



ARREST-RELATED DEATHS, 2010-2011 REPORTING INSTRUCTIONS

For the purposes of the Arrest-Related Deaths (ARD) program, an **“arrest-related”** *death includes all persons in the physical custody, or under the physical restraint of law enforcement officers, even if the person was not formally under arrest at the time of death.*

This definition includes those killed by any use of force by law enforcement officers as well as those whose deaths that are not directly related to either police action or negligence, such as deaths attributed to intoxication, suicide, accidental injury, and illness or natural causes.

PLEASE NOTE:

- **Some items on the form have been modified from previous versions of the CJ-11A. Please see the more detailed description below for information regarding changes to the CJ-11A form.**
- **Items 1-19 should be completed for ALL deaths. Additionally, items 20-23 should be completed *only* if the death occurred at a police lockup or booking center.**
- **If the deceased was confined to a local jail (facilities which typically house inmates for periods beyond 72 hours and after arraignment), please report the death using a CJ-9 form (contact BJS staff for assistance at 202-307-0765 or askbjs@usdoj.gov).**
- **Please contact the *Arrest-Related Deaths* program manager, Andrea Burch at 202-307-1138 or Andrea.Burch@usdoj.gov for any questions or comments.**

Item 1: What was the name of the deceased?

Please provide the deceased's legal name (last, first, and middle initial). All information identifying individual decedents will be kept confidential in accordance with the provision of section 812 of the Omnibus Crime Control and Safe Street Act of 1968 as amended (42 U.S.C. 3789g). Names are solely used by BJS staff to identify records and to ensure there is no duplication in reporting within the ARD program or across other BJS *Deaths in Custody Reporting Programs (DCRP)*, such as the "Jails" or "Prisons" collections.

Item 2: What was the time and date of the death?

In an effort to standardize responses across reporting agents, please indicate the "official" time and date of death, if known. The *official* time and date of death indicate when the deceased was pronounced dead by either medical personnel or another authorized official. The official time and/or date of death may be different from the time and/or date of the fatal event. If the official time and date of death are unknown, please estimate the time and date of the fatal event. Please indicate when estimating the time and date of the fatal event.

Example 1: During the process of arrest, the deceased sustained a fatal injury (e.g., gunshot wound, blunt force trauma) and died at the scene of the event. The most appropriate response to this item would reflect the time and date the deceased was pronounced dead by an authorized official, regardless of whether the pronouncement occurred at the scene or medical center. If the official time and date of death are unknown, please estimate the time and date of when the fatal injury was sustained.

Example 2: During the process of arrest, the deceased sustained a life-threatening injury (e.g., gunshot wound, blunt force trauma) but did not die until hours/days/weeks later. The most appropriate response to this item would reflect the time and date life ceased rather than the time and date the injuries were sustained. If the official time and date of death are unknown, please estimate the time and date of when the fatal injury was sustained.

Item 3: Where did the event causing the death occur?

The purpose of this item is to identify the location of the event causing the death, not the location of where the deceased was pronounced dead (e.g., medical center). Please provide the address or the approximate location of where the deceased was injured or developed the condition causing the death.

Example 1: During the process of arrest, the deceased sustained a life-threatening injury (e.g., gunshot wound, blunt force trauma) at his home but died later at a medical facility. The most appropriate response to this item would be the street

address of the deceased's residence. If the exact location of the event is unavailable, please give the best approximate location (intersection, part of town, neighborhood).

Item 4: What law enforcement agency was involved?

Please list the name and ORI Number (ORiginating agency Identification) of the law enforcement agency involved in the fatal event. If officers from multiple law enforcement agencies are directly involved, please list all relevant agency names and ORI numbers. When multiple agencies are involved, please list the primary agency first.

The ORI number is a 9-character alpha-numeric identification code used by law enforcement agencies when reporting crime statistics to the FBI's Uniform Crime Reporting program. ORI numbers are *not* derived from the incident or case number generated by the responding law enforcement agency. If you do not have an ORI number for the relevant law enforcement agency, then leave the item blank and enter only the agency name.

Please note, for a death to be reportable to the ARD program there must be one or more officers/deputies from either *State or Local* law enforcement agencies present during the incident that led to the death. Deaths where *only* Federal law enforcement officers (e.g., FBI, Marshalls, DEA) are present during the fatal event are excluded from the ARD program.

Item 5: What was the deceased's date of birth?

This item was amended from previous versions of the CJ-11A. This item was modified to include the option of providing the deceased's *age* at death when the month, day, and year of birth are unknown. Please indicate the specific date of birth when known.

