

National

## Fatal police shootings in 2015 approaching 400 nationwide

By **Kimberly Kindy**, and reported by **Julie Tate**, **Jennifer Jenkins**, **Steven Rich**, **Keith L. Alexander** and **Wesley Lowery** May 30

In an alley in Denver, police gunned down a 17-year-old girl joyriding in a stolen car. In the backwoods of North Carolina, police opened fire on a gun-wielding moonshiner. And in a high-rise apartment in Birmingham, Ala., police shot an elderly man after his son asked them to make sure he was okay. Douglas Harris, 77, answered the door with a gun.

The three are among at least 385 people shot and killed by police nationwide during the first five months of this year, more than two a day, according to a Washington Post analysis. That is more than twice the rate of fatal police shootings tallied by the federal government over the past decade, a count that officials concede is incomplete.

“These shootings are grossly underreported,” said Jim Bueermann, a former police chief and president of the Washington-based Police Foundation, a nonprofit organization dedicated to improving law enforcement. “We are never going to reduce the number of police shootings if we don’t begin to accurately track this information.”

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A national debate is raging about police use of deadly force, especially against minorities. To understand why and how often these shootings occur, The Washington Post is compiling a database of every fatal shooting by police in 2015, as well as of every officer killed by gunfire in the line of duty. The Post looked exclusively at shootings, not killings by other means, such as stun guns and deaths in police custody.

Using interviews, police reports, local news accounts and other sources, The Post tracked more than a dozen details about each killing through Friday, including the victim’s race, whether the person was armed and the circumstances that led to the fatal encounter. The result is an unprecedented examination of these shootings, many of which began as minor incidents and suddenly escalated into violence.

Among The Post’s findings:

- About half the victims were white, half minority. But the demographics shifted sharply among the unarmed victims, two-thirds of whom were black or Hispanic. Overall, blacks were killed at three times the rate of whites or other minorities when adjusting by the population of the census tracts where the shootings occurred.

- The vast majority of victims — more than 80 percent — were armed with potentially lethal objects, primarily guns, but also knives, machetes, revving vehicles and, in one case, a nail gun.
- Forty-nine people had no weapon, while the guns wielded by 13 others turned out to be toys. In all, 16 percent were either carrying a toy or were unarmed.
- The dead ranged in age from 16 to 83. Eight were children younger than 18, including Jessie Hernandez, 17, who was shot three times by Denver police officers as she and a carload of friends allegedly tried to run them down.

The Post analysis also sheds light on the situations that most commonly gave rise to fatal shootings. About half of the time, police were responding to people seeking help with domestic disturbances and other complex social situations: A homeless person behaving erratically. A boyfriend threatening violence. A son trying to kill himself.

Ninety-two victims — nearly a quarter of those killed — were identified by police or family members as mentally ill.

In Miami Gardens, Fla., Catherine Daniels called 911 when she couldn't persuade her son, Lavall Hall, a 25-year-old black man, to come in out of the cold early one morning in February. A diagnosed schizophrenic who stood 5-foot-4 and weighed barely 120 pounds, Hall was wearing boxer shorts and an undershirt and waving a broomstick when police arrived. They tried to stun him with a Taser gun and then shot him.

The other half of shootings involved non-domestic crimes, such as robberies, or the routine duties that occupy patrol officers, such as serving warrants.

Nicholas T. Thomas, a 23-year-old black man, was killed in March when police in Smyrna, Ga., tried to serve him with a warrant for failing to pay \$170 in felony probation fees. Thomas fled the Goodyear tire shop where he worked as a mechanic, and police shot into his car.

Although race was a dividing line, those who died by police gunfire often had much in common. Most were poor and had a history of run-ins with law enforcement over mostly small-time crimes, sometimes because they were emotionally troubled.

Both things were true of Daniel Elrod, a 39-year-old white man. Elrod had been arrested at least 16 times over the past 15 years; he was taken into protective custody twice last year because Omaha police feared he might hurt himself.

On the day he died in February, Elrod robbed a Family Dollar store. Police said he ran when officers arrived, jumping on top of a BMW in the parking lot and yelling, "Shoot me, shoot me." Elrod, who was unarmed, was shot three times as he made a "mid-air leap" to clear a barbed-wire fence, according to police records.

Dozens of other people also died while fleeing from police, The Post analysis shows, including a significant proportion — 20 percent — of those who were unarmed. Running is such a provocative act that police experts say there is a name for the injury officers inflict on suspects afterward: a "foot tax."

Police are authorized to use deadly force only when they fear for their lives or the lives of others. So far, just three of the 385 fatal shootings have resulted in an officer being charged with a crime — less than 1 percent.

The low rate mirrors the findings of [a Post investigation in April](#) that found that of thousands of fatal police shootings over the past decade, only 54 had produced criminal charges. Typically, those cases involved layers of damning evidence challenging the officer's account. Of the cases resolved, most officers were cleared or acquitted.

