer firing their service weapon.

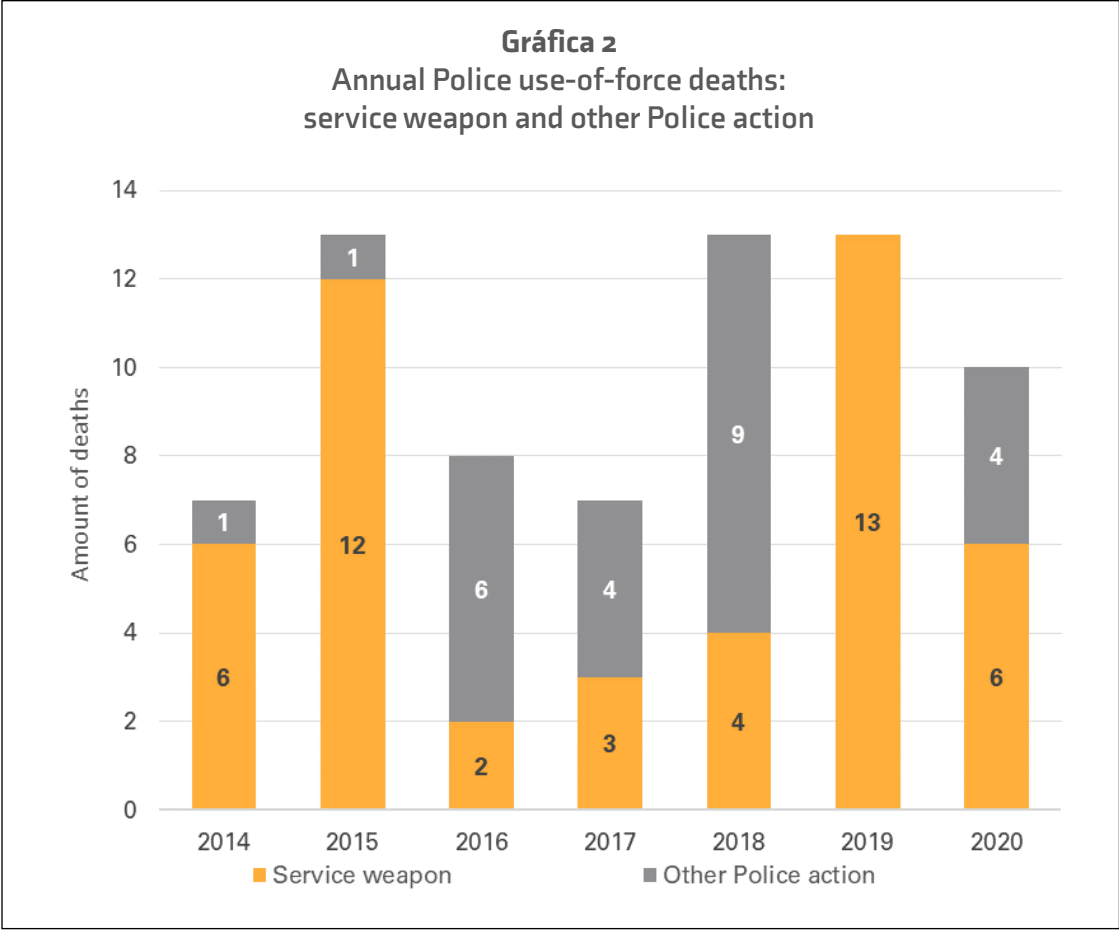


**Table 1**  
Annual Police Use-of-Force Deaths  
2014-2020

Year	Frecuency
2014	7
2015	13
2016	8
2017	7
2018	13
2019	13
2020	10
<b>Total</b>	<b>71</b>

**Graph 1**  
Types of Police Use-of-Force Deaths 2014-2020  
Total of deaths = 71





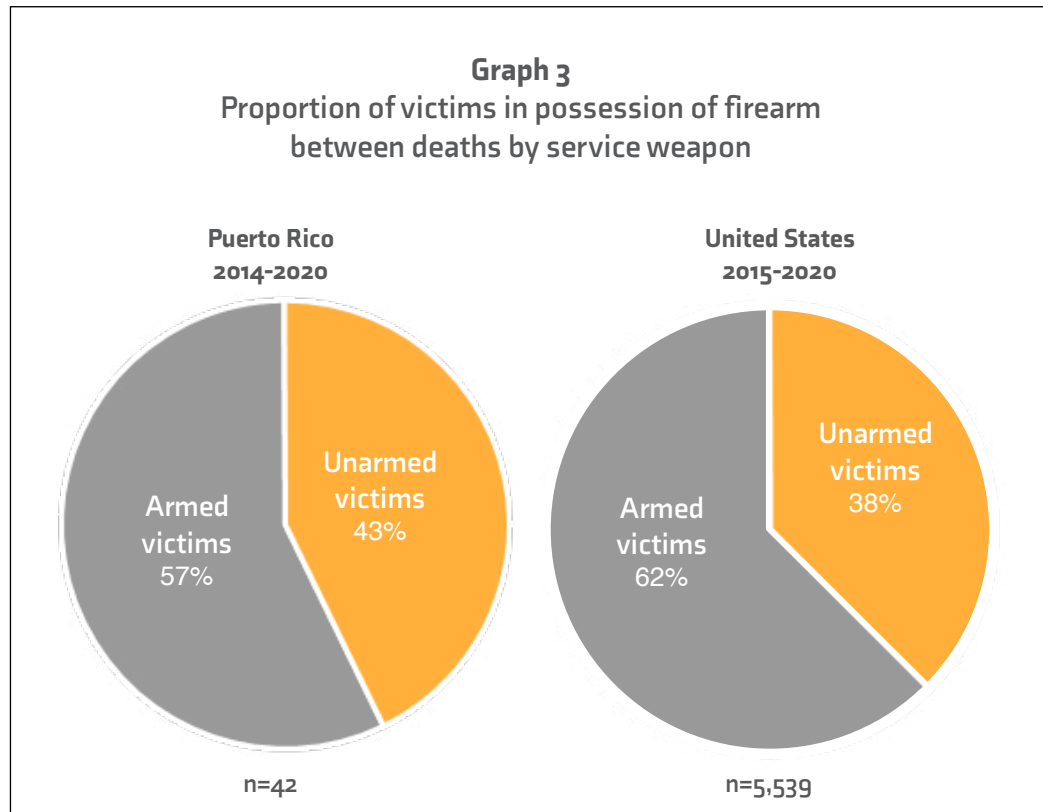
**Table 2**  
Types of Police Use-of-Force Deaths  
2014-2020

Type of Death	Frequency	%
Service weapon	46	64.8
Intimate femicide	3	4.2
In police custody	8	11.3
Police officer suicide	6	8.5
Car chase	4	5.6
Taser	2	2.8
Other arrest processes *	2	2.8
<b>Total</b>	<b>71</b>	<b>100</b>

Note: Other arrest processes include the death of an individual who fell from a building while police officers chased him, and the death of a driver who lost control of his motorcycle as a result of an intervention by a municipal police officer.

### 5A. Deaths by use of service weapon: too many unarmed victims

Among the 46 deaths resulting from use of service weapon (excluding intimate femicides and suicides), only 42 had information for whether they were or were not armed. Of those, we highlight that 43% of fatal victims were not in possession of a firearm when they were gunned down by state or municipal police (Graph 3). For the United States, the corresponding number is 38% (Graph 3). See the methodological appendix for details. Though it has been argued that it is possible to be unarmed and still pose a threat (Shane, Lawton & Swenson, 2017), careful consideration of the specific circumstances of each case reveals the minimal or total lack of risk to life and the physical integrity of officers in these encounters. Two important lessons can be gleaned from this. First, from a public policy perspective, the goal of reducing police use-of-force deaths appears to be viable without endangering the life and physical integrity of officers and civilians.