Item 6: What was the deceased's sex?

If the deceased sex is not known, please leave blank.

Item 7: What was the deceased's race/ethnic origin?

Any Hispanic persons should be recorded as "3-Hispanic or Latino" regardless of whether their race is white, African-American, Asian, American Indian, or Native Hawaiian. If the deceased's ethnic origin had any combination of non-Hispanic categories, please record them as "7-Two or more races (not of Hispanic origin)." These categories comply with guidance set forth by the White House Office of Management and Budget (OMB).

Item 8: What was the manner of death?

The “**manner**” of death is “how” the person died, typically illustrated by a one word description of intentions and circumstances which led to the stated medical *cause* of death. Essentially, the manner of death is the *way* in which death was caused; homicide, suicide, accidental, natural, or undetermined. If a medical examiner or coroner classified the death as “undetermined,” please mark “8-Other” and specify the results of the evaluation as “undetermined.”

With respect to deaths due to alcohol/drug intoxications, please *specify the substance causing the death* and code responses as:

- *Intentional* alcohol or drug overdoses as, “**3 – Suicide**”
- *Unintentional* over use of alcohol or drugs for recreational purposes as, “**6 – Accidental alcohol/drug intoxication**”
- *Unintentional* over use of alcohol or drugs for concealment purposes (i.e., arrest suspect swallows packets of drugs in an attempt to hide them from police and the packets rupture and thereby cause the death) as, “**4 – Accidental injury to self**”

Item 9: What was the cause of death?

Unlike the “manner” of death, which describes the circumstances leading to one’s death, “cause” of death is a description of the specific factors leading to the termination of the biological functions that sustain life. In cases where cause of death is attributed to multiple factors, please list the primary cause of death first.

Example 1: During the process of arrest, the decease sustained a gunshot wound and subsequently died as a result of massive blood loss. A response of “gunshot wound” would suffice as a cause of death regardless of the manner of death (i.e., homicide by law enforcement, other homicide, suicide, accidental injury to self, or accidental injury caused by others).

Example 2: During the process of arrest, the decease swallows a packet of cocaine in order to conceal the narcotics from arresting officers. The packets subsequently rupture, causing the deceased to overdose. A response of “cocaine toxicity” would suffice as a cause of death.

Item 10: Was the cause of death listed about determined from information in a death certificate.

This item was added to the 2010 CJ-11A in an effort to identify the **source** of information pertaining to the cause of death. If information regarding the cause of death was derived through a death certificate (whether the death certificate was physically obtained or information from the death certificate was provided indirectly through another source) please mark the response as, “**1 – Yes.**” If a death certificate was not consulted to obtain information regarding the cause of death, please mark “**2 – No-Other**” and specify the source of the information (i.e., media report, police report).

Item 11: Did the deceased commit or allegedly commit any criminal offenses in the events leading up to the death?

This item was amended from previous versions of the CJ-11A. The item was modified to make its intent more clear and to address concerns regarding the use of the word “charges.” The purpose of this item is to identify whether the deceased allegedly engaged in criminal behavior, instead of whether “charges” would have been filed by a prosecutor had the deceased survived the incident.

Please code responses as:

- “**01 – Yes**” indicates the officer(s) engaged in an arrest process because the deceased committed or allegedly committed a criminal offense.

Example 1: Law enforcement officers discover a bank robbery in progress. A gun battle between the suspect and officers ensues. The suspect dies as a result of gunshot wounds. The appropriate response to this item is “**01 – Yes.**” Furthermore, responses to Item 12 are likely to include, “attempted murder” and “robbery.”

Example 2: Law enforcement officers are dispatched to a residence of a person threatening to commit suicide. When the officers arrive on scene they find a distraught person holding a gun. The officers instruct the person to put down the weapon, instead the person points the gun at an officer. The officers fatally shoot the person they were initially trying to assist. The appropriate response to this item is “**01 – Yes**” despite the fact the initial reason for contact was a mental health assistance call. In this instance, a code of “**02 – No – medical/mental health assistance call**” would not be accurate because the deceased engaged in criminal behavior when he pointed a gun at the responding officers. Furthermore, a response to Item 12 could be “assault (on a police officer or with a deadly weapon).”

- **“02 – No – medical/mental health assistance call”** indicates the officer(s) involved were not actively engaged in an arrest process. Law enforcement officers are sometimes tasked with transporting persons to medical or mental health facilities because these persons present a danger to themselves or others. If these individuals die in the custody of an officer, or due to officer use of force or restraint, the death is reportable. This response indicates that the deceased did *not engage in any criminal behavior* (i.e., assault), regardless of how the contact with law enforcement officers originated.