In all three 2015 cases in which charges were filed, videos emerged showing the officers shooting a suspect during or after a foot chase:

- In South Carolina, police officer Michael Slager was charged with murder in the [death of Walter Scott](#), a 50-year-old black man, who ran after a traffic stop. Slager's attorney declined to comment.

- In Oklahoma, reserve deputy Robert Bates was charged with second-degree manslaughter 10 days after he [killed Eric Harris](#), a 44-year-old black man. Bates's attorney, Clark Brewster, characterized the shooting as a "legitimate accident," noting that Bates mistakenly grabbed his gun instead of his Taser.

- And in Pennsylvania, officer [Lisa Mearkle was charged](#) with criminal homicide six weeks after she shot and killed David Kassick, a 59-year-old white man, who refused to pull over for a traffic stop. Her attorney did not return calls for comment.

In many other cases, police agencies have determined that the shootings were justified. But many law enforcement leaders are calling for greater scrutiny.

After nearly a year of protests against police brutality and with a White House task force report calling for reforms, a dozen current and former police chiefs and other criminal justice officials said police must begin to accept responsibility for the carnage. They argue that a large number of the killings examined by The Post could be blamed on poor policing.

"We have to get beyond what is legal and start focusing on what is preventable. Most are preventable," said Ronald L. Davis, a former police chief who heads the Justice Department's Office of Community Oriented Policing Services.

Police "need to stop chasing down suspects, hopping fences and landing on top of someone with a gun," Davis said. "When they do that, they have no choice but to shoot."

As a start, criminologists say the federal government should systematically analyze police shootings. Currently, the [FBI struggles](#) to gather the most basic data. Reporting is voluntary, and since 2011, less than 3 percent of the nation's 18,000 state and local police agencies have reported fatal shootings by their officers to the FBI. As a result, FBI records over the past decade show only about 400 police shootings a year — an average of 1.1 deaths per day.

According to The Post's analysis, the daily death toll so far for 2015 is close to 2.6. At that pace, police will have shot and killed nearly 1,000 people by the end of the year.

“We have to understand the phenomena behind these fatal encounters,” Bueermann said. “There is a compelling social need for this, but a lack of political will to make it happen.”

For the vast majority of departments, a fatal shooting is a rare event. Only 306 agencies have recorded one so far this year, and most had only one, the Post analysis shows.

However, 19 state and local departments were involved in at least three fatal shootings. Los Angeles police lead the nation with eight. The latest occurred May 5, when Brendon Glenn, a 29-year-old homeless black man, was shot after an altercation outside a Venice bar.

Oklahoma City police have killed four people, including an 83-year-old white man wielding a machete.

“We want to do the most we can to keep from taking someone’s life, even under the worst circumstances,” said Oklahoma City Police Chief William Citty. “There are just going to be some shootings that are unavoidable.”

In Bakersfield, Calif., all three of the department’s killings occurred in a span of 10 days in March. The most recent involved Adrian Hernandez, a 22-year-old Hispanic man accused of raping his roommate, dousing her with flammable liquid and setting fire to their home.

After a manhunt, police cornered Hernandez, who jumped out of his car holding a BB gun. Police opened fire, and some Bakersfield residents say they are glad the officers did.

“I’m relieved he can’t come back here, to be honest with you,” said Brian Haver, who lives next door to the house Hernandez torched. “If he came out holding a gun, what were they supposed to do?”

Although law enforcement officials say many shootings are preventable, that is not always true. In dozens of cases, officers rushed into volatile situations and saved lives. Examples of police heroism abound.

In Tempe, Ariz., police rescued a 25-year-old woman who had been stabbed and tied up and was screaming for help. Her boyfriend, Matthew Metz, a 26-year-old white man, also stabbed an officer before he was shot and killed, according to police records.

In San Antonio, a patrol officer heard gunshots and rushed to the parking lot of Dad’s Karaoke bar to find a man shooting into the crowd. Richard Castilleja, a 29-year-old Latino, had hit two men and was still unloading his weapon when he was shot and killed, according to police records.

And in Los Angeles County, a Hawthorne police officer working overtime was credited with saving the life of a 12-year-old boy after a frantic woman in a gray Mercedes pulled alongside the officer and said three men in a white Cadillac were following her and her son.

Seconds later, the Cadillac roared up. Robert Washington, a 37-year-old black man, jumped out and began shooting into the woman's car.

"He had two revolvers and started shooting both of them with no words spoken. He shot and killed the mom, and then he started shooting at the kid," said Eddie Aguirre, a Los Angeles County homicide detective investigating the case.

"The deputy got out of his patrol car and started shooting," Aguirre said. "He saved the boy's life."

In about half the shootings, police were responding to non-domestic criminal situations, with robberies and traffic infractions ranking among the most common offenses. Nearly half of blacks and other minorities were killed under such circumstances. So were about a third of whites.

In North Carolina, a police officer searching for clues in a hit-and-run case approached a green and white mobile home owned by Lester Brown, a 58-year-old white man. On the front porch, the officer spotted an illegal liquor still. He called for backup, and drug agents soon arrived with a search warrant.

Officers knocked on the door and asked Brown to secure his dog. Instead, Brown dashed upstairs and grabbed a Soviet SKS rifle, according to police reports.

Neighbor Joe Guffey Jr. told a local TV reporter that he was sitting at home with his dogs when the shooting started: "Pow, pow, pow, pow." Brown was hit seven times and pronounced dead at the scene.

While Brown allegedly stood his ground, many others involved in criminal activity chose to flee when confronted by police. Kassick, for example, attracted Mearkle's attention because he had expired vehicle inspection stickers. On the day he died, Kassick was on felony probation for drunken driving and had drugs in his system, police and autopsy reports show.

After failing to pull over, Kassick drove to his sister's house in Hummelstown, Pa., jumped out of the car and ran. Mearkle repeatedly struck Kassick with a stun gun and then shot him twice in the back while he was face-down in the snow.

Jimmy Ray Robinson, a.k.a. the "Honey Bun Bandit," allegedly robbed five convenience stores in Central Texas, grabbing some of the sticky pastries along the way. Robinson, a 51-year-old black man, fled when he spotted Waco police officers staking out his home.

Robinson sped off in reverse in a green Ford Explorer. It got stuck in the mud, and four Waco officers opened fire.

"They think they can outrun the officers. They don't realize how dangerous it is," said Samuel Lee Reid, executive director of the Atlanta Citizen Review Board, which investigates police shootings and recently launched a "Don't Run" campaign. "The panic sets in," and "all they can think is that they don't want to get caught and go back to jail."

The most troubling cases began with a cry for help.

About half the shootings occurred after family members, neighbors or strangers sought help from police because someone was suicidal, behaving erratically or threatening violence.

Take Shane Watkins, a 39-year-old white man, who died in his mother's driveway in Moulton, Ala.

Watkins had never been violent, and family members were not afraid for their safety when they called Lawrence County sheriff's deputies in March. But Watkins, who suffered from bipolar disorder and schizophrenia, was off his medication. Days earlier, he had declared himself the "god of the fifth element" and demanded whiskey and beer so he could "cleanse the earth with it," said his sister, Yvonne Cote.

Then he started threatening to shoot himself and his dog, Slayer. His mother called Cote, who called 911. Cote got back on the phone with her mother, who watched Watkins walk onto the driveway holding a box cutter to his chest. A patrol car pulled up, and Cote heard her mother yell: "Don't shoot! He doesn't have a gun!"

"Then I heard the gunshots," Cote said.

Lawrence County sheriff's officials declined to comment and have refused to release documents related to the case.

"There are so many unanswered questions," she said. "All he had was a box cutter. Wasn't there some other way for them to handle this?"

Catherine Daniels called police for the same reason. "I wanted to get my son help," she said. Instead, officers Peter Ehrlich and Eddo Trimino fired their stun guns after Hall hit them with the metal end of the broomstick, according to investigative documents.

"Please don't hurt my child," Daniels pleaded, in a scene captured by a camera mounted on the dash of one of the patrol cars.

"Get on the f---ing ground or you're dead!" Trimino shouted. Then he fired five shots.

Police spokesman Mike Wright declined to comment on the case. Daniels said no one from the city has contacted her. "I haven't received anything. No apology, nothing."

But hours after her son was killed, Daniels said, officers investigating the shooting dropped off a six-pack of Coca-Cola.

"I regret calling them," Daniels said. "They took my son's life."

*Ted Mellnik, John Muyskens and Amy Brittain contributed to this report.*

## About this article

As part of an ongoing examination of police accountability, The Washington Post has attempted to track every fatal shooting by law enforcement nationwide since January, as well as the number of officers who were fatally shot in the line of duty.

The Post compiled the data using news reports, police records, open sources on the Internet and other original reporting. Several organizations, including [Killed by Police](#) and [Fatal Encounters](#), have been collecting information about people who die during encounters with police.

The Post documented only those incidents in which a police officer, while on duty, shot and killed a civilian. Cases in which officers were shot to death were also tabulated.

To comprehensively examine the issue, a database was compiled with information about each incident, including the deceased's age, race, gender, location and general circumstances. The Post also noted whether police reported that the person was armed and, if so, with what type of weapon.

The [FBI](#) and the [Centers for Disease Control and Prevention](#) log fatal police shootings, but the data the two federal agencies gather is incomplete. The Post analyzed a decade of FBI and CDC records as part of the study.

To examine racial and economic patterns, The Post identified the location of every fatal shooting and compared it with the composition of the surrounding census tract.

The data, which will be collected through the end of the year, will be made public at a future date.

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Keith Alexander covers crime, specifically D.C. Superior Court cases for The Washington Post. He has covered dozens of crime stories from Banita Jacks, the Washington woman charged with killing her four daughters, to the murder trial of slain federal intern Chandra Levy.

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