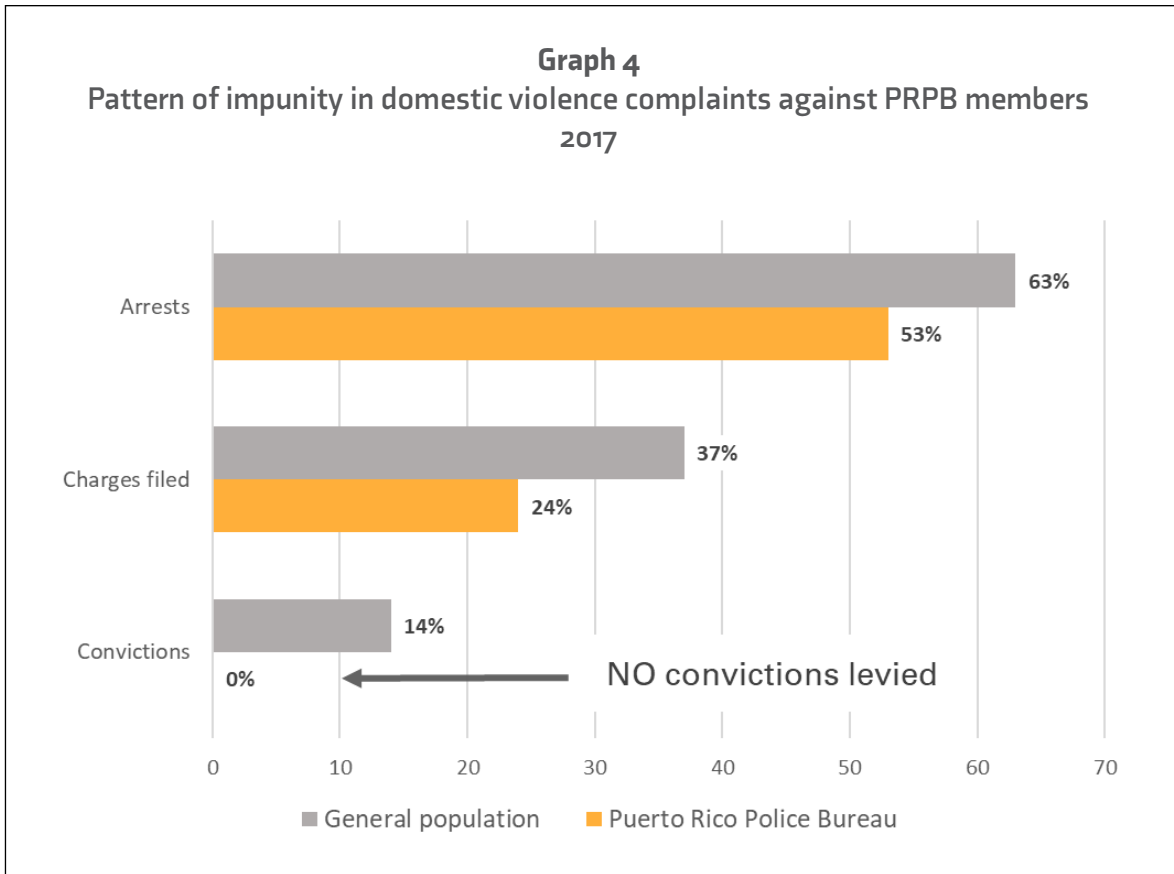


Second, and in consideration of the police as an institution, the number of unarmed fatal victims is damning evidence of the inadequate training that officers receive and of the sense of impunity that allows for this elevated statistic to stand without consequences. It is common practice that police forces promote within their ranks, whether by formal or informal channels, the belief that they are in constant imminent danger. This, in turn, fosters aggressive and disproportionate police conduct in the face of any circumstance (Sierra-Arévalo, 2021). This belief of constant imminent danger is a go-to excuse to justify the deaths of unarmed civilians, as responding officers can always allude to feeling threatened. So long as this justification continues to be seen as somehow valid, impunity will prevail as the institutional norm. Later, we will return to the matter of deaths by use of service weapons and consider it within the context of international comparisons to gather other important lessons.

### **5B. Intimate femicides: a consequence of police impunity**

In the period under consideration, three police officers killed their intimate partners or former intimate partners with their service weapons. These deaths occurred within the context of the PRPB's refusal to accept its institutional responsibility in cases where it furnishes offenders with the murder weapon. Moreover, the PRPB refuses to account for its failure to adopt stricter preventive measures against officers formally accused of domestic violence or who show signs of having taken part in similarly violent acts.

Considering that specific cases of intimate femicide tend to have a previous history of gender violence, the PRPB should view as problematic the favorable treatment that officers with formal domestic violence complaints have received (Claudio, 2018). When comparing the number of arrests, charges filed and convictions levied against these officers with the numbers available for the general population, an alarming reality is revealed (Graph 4). The percentage of arrests, of charges filed, and of convictions in these types of cases is significantly lower among police officers than among the general population. The Official Police Monitor's Report (Claudio, 2018) specifically signals that while 14% of domestic violence complaints among the general population result in convictions, of the 99 complaints filed against officers in 2017, none led to a conviction. The system does not treat officers as it treats the rest of the citizenry.



The evidence suggests that this pattern of impunity has continued in subsequent years. While the following five reports produced by the Office of the Federal Police Monitor, covering five six-month periods from October 2018 to September 2021, left out any data pertaining to officers convicted for gender violence, a police spokesperson recently confirmed that, for the year 2021, of the 78 formal domestic violence complaints filed against state police officers, not one case succeeded in court (Menéndez Sanabria, 2022).

The institutional tolerance and impunity in matters related to gender violence leaves intimate partners and former intimate partners of police officers in a markedly more precarious position than the rest of the population. An offending officer, just by the nature of their work and training, possesses a series of personal and institutional resources that they can use to adversely affect any complainant. The mere fact that offending officers are armed is a powerful deterrent against a potential victim filing a domestic violence complaint against them. Once a complaint is filed, members of the police can intervene with their intimate partners or former partners, as well as with potential witnesses, whether directly or through their colleagues on the force. This strong group cohesion among officers allows them to intimidate, dissuade, and/or silence victims, by way of, for example, excessive patrolling in the immediacies of complainants' homes.

This situation is further aggravated by the notorious code of silence within and around police forces that disincentivizes individual officers from giving information that might prove prejudicial to their fellow officers. These codes of silence, originating in a sense of loyalty among colleagues or arising out of the fear of reprisal (Skolnick, 2002), protect offending officers and hinder the PRPB's ability to identify potentially problematic officers, who, while not having formal complaints against them, may have displayed behavior consistent with gender violence. So long as the prevailing norm in the PRPB continues to be impunity as opposed to timely detection of potentially problematic officers by their superiors and colleagues, the bureau will continue to provide the weapons that will eventually become instruments of femicides.

### **5C. Electronic Control Device (ECD or Taser): an instrument of death**

In the period under review, the use of Electric Control Devices (ECD or Taser), resulted in two deaths at the hands of state police officers. Deaths by Taser are not unforeseen events. In the US, since 2010, more than 500 people have died after being tased by officers (Ciavaglia, Salman & Wedell, 2021). Given the lethal potency of this instrument, police should severely sanction those officers who use and/or threaten to use this device in situations where it is not warranted. As regards the two registered deaths by Taser, the PRPB has sought to keep these events from public scrutiny.

*If there's any job that domestic abuse should disqualify a person from holding, isn't it the one job that gives you a lethal weapon, trains you to stalk people without their noticing, and relies on your judgment and discretion to protect the abused against domestic abusers?"*

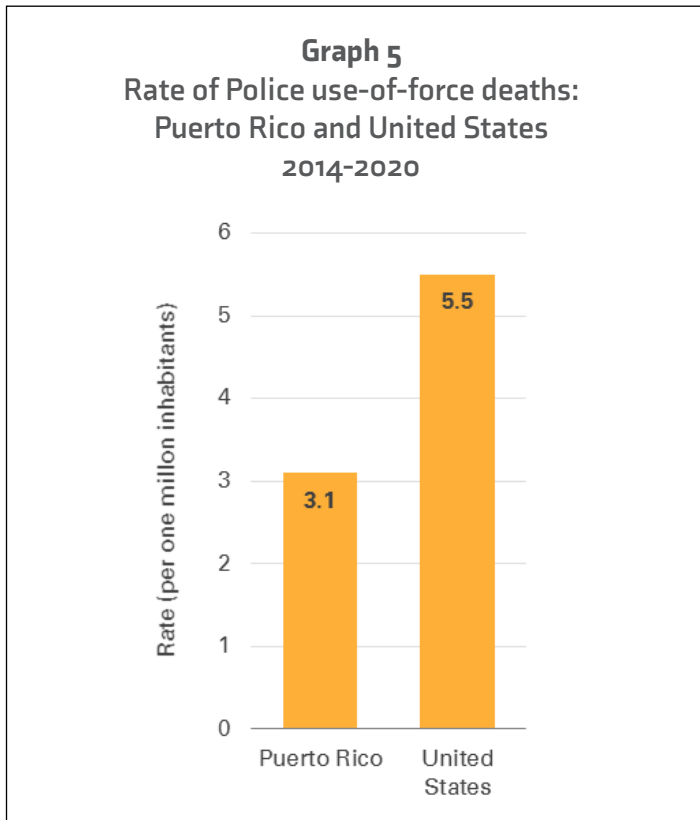
**Conor Friederdorf**  
-The Atlantic, 2014

In the information the Bureau was compelled by the court to make available to Kilómetro Cero, it failed to include these cases as part of the tally of use-of-force deaths, nor do they appear in the list of deaths caused by police.

#### **5D. Suicides: the responsibility the police seek to avoid**

We identified six officer suicides during the period under study, which amounts to one suicide per year. In each case, the cause of death was a self-inflicted gunshot wound from the victim's service weapon. Counting every and all deaths caused by use of service weapon as a police use-of-force death ensures that this kind of death does not go unnoticed and helps in holding the PRPB accountable for the deaths caused by the officers it educated, periodically trains, and keeps in the force with access to lethal weapons. Maintaining an armed police force entails a ministerial duty to monitor officers' mental and emotional health to ensure that they do not pose a danger to others nor to themselves. In light of these deaths, the contrast between the resources assigned for costly quasi military equipment to deal with ultimately imaginary enemies in civilian assemblies, and those allocated for the timely detection of officers who might be suicide risks becomes startling. It is our position that every suicide committed by a police officer, as every intimate femicide carried out by an officer, is a chilling signal of the failure of the PRPB's inner workings.

It is important to note a key difference between Puerto Rico and the US as it pertains to police suicides. In the US, the suicide rate among officers exceeds that of the general population (Heyman, Dill & Douglas, 2018). In Puerto Rico, both rates are similar. Please refer to the Methodological Appendix for a detailed consideration of this measure, based on an annual average of 248 suicides in Puerto Rico for the period under study and an annual rate of 7.5 suicides per every one hundred thousand inhabitants (Coss-Guzmán & Román-Vázquez, 2021).



## 6. How Frequent Are Police Use-of-Force Deaths? All Too Frequent.

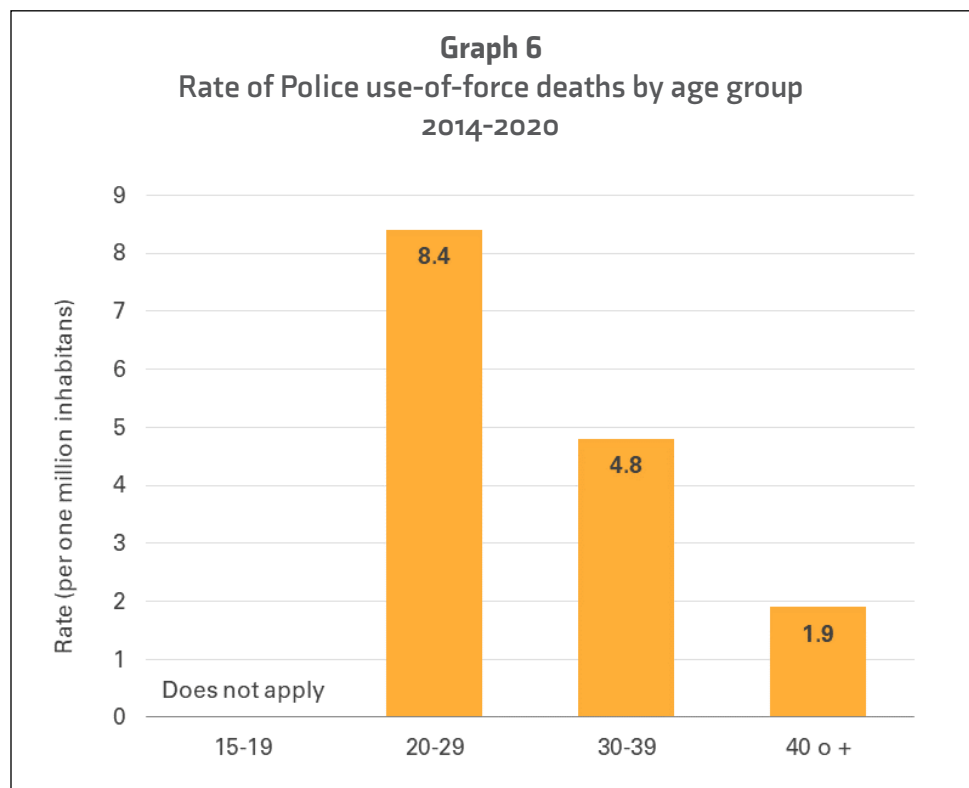
The annual rate of police use-of-force deaths in Puerto Rico is based on the average number of this type of occurrence between 2014 and 2020, in comparison to Puerto Rico's estimated population for 2017 (the middle point for this period). This amounts to 10.1 deaths/3,318,447 inhabitants = 3.1 deaths for every one million inhabitants (please see Methodological Appendix). We calculated the mortality rate for use of police force for the US based on the data provided by **Fatal Encounters** and the estimated US population in 2017. This corresponds to 1782 deaths/325,122,128 inhabitants = 5.5 deaths per one million inhabitants (Graph 5).

Although Puerto Rico's mortality rate is lower than that of the US, there is no reason to view this figure under a positive light. Statistically, any comparison with a jurisdiction posting a worse outcome is not worthy of praise. It must be remembered that the US is an anomaly among industrialized countries, as its levels of police violence are dramatically higher (Jones and Sawyer, 2020; Zimring, 2017). In Puerto Rico, the 3.1 rate should be used as a reference point to evaluate the inner workings of the PRPB.

## 6A. Greater individual risk: male, young and non-college attending individuals

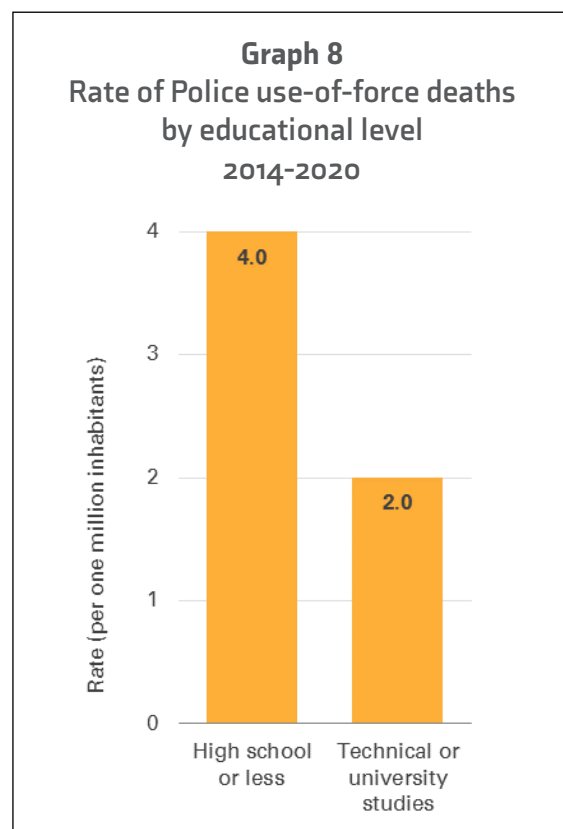
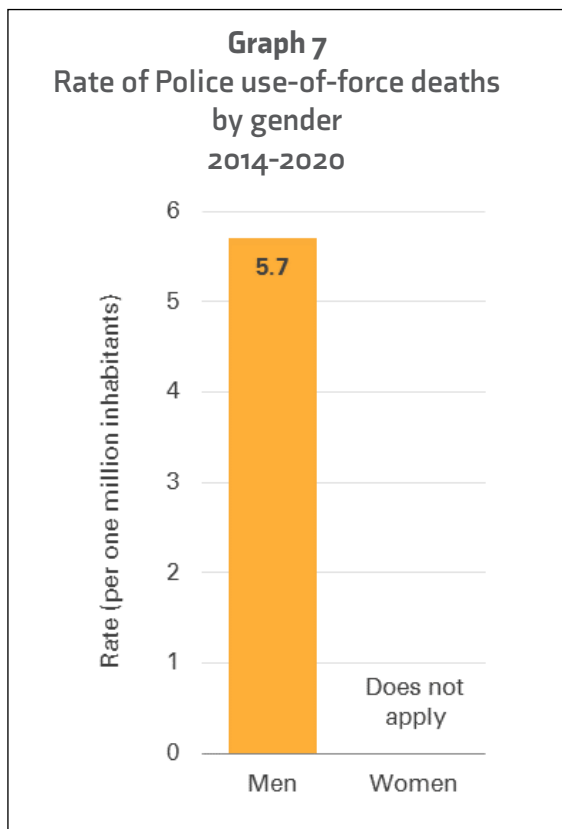
The death rate by police use of force varies across different social groups, exhibiting highly discriminatory patterns in policing that directly contradict the stated mission of the PRPB to contribute to a safer society by way of the implementation of equitable prevention strategies that are respectful and unprejudiced. Our analysis uses empirical evidence to show that both at the individual and geographical level of neighborhoods (or census tracts) the police unleashes its lethal violence in a highly selective manner, affecting socially disadvantaged sectors.

Mortality rates across age groups demonstrate a greater risk of death amongst the young, particularly those between 20 and 29 years of age (Graph 6). This group has a rate of 8.4, significantly higher than the next group, 30- to 39-year-olds, with a rate of 4.8. It should be noted that the rate for 15- to 19-year-olds was not calculated because the 8 registered deaths in this group during the period under study fall considerably below 14, which is the minimum number of cases necessary to produce a stable rate (see Methodological Appendix). The higher mortality rate of individuals between 20 and 29 years of age is consistent with the US (Edwards, Lee & Esposito, 2019; GDB, 2021) and Canada (Flanagan, 2020) rates.



Mortality rates by gender show a heightened risk of death for men, at 5.7. (Graph 7). The corresponding rate for women was not calculated because the 8 registered deaths within this group falls well below 14, which, as mentioned, is the minimum number required to produce a stable rate (see Methodological Appendix). At present, we have no information, per our review of news articles and other sources, of any trans person who has been a fatal victim of police use of force.

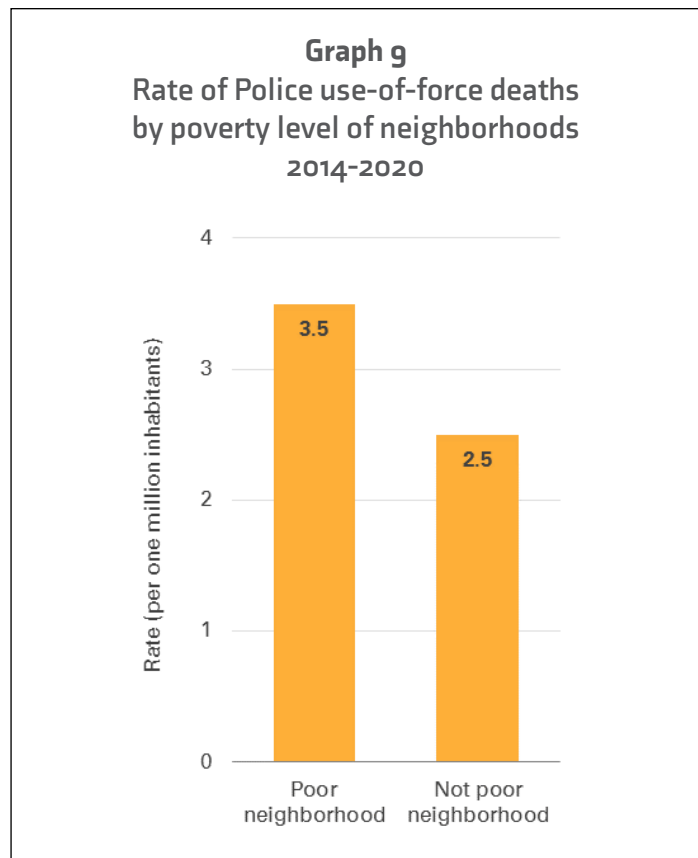
To calculate mortality rates per educational level, we limited ourselves to those victims who were 25 and older, so as all cases would be of an age where they could have reasonably been expected to have finished high school and entered technical or university studies. Individuals with a high school education (or less) had a mortality rate of 4.0, double the rate of individuals who began or finished technical or university studies (graph 8). This number signals to the important differences in social class as it pertains to police use-of-force deaths, a matter we will consider in the following section.



## 6B. Greater geographic risk: poor and racially diverse neighborhoods

Given that in the US, low-income communities with high concentrations of residents of color tend to have high mortality rates due to police violence (Fedelmam, Gruskin, Coull and Krieger, 2019), we studied how mortality rates might vary in Puerto Rico depending on the socio-economic status and racial composition of victims' neighborhoods. The neighborhood-level analysis of mortality was based on information pulled from 883 census tracts in Puerto Rico, as made available in the 2017 Community Survey (see Methodological Appendix). These census tracts—or neighborhoods, as we refer to them for the purposes of this report—have an average of 4,000 residents.

The official estimate of people living under the poverty line in Puerto Rico for the year 2017 was 44%. We used this same number as a measure to classify poor and not poor neighborhoods. In a poor neighborhood, more than 44% of its population is poor. In a not poor neighborhood, less than 44% of its population is poor. For each of the police use-of-force deaths,





we identified the victim's neighborhood and determined whether it was poor or not. The analysis showed that poor neighborhoods have a mortality rate of 3.5, whereas not poor neighborhoods stand at 2.5 (graph 9).

The race-centered analysis was based on the number of people in a neighborhood that identified as "White only" in the Puerto Rico Community Survey. The official estimate for self-identified White only individuals in Puerto Rico was 66%. We used this same figure as a measure to classify neighborhoods as predominantly white or racially diverse. The concept of racially diverse neighborhoods points to those locations where a relatively small number of people identified as White only.

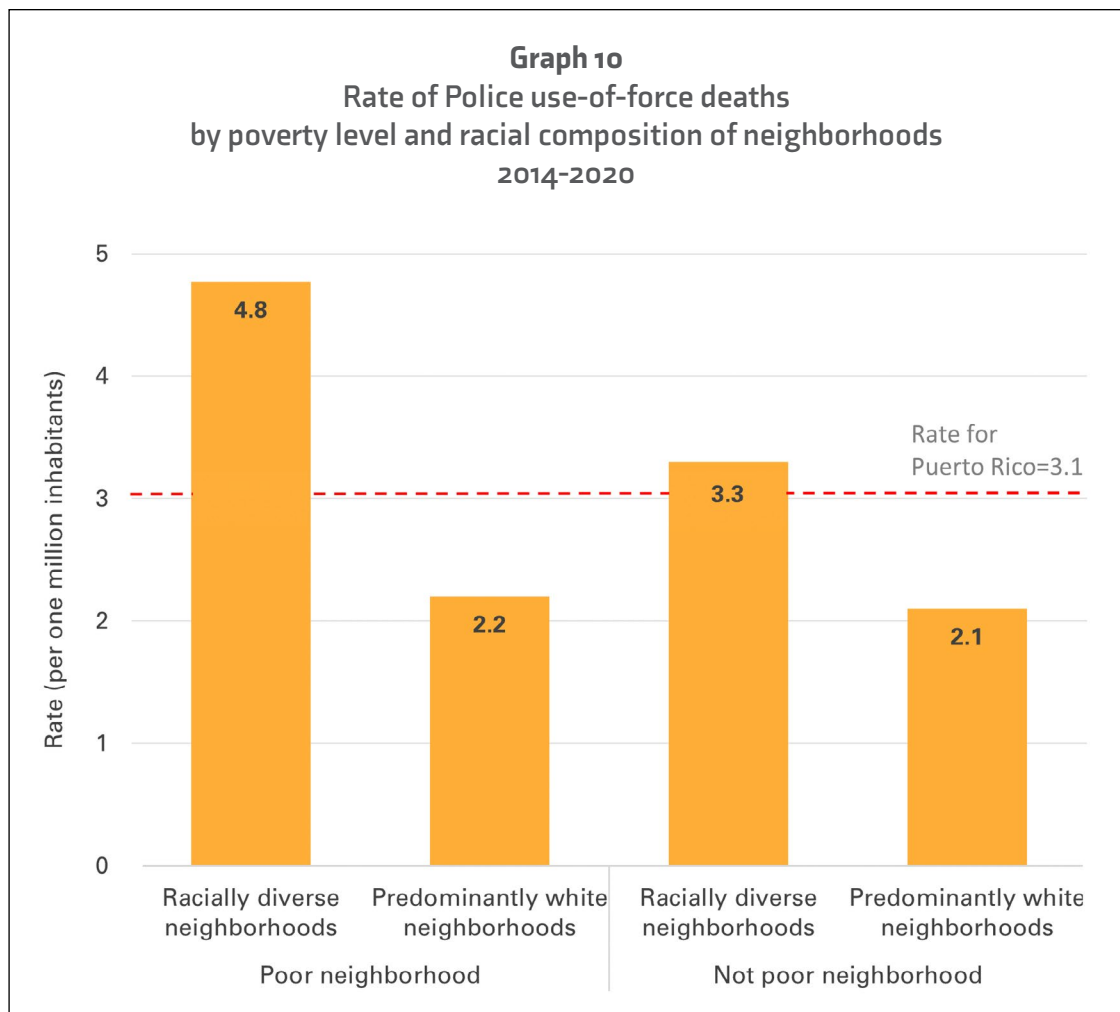
In a predominantly white neighborhood, more than 66% of its residents consider themselves White only. In a racially diverse neighborhood less than 66% of residents identify as such (see Methodological Appendix). For example, a neighborhood where 50% of its residents consider themselves white while the other 50% identifies as black, Afro descendant or multiracial is a racially diverse neighborhood. For every police use-of-force death, we identified the victim's neighborhood and whether it was predominantly white or racially diverse (see Methodological Appendix).





Graph 10 illustrates the combined effect of poverty and racial concentration at the neighborhood level. Predominantly white neighborhoods, regardless of whether they are poor or not, had nearly the same mortality rate, 2.2 and 2.1 respectively. Within non-poor sectors, the individuals who live in racially diverse neighborhoods have a mortality rate of 3.3. This rate is higher than that of predominantly white neighborhoods, which is 2.1. Among the poor sectors, the mortality rate of those who live in racially diverse neighborhoods is 4.8, which is more than double that of predominantly white neighborhoods (2.2). These results demonstrate that, when assessing the risk of death at the hands of the police force, racial differences between neighborhoods have greater weight than social class differences.

This elevated risk of death by police use of force among residents in poor and racially diverse neighborhoods is consistent with Marisol LeBrón's study (2021) concerning how police power in Puerto Rico regulates race, social class, and space. Her argument is based on the idea that racist practices determine who belongs and who does not in certain spaces, as well as on the Arlene Torres' observation (1998) to the effect that, in Puerto Rico, urbanizations tend to be perceived as white people spaces, while housing projects, slums (*arrabales*), and poor communities are perceived as black people spaces. Analyzing Puerto Rico's history since the 1990s, LeBrón identifies that low-income and racialized spaces were precisely those where the PRPB, for at least two decades, imposed the highly pu-

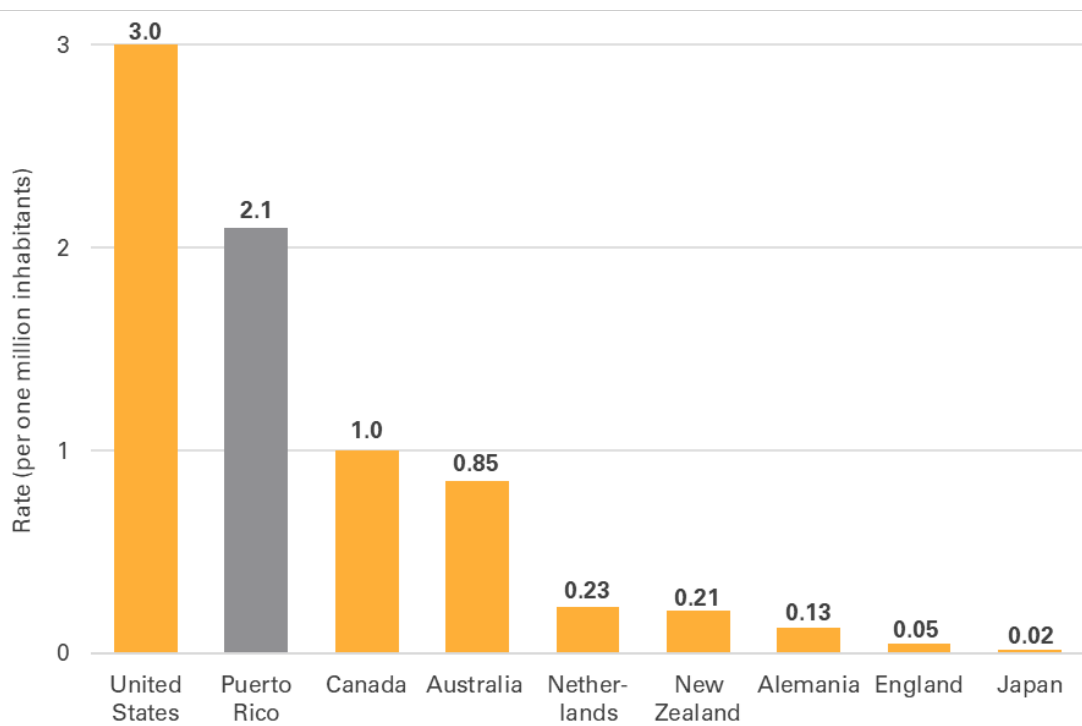


nitive and violent policies of *mano dura contra el crimen* (“strong hand against crime”) and *castigo seguro* (“certain punishment”). The weight of history cannot be easily shed and, when places where impoverished and Afro-Caribbean folks live are identified as dangerous, members of the Police are predisposed to take disproportionate actions following the belief that a constant, imminent danger accosts them (Sierra-Arévalo, 2021).

## 7. International Comparisons: Lessons from the Anomaly of the US

The death of individuals as a result of shootings from police service weapons constitutes only two thirds (64.8%) of the total deaths from police use of force in Puerto Rico. Our mortality rate of fatal police shootings is 2.0 per each million individuals, which is higher than that of any industrialized country, except for the US (Jones & Sawyer, 2020)(Graph 11).

**Graph 11**  
**Police shooting mortality rate**  
**Puerto Rico and other countries**



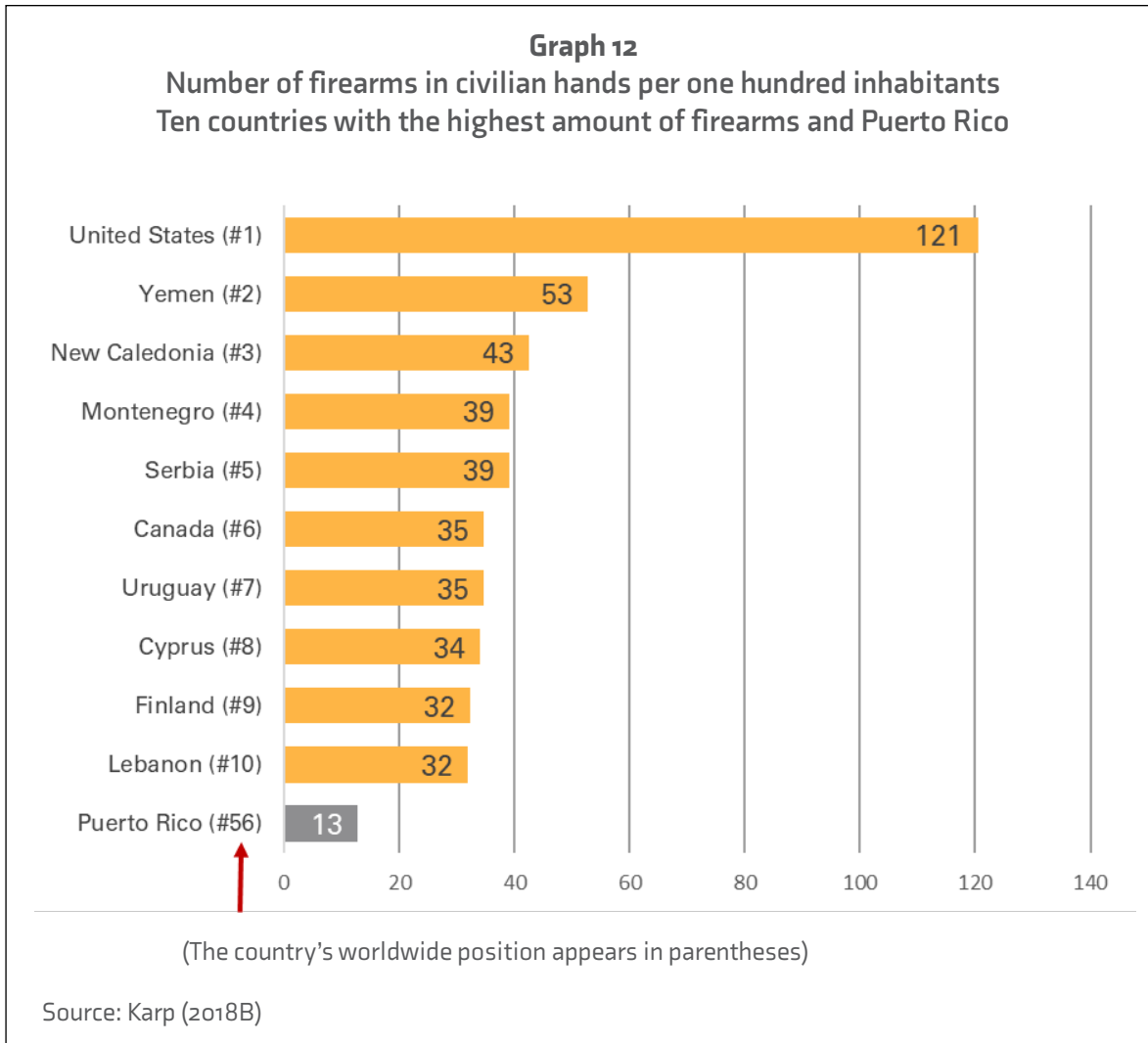
*Firearms in civilian hands are the elephant in the living room of any serious discussion of what sets the United States apart from the rest of the developed world in violence against police as well as why U.S. police kill citizens so often.*

—Franklin E. Zimring,  
*When Police Kills*, 2017,  
 p. 88

Source: Independent  
 Office for Police Conduct,  
 2021

Concerning police violence, the US constitutes an anomaly. “American exceptionalism” (Zimring, 2017, p. 87) in this area refers to its high mortality rate from police officers’ use of their service weapons, which starkly differentiates the US from the rest of industrialized countries, even though crime rates are similar to those in other European countries (Zimring, 2017, p. 79).

The relation between greater number of firearms in civilian hands and greater mortality from use of service weapons is also observable in the



US. Empirical evidence demonstrates that US states with the most restrictive legislation on firearms have half the mortality rates due to service weapons than states with more permissive legislation (Kivisto, Ray & Phale, 2017). Clearly, reducing police use-of-force deaths requires changes in the PRPB at the institutional level, as well as transformations at the social level. Both the international and the US experiences show that the objective of reducing deaths due to police use of lethal force is incompatible with the liberalization of laws and regulations for civilian acquisition and carrying of weapons. The liberalization of the Arms Law proposed by Puerto Rico's House of Representatives' projects 382 and 575 of 2021, and its substitute measure (Bauzá, 2022), constitute an obstacle toward meeting the goal of lowering the number of deaths from service weapons.

England  
with  
60 million residents had

**1 death**

resulting from the use of  
a service weapon  
in the 2021 fiscal year.

Source: Independent Office  
for Police Conduct, 2021

Hence our proposal  
that law-enforcement-  
related deaths be a  
notifiable condition,  
reported in real time  
by medical and public  
health professionals.  
The harms to individuals  
and to the public's health  
merit this monitoring.

—Nancy Krieger and  
collaborators, Harvard  
University, 2015

In Puerto Rico, the existing rate of 13 firearms in civilian hands per each 100 individuals (Karp, 2018B) is slight in comparison with the 120 firearms per the same number of individuals in the US (Graph 12). This situation demands that we question the desirability of using in Puerto Rico models of police education and training based on the US experience. Instigating the idea of imminent danger accosting police officers in the archipelago fuels an artificial notion, which carries extremely harmful and damaging consequences for the community.

## 8. The Puerto Rico Police Bureau Reports Only a Third of Police Use-of-Force Deaths

The basic objective of promoting forms of public security that protect the Puerto Rican population's life and health becomes extremely difficult to achieve when the PRPB does not provide trustworthy, accessible, and timely data documenting police use-of-force deaths. Without trustworthy empirical information, we lack an adequate foundation to make sound public policy decisions. Moreover, keeping the country ill-informed ensures that these deaths remain out of sight and, thus, removed from public scrutiny, as though it was irrelevant for our citizenry to judge the performance of its police force.

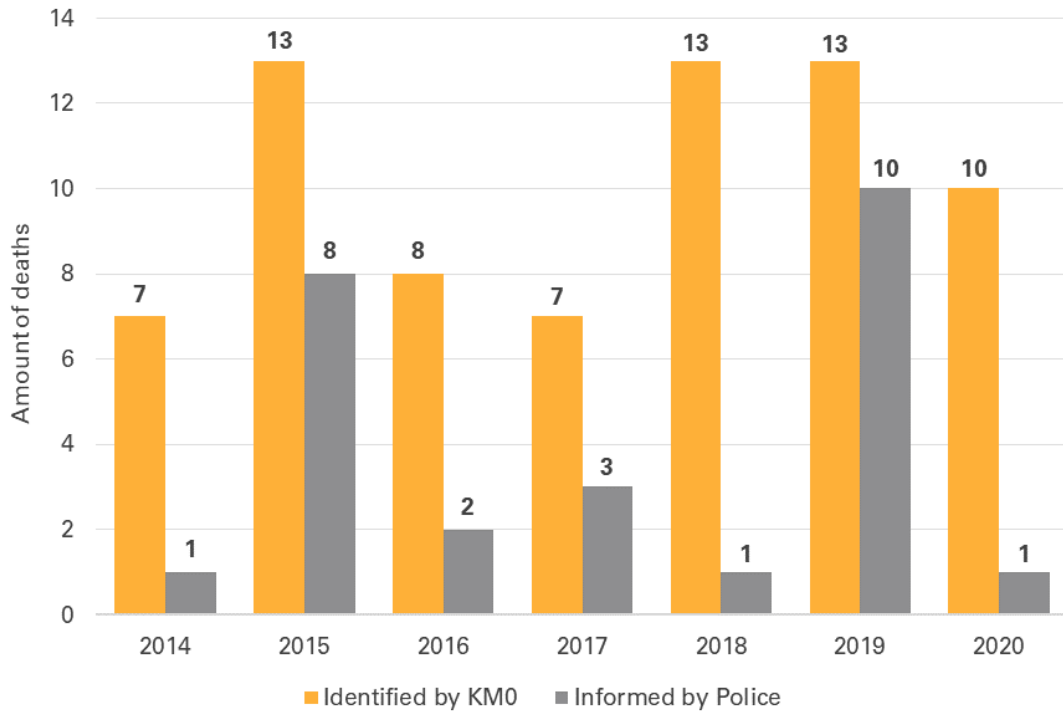
In the US, datasets on police use-of-force deaths elaborated by the CDC, the FBI, and the Justice Department capture close to 50% of the death cases (GDB, 2012; Zimring, 2017). The most accurate datasets, which are used as ideal standards of comparison, use multiple sources of information (governmental documents, press releases, and information obtained from social media). In Puerto Rico, the PRPB compiles information on deaths provoked by its agents but does not divulge it regularly. As we explain below, the statistics offered by the PRNB only reflect 36.6% (little over one third) of all deaths resulting from lethal police force.

The documents that *Kilómetro Cero* obtained from the PRPB in the wake of the lawsuit *Kilómetro o, Inc. v. Pesquera*, which are entitled *Data on Use of Force, Serious Injuries, Dead and Mutilated Individuals, Caused by Use of Force within the PRPB* for the years 2014-2020, are meant to detail the names of individuals affected by police use of force and, in the cases of individuals wounded by firearms, specify "dead person" (*persona muerta*), as applicable. Using this source of police documentation, we calculated the PRPB's underreport. This is a way of quantifying the extent to which

deaths reported by the PRPB differ from all deaths, according to the best available comparison standard, which in this case is the dataset produced by *Kilómetro Cero* (see Table 3 and Graph 13). Underreport is the term used to refer to errors in identifying or quantifying all cases of a condition, which, therefore, artificially diminish the rate under review (Last, 2001). In this case, the PRPB underreport is 36.6%. In a word, the Police only reports a little over one third of the deaths caused by lethal use of police force.

Table 3 Annual Underreport on Police Use-of-Force Deaths in the Puerto Rico Police Bureau's Datasets			
Year	Identified by KMo	Reported by the Police	Proportion of Deaths Reported by the Police (%)
2014	7	1	14.3
2015	13	8	61.5
2016	8	2	25.0
2017	7	3	42.9
2018	13	1	7.7
2019	13	10	76.9
2020	10	1	10.0
<b>2014-2020</b>	<b>71</b>	<b>26</b>	<b>36.6</b>

**Graph 13**  
**Police informs fewer deaths than they occur**  
**2014-2020**



Underreports entail multiple ways in which a system fails or is incapable of identifying every event in a specific population (Gibbons, Mangen, Plass, 2014). This distinction between the action of failing and the incapacity to register and report deaths is useful to understand the magnitude of PRPB's underreport. When considering the categories on the diverse types of deaths caused by police use of force (Table 4 and Graph 14), we find that the PRPB does not provide information on the following: intimate femicides perpetrated by police officers with their service weapons; deaths occurring when the individual was in custody; deaths resulting from the use of tasers; deaths in the context of vehicle chases; and police officer suicides. Also excluded from the official count are the 10 deaths by firearms perpetrated by police officers from municipal (rather than the state) police force. With all these cases, it becomes evident that the PRPB's underreport is not the effect of its incapacity to grasp the number of deaths, but rather the result of deliberate and clear decisions made by its administrative apparatus to keep the number of deaths artificially

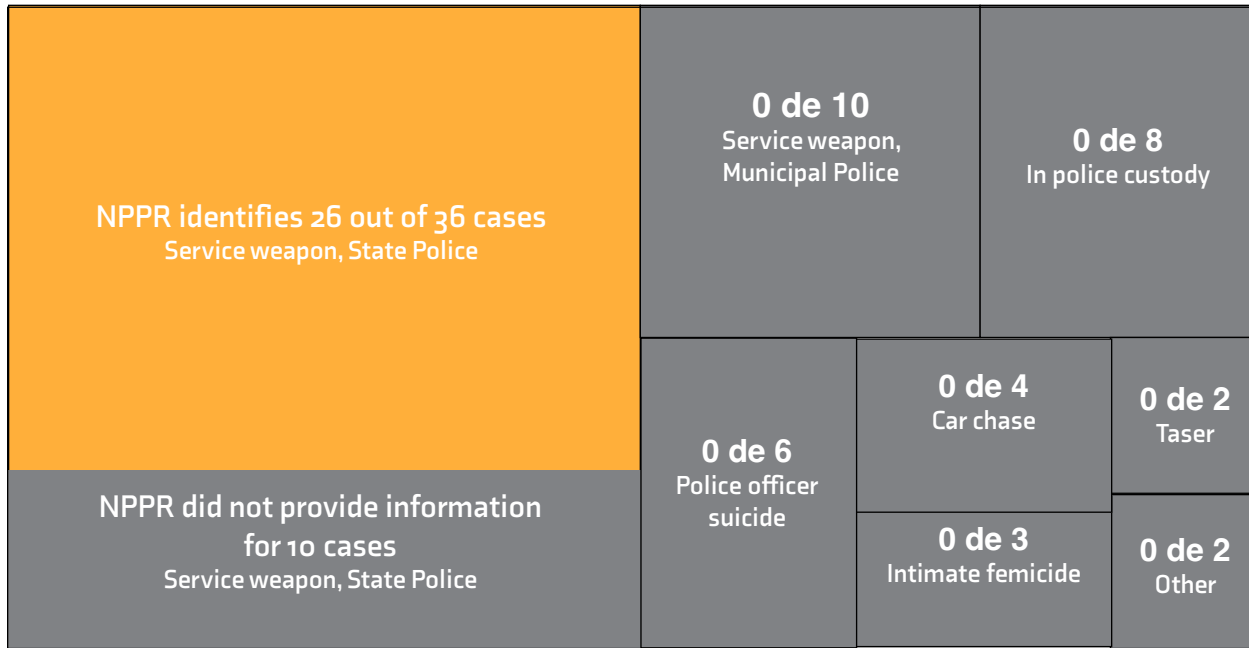


low. It was not always like this. In years prior to the *Kilómetro 0, Inc. v. Pesquera* lawsuit, the PRPB included in its documentation the cases of intimate femicides, the deaths while in custody, and police officer suicides, which it now excludes. For example, in 2016, the Police reported 8 cases of deaths related to police use of force (by service weapon, in custody, police suicide, car chase, and other arrest processes) (Santiago Feliciano, 2017). The latter document reported 100% of the deaths identified by *Kilómetro Cero*, in contrast with the 25% reported in the 2021 document obtained after the lawsuit (see Methodological Appendix).

**Table 4**  
**Underreport by Type of Police Use-of-Force Death**

Type of Death	Number according to KMo	Number according to the Police	Comments
Service Weapon	46	26	PRPB did not report 10 deaths from use of service weapons by municipal police officers. The Bureau also excluded another 10 deaths by use of service weapon on the part of state police officers.
Intimate Femicide	3	0	PRPB did not provide information.
In Custody	8	0	PRPB did not provide information.
Police Suicide	6	0	PRPB did not provide information.
Car Chase	4	0	PRPB did not provide information.
Taser	2	0	PRPB did not provide information.
Other Arrest Processes	2	0	PRPB did not provide information.
<b>Total</b>	<b>71</b>	<b>26</b>	

Graph 14  
Underreport by type of police use-of-force death



The PRPB’s underreport cannot be reduced to simple methodological decisions on what to count and what not to, and the ways of doing so. Police forces have an institutional, vested interest in favoring an underreport of police use-of-force deaths because the very agency providing the information to document such cases would be subject to lawsuits were its agents unable to adequately justify their actions when using police force (Zimring, 2017). An alternative to confront this institutional problem would be to follow the example of hundreds of cities and counties in the US and many other countries, where independent civilian oversight boards are used to duly investigate every death from police use of force (Table 5).

**Table 5**  
**Countries with**  
**Independent Civilian Police Oversight Boards**

The Americas	Europa	Africa	Asia and Oceanía
Canada	Portugal	Lesotho	Japan
United States *	England & Wales	Ghana	India
Costa Rica	Northern Ireland	South Africa	Australia
Jamaica	France	Tanzania	New Zealand

**Note:** In the US, police forces are organized by cities or counties, rather than at state level.

If registering approximately 50% of deaths is considered an “epic failure” (Zimring, 2017) in the US, in Puerto Rico, the 36.6% reported means the success (on a very short term) of a deliberate strategy to conceal information. Sound reporting systems are like a double-edged sword for governments. On the one hand, they facilitate the understanding of a situation, while, on the other, in recognizing and giving visibility to a problem, avoiding accountability for it becomes more challenging (Kalir & Van Schendel, 2017). The basic principle of public policy analysis dictating that rigorous information constitutes the foundation for making governmental decisions, becomes irrelevant for the PRPB, since lack of information is favorable for its avoidance of accountability. This is the reason why police suicides and intimate femicides perpetrated by police officers with their service weapons are not reported as police use-of-force deaths: the PRPB wants to evade all responsibility concerning these cases. As this report shows, hiding the information is successful only in a very short term. The PRPB will be held accountable for the deaths it has sought to conceal, and for the mistake of attempting to cover them up in the first place.

## 9. Public Policy Recommendations: Facing the Failure of the Police Reform

The statistical evidence presented in this report, along with the evidence gathered by *Kilómetro Cero* through the *Cuéntame* (“Tell Me”) project on specific incidents of police use-of-force deaths, show that the concerns which originally sparked the demand for an institutional reform of Puerto Rico’s Police Bureau have not been resolved after almost a decade of its implementation.

The present report demonstrates with statistical data that, on the matter of public safety, nothing has changed in the ten years since the American Civil Liberties Union (2012, p. 9) concluded that “officers [in Puerto Rico] routinely use excessive force or resort to force unnecessarily and inappropriately, and they disproportionately target racial minorities and the poor,” and that, “in most of these cases, the deaths were unjustified, avoidable, and/or not necessary to protect the life of an officer or civilian.” Ten years later, we have not overcome the “long standing pattern and practice [...] of PRPD officers violating the Constitution by using force, including deadly force, when no force or lesser force was called for,” in the words of the US Department of Justice (2011, p. 6)

The *Acuerdo para una reforma sostenible de la Policía* (“Agreement for a Sustainable Reform of the Police”) constitutes a “fantasy document,” as public policy analysts call it. That is, a document elaborated as part of a strategy to confront a crisis, and which aspires to appease public opinion rather than resolve the problem originating the crisis (Birkland, 2009). Fantasy documents may contain serious and meticulous investigations, but in an atmosphere lacking political will, they do not lead to changes indicating that the institution has learned anything from the crisis. The *Acuerdo para una reforma sostenible de la Policía* has produced documents to improve policing procedures, but the PRPB has not recognized that police use-of-force deaths are an issue that must be under permanent evaluation, and that its reduction must constitute an institutional objective. We may well spend another decade demanding substantial advancements in the compliance with certain agreements, elaborating new documents on institutional practices and policies, and squandering an additional \$180 million dollars (Serrano, 2021), but if police use-of-force deaths do not decrease, any reform turns out to be a bureaucratic fantasy.

For years now, specific, feasible, and demonstrable objectives for reducing police use-of-force deaths should have been adopted. Seeking such goals arises from the recognition that police interventions should not end with the death of civilians, and that these can be avoided—without putting individual police officers’ lives at risk—if there is an institutional will for it.

Two years of the COVID-19 pandemic have shown how the world’s countries use clear metrics—such as the number of new cases, the number of hospitalizations, the number of deaths, and the positivity rate—to evaluate their public policies and determine new courses of action. It is

evident that the appropriate way to elaborate public policies consists in constantly evaluating whether the actions and measures taken result in the desired outcomes. The PRPB should adopt clear metrics on police use-of-force deaths, which would allow it to determine the success or failure of selected strategies. In what follows, we suggest metrics that should be adopted and that we will be monitoring.

### **Total reduction objectives**

- Cero deaths as consequence of police interventions with minors. (In the 2014-2020 period, there were 2 deaths, kids of 15 and 17 years of age).
- Cero deaths as consequence of police interventions with individuals experiencing emotional crises or who have mental health conditions. (In the 2014-2020 period, there were 5 deaths of this kind).
- Cero intimate femicides perpetrated by members of the Police. (In the 2014-2020 period, there were 3 femicides of this kind).
- Cero deaths as consequence of taser use. (In the 2014-2020 period, there were 2 deaths of this kind).
- Cero deaths as consequence of car chases. (In the 2014-2020 period, there were 4 deaths of this kind).
- Cero suicides among members of the Police. (In the 2014-2020 period, there were 6 suicides of this kind).

### **Frequency Reduction Objectives**

- Diminish the police use-of-force mortality rate. (The rate for 2014-2020 was 3.1 deaths of this kind per each million residents).

To meet the proposed goals, changes such as the following, both at the institutional and the social levels, must be implemented:

### **Institutional Changes**

- Adopt a policy of transparency and rigor in the production and dissemination of data related to police use-of-force deaths.
- Require mandatory research and reporting by Health authorities for police use-of-force deaths. (Currently in Puerto Rico, a dog's bite producing rabies requires mandatory research and reporting, but a death caused by the firing of a service weapon does not.)
- Ensure that Puerto Rico's Institute of Forensic Sciences follows the established international norm in strict fashion, and that it uses the cause-of-death codes specifying "interventions by law-and-order agents" (Y35).
- Require that the Puerto Rico Police Bureau publishes, within 24 hours, the information concerning each incident of death by police use-of-force. This information should include the victim's name and age, place where the intervention took place, names and badge numbers of every officer present at the intervention, names and badge numbers of the officers that used lethal force, and a full description of what happened in the course of the intervention. Information should also include whether the deceased civilian was carrying a gun and, if so, of what kind; whether it seemed possible that they were living with a mental health condition; whether they were homeless, an immigrant, drug user, or any other indicator of vulnerability that was identified immediately. If a video recording of the scene is available, the authorities must make it public for transparency purposes.
- Require that an entity such as the PRPB's press office divulges, within 24 hours, the information concerning each police use-of-force death incident perpetrated by an officer from any municipal police division.

## Promote Accountability and Avoid Impunity

- Create an independent civilian research organism for every lawsuit or complaint of delinquent conduct by public order officers, and for every case of police use-of-force death. This organism must be an autonomous entity, entirely unrelated to the PRPB, with ample civilian participation and technical expertise, as is the case in hundreds of cities and countries around the world.
- Establish independent prosecution offices specializing on crimes by public order agents and on civil rights violations cases.
- Craft legislation to regulate the use of force by public order agents and to provide adequate penal responsibility mechanisms for law enforcement functionaries.

## Changes in the Vision and Type of Police Intervention

- Transform the dominant vision within the PRPB that public order officers are like soldiers in a battlefield whose lives are in constant, imminent danger.
- Establish intervention teams that do not require police action and that instead mobilize health, mental health, and social work professionals for interventions with individuals experiencing emotional crises or traumas.

The effectiveness of every public policy recommendation always hinges on its broader social context. While racial and social class divisions are maintained or deepened in Puerto Rico; so long as we keep insisting on a failed and absurd war on drugs; and if we maintain or liberalize the acquisition of guns, it will be ever more trying to achieve the proposed objectives.

## 10. Conclusion

In the context of the aftermath of hurricanes Irma and Maria and the deaths that the government sought to cover up, Rima Brusi (2021, p. 135) wrote the following:

Leaving the dead uncounted is rendering them invisible, taking away their value. To count them (or to estimate them when count-

ing them directly is impossible, and when those who should do so, do not want to) is making them visible, bestowing back upon them back some of their value. Narrating the stories of our dead is also counting them. And counting on them, making them matter.<sup>1</sup>

That seven years go by with an average of 10 annual police use-of-force deaths without the PRPB recognizing that it must do something to reduce that number, constitutes another way in which those deaths are rendered invisible, and the value of those individual lives is taken away.

Brusi's words are in accordance with one of the purposes of this report: to challenge with statistical evidence the concealment of police use-of-force deaths. When the information provided by the PRPB only registers a little over a third of such deaths in the country, it is obvious that there is a deliberate will to cover up deaths. The hurricane Maria experience taught us that, in the face of the governmental attempt to hide our deaths, cornering government officials with due evidence constitutes a civic duty, so they admit the existing reality and make it official in their statistics (Avilés, 2020). At *Kilómetro Cero* we will not cease in our quest to make these deaths visible, to give these individual lives' value back, and to tell their stories.

It would be naïve to think that the statistical information presented here, on its own, will motivate the necessary reflection on the part of the PRPB. Counting the dead is a first step in a more far-reaching agenda to promote accountability and to eradicate police impunity. If civilian indignation with the data presented here does not turn into consistent public pressure, very little may be expected from authorities that operate as though they have *license to kill*.

The recent experience in the US shows that the civilian practice of public manifestations against police violence reduced violent incidents (see the box below). When civic mobilizing maintains police violence as a constant public debate issue, transformations in police forces become more viable.

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1. Translator's note: in Spanish, the verb contar is polysemic. It may mean, at once, to count numerically, to tell a story, to count with something or someone, and to make something or someone matter.



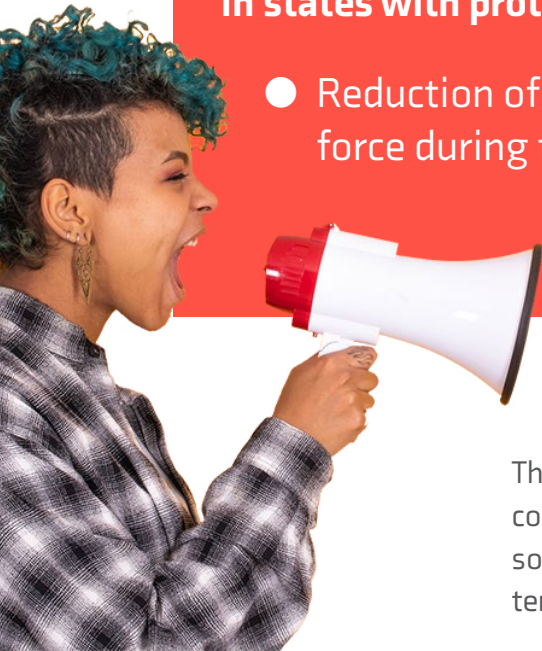
## Consequences of Public Protests against Police Violence

### In cities with protests:

- 15-20% reduction in use-of-lethal-force incidents (Campbel, 2021).
- Reduction of deaths of African Americans and Latinxs (Olzak, 2021) (Olzak, 2021)

### In states with protests:

- Reduction of deaths of African Americans due to police use-of-force during the month following the protests (Skoy, 2021).



The ultimate aspiration of *Kilómetro Cero* is clear: we want the day to come when there are zero police use-of-force deaths, and, once the PRPB so informs it, the suspicion does not arise that there is yet another attempt to cover up our deaths.

## Epilogue

The year 2022 did not start well. While we were writing this report, various events took place that demonstrate how urgent attending to the demands made here is.

- On January 16 and 17, two female police officers committed suicide with their service weapons: Nelly J. Díaz Báez, a Puerto Rico state police officer, and Damaris Soto Sánchez, an officer in the Coamo municipal police division.
- On January 19, Kilómetro Cero went to the San Juan Court to inform the country's justice system that the PRPB had not turned in over 700 reports on its use of force, out of the several thousand such reports it was meant to hand in. The organization also informed the Court that the Police insisted on handing in a blank table, which ought to have included information on deceased individuals, serious injuries, and mutilations caused by police use of force during the year 2021. As this report is published, the PRPB has yet to issue a certification on all the deaths and serious injuries that its officers' use of force has caused in the year 2021.
- On January 27, the police officer José Rivera Velázquez killed his ex-partner, Brenda Liz Pérez Bahamonde, who was also a police officer, with his service weapon.
- After the intimate femicide of the police officer Brenda Liz Pérez Bahamonde at the hands of the police officer José Rivera Velázquez, it became known that Rivera Velázquez had successfully approved the psychological evaluation required by protocol to have service weapons returned to officers with a record of gender violence complaints (Díaz Tirado, 2022). Several weeks later, he killed his ex-partner. The PRPB has not recognized this incident as evidence of failure of its protocols for the prevention of domestic violence among its officers.
- According to the most recent report of the Office of the Federal Police Monitor of Puerto Rico, the investigations on domestic violence against officers were not conducted in observance of the previously established norms and procedures (Romero, 2021, p. 120).

Many of the patterns documented in this report on police use-of-force deaths for the years 2014-2020 are being replicated during the first months of the present year. Everything seems to indicate that, in 2022, the Police continues acting as though it has *license to kill*.

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