Example 3: Law enforcement officers are dispatched to a residence of a person threatening to commit suicide. When the officers arrive on scene they find a distraught person holding a gun. The officers instruct the person to put down the weapon. The person runs into the house and then commits suicide. In this instance, the deceased did not threaten anyone or engage in criminal behavior prior to committing suicide. Therefore, the appropriate response to this item is **“02 – No medical/mental health assistance call.”** Furthermore, a response a response to Item 12 should be “Not applicable” because although the death occurred in the presence of police, the deceased did not commit offenses prior to death.

- **“03 – No – other – Specify”** indicates all deaths that occur in the presence of law enforcement officers in which the deceased did not engage in criminal behavior or require medical/mental health assistance. Please briefly specify the circumstances that led to the encounter between law enforcement officers and the deceased.

Example 4: Law enforcement officers are dispatched to a residence in response to a 911 call indicating a burglary in progress. Officers enter the home and find a man hiding in a closet. When the officer opens the closet door, the man stands up with a baseball bat in his hand. In the heat of the moment, the officer believes he has encountered the burglar who is planning to assault him with the baseball bat. The officer fatally shoots the man in the closet, who turned out to be the home owner. In this instance, the deceased did not engage in criminal behavior, instead the death was the result of mistaken identity. Therefore, the appropriate response to this item is **“03 – No – other.”** Furthermore, a response to Item 12 should be “Not applicable” because had the deceased survived the incident, he would not have been arrested for a criminal offense.

Item 12: What were the most serious reported offenses committed by the deceased?

This item was amended from previous versions of the CJ-11A. This item was modified to address concerns regarding the use of the word “charges.” The purpose of this item is to identify the alleged criminal offenses committed by the decedent that either (1) led to the initial contact with police, and/or (2) occurred during the contact with the police. Please rank order offenses in terms of the degree of severity. If the deceased committed no alleged offenses, please write, “Not applicable.”

Example 1: An armed suspect robs a store clerk and flees from police. The suspect then leads law enforcement officers on a high-speed car chase before crashing. The suspect fatally shoots one of the officers when they approach his vehicle. The officers return fire and kill the suspect. In this instance, the appropriate response to this item is:

- a. Homicide
- b. Armed robbery
- c. Fleeing and Eluding

Item 13: Did the deceased die from a medical condition, injuries sustained during the arrest process, or alcohol/drug intoxication?

This item was amended from previous versions of the CJ-11A. The item was modified to include the response category, “03 – Alcohol/drug intoxication.” The purpose of this item is to consistently categorize causes of death. Deaths due to alcohol/drug intoxication should *not* be considered as either a medical condition or an injury since there is a response category specifically for intoxication. This item allows for multiple response categories to be marked. If “01 - Medical condition” or “02 - Injuries” are marked in addition to “03 – Alcohol/drug intoxication” the deceased should have an additional medical condition or sustained additional injuries that caused the death.

Item 14: If the deceased died from arrest-related injuries, how were these injuries sustained?

Please note that multiple responses can be marked to allow for responses where the deceased was injured by multiple parties. The response to this item should account for injuries that occurred at the initial scene, as well as injuries sustained at any secondary locations.

If the deceased suffered no injuries, and died solely from medical problems or alcohol/drug intoxication, mark “99 – Not applicable”

Item 15: Were any of the following used by law enforcement officers during the arrest process?

This item was amended from previous versions of the CJ-11A. The item was modified to include the response category, “05 – Firearm discharge.” The response category was added in order to capture events where law enforcement officers discharge their service weapons during the arrest process. Please note the purpose of this item is to indicate incidents in which law enforcement officers fired their service weapons, not incidents in which the deceased fired a weapon (see Item 17).

Any use of restraint devices or weapons, even if they were not a cause or contributing factor in the death, should be reported here. If multiple types of restraints or weapons were used on the deceased, please mark all that apply. Please specify all other restraint devices or weapons used by law enforcement officers under “06 – Other device – specify.”

Item 16: At any time during the arrest/incident, did the deceased....appear intoxicated? ...exhibit any mental health problems? ...verbally threaten the officer(s) involved? ...resist being handcuffed or arrested? ...attempt to escape/flee from custody? ...grab, hit or fight with the officer(s) involved?

The purpose of this item is to better describe the full range of circumstances surrounding the fatal events. Specifically, this item indicates the deceased's behavior during the course of the arrest process. Please note that multiple responses can be provided to this item.

Item 17: During the arrest process, did the deceased....carry or possess a weapon? ...use a weapon to threaten officer(s)? ...use a weapon to threaten other persons? ...use a weapon to assault the officer(s)? ...use a weapon to assault other persons?

This purpose of this item is to measure weapon use by the arrest subject, against arresting officers as well as other persons on the scene (e.g., hostages, victims). The response categories have been defined to distinguish between those arrest subjects who only possessed weapon(s) and those who actively used weapon(s) to threaten or assault others.

Please note that any weapon (e.g., knife, firearm) or object used as a weapon (e.g., vehicle, chair, pipe, table) should be reported. Additionally, please mark *all* categories that apply.

Please code responses as:

- **01 – Carry or possess a weapon** – to indicate the deceased was in possession of a weapon, regardless of whether the deceased use the weapon in a threatening or assaultive way against either law enforcement officers or other persons.

Example 1: Suspect is fleeing from police on foot when fatally struck by a vehicle. Following the accident, law enforcement officers search the suspect and discover a handgun in the deceased's waistband. The deceased did not reveal or use the handgun at any point during the arrest process.

- **02 – Use a weapon to threaten the officer(s)/03 – Use a weapon to threaten other persons** – indicates the deceased possessed a weapon and used it in a manner to intentionally cause negative outcome(s) such as fear, injury, or damage.

Example 2: Suspect is fleeing from police on foot while visibly carry a handgun when fatally struck by a vehicle. Before suspect is hit by the vehicle, the deceased points the weapon at police and driver, but does not fire. Response categories “01 – Carry or possess a weapon,” “02 – Use a weapon to threaten the officer(s)”, and “03 – Use a weapon to threaten other persons” should all be marked in this instance.

- **04 – Use a weapon to assault the officer(s)/05 – Use a weapon to assault other persons** – indicates the deceased possessed a weapon and used it in a manner to intentionally cause imminent harmful or offensive contact.

Example 3: Suspect is fleeing from police on foot while shooting at pursuing officers when fatally struck by a vehicle. Before the suspect is hit by the vehicle, the deceased fires 4 bullets at pursuing law enforcement officers. Response categories “01 – Carry or possess a weapon,” “02 – Use a weapon to threaten the officer(s),” and “04 – Use a weapon to assault the officer(s)” should all be marked in this instance.

Item 18: If a weapon caused the death, what types of weapons were used?

This item was amended from previous versions of the CJ-11A. The item was modified to include the response category, “98 – Don’t know.” In addition, the response category “07 – None” was modified to “99 – Not applicable” in order to account for deaths not due to the use of a weapon. This item should be completed for all deaths, regardless of the manner of death.

The purpose of this item is to identify specific weapon(s) that caused the death, instead of weapons that were *used* during the arrest process. All weapons *used* by law enforcement during the arrest should be listed under Item 15. If law enforcement used a weapon that is not listed under Item 15, please mark “06 – Other device” and specify the weapon in the space provided. Please limit response to Item 18 to weapon(s) in which death was attributed.

If a weapon involved in causing the death is not listed in Item 18 (e.g., vehicle), please mark “06 – Other weapon” and specify the type of weapon causing the death.

Item 19: Where did the deceased die?

This item was amended from previous versions of the CJ-11A. The item was modified to include the response category, “04 – Dead on arrival at medical facility.” The response category was added in order to distinguish between persons who died prior to arrival at a medical facility, but were not officially “pronounced” dead until they were evaluated by medical personnel at the facility, and those dying following medical intervention. An analysis of ARD cases revealed that many deaths were being coded as “03 – at medical facility” despite the cessation of life occurring prior to the official pronouncement at the medical facility.

SURVEY COMPLETE FOR DEATHS OCCURRING PRIOR TO ARRIVAL AT A BOOKING CENTER OR LOCKUP FACILITY.

Item 20: What was the time and date of the deceased's entry into the law enforcement facility where the death occurred?

If an exact time of entry is not available, please provide the nearest hour estimate.

Item 21: At the time of entry into the facility, did the deceased ...appear intoxicated? ...exhibit any mental health problems? ...exhibit any medical problems?

Similar to Item 16, the purpose of this item is to describe the arrestee's behavior and health status within the context of the fatal events. Please note that multiple responses can be provided to this item.

Item 22: If the death was an accident or homicide, who caused the death?

If death was attributed to suicide, