



Comment on the National Use-of-Force Data Collection

August 10, 2020

The American Statistical Association (ASA) is pleased to respond to the Department of Justice [Request for Comment on the National Use-of-Force Data Collection](#), as invited in the *Federal Register* of July 10, 2020 (85 FR 41625).

At a time when police use-of-force (UoF) has the attention of the nation, Americans are unable to tabulate basic data about the issue including how often police use force, how often they use *lethal* force, how often they use lethal force against unarmed individuals, and how often they use lethal force in response to lethal threats. Numerous individual cities have made their use of force data publicly available, but these cities cover a fraction of the American populace. The FBI's National Use-of-Force Data Collection is an important step towards addressing these questions. In order to have an informed debate about the nature and scale of police use of force, the American Statistical Association supports the FBI's efforts that resulted in the first release of data this summer and that are expanding.

We note that the threshold participation rates are relatively large compared to that of NIBRS, for which incident level information is publicly available. We would recommend the FBI also make the incident level information available, no matter the participation rate in order to maximize its research value.

We also note the availability of UoF data available through non-federal entities, for example, [the Washington Post database](#). With the current efforts to combine data from multiple sources to enhance coverage and value, has the FBI explored blending of its data with other sources, in addition to reporting the UoF data?

For the terms of clearance, we recommend the FBI do the following:

- Indicate on the [UoF data collection webpage](#) and other relevant public documents that the FBI is required to conduct the UoF data collection under [34 USC 12602](#).
- Within 30 days of clearance, report to OMB on any implications of Executive Order 13929, "Safe Policing for Safe Communities, section 3, for the design of the Use-of-Force data collection.
- Each quarter, publish statistics on the UoF data collection webpage, on law enforcement agency (LEA) response rates, and officer population coverage in the UoF data collection.
- Obtain external input--such as through Requests for Information and technical advisory panels--regarding:
 - methods for maximizing response to the UoF data collection and

- UoF data products, including public use microdata sets.
- Within one year of clearance, prepare and make publicly available a plan for maximizing LEA participation in the UoF data collection and for providing data products that meet user needs; make that plan available through the UoF data collection webpage; and post a notice in the Federal Register regarding its availability.
- Every six months, publish a progress report on the UoF data collection webpage regarding implementation of the plan.

Thank you for your consideration.

Questions on this document can be directed to the ASA Director of Science Policy Steve Pierson, pierson@amstat.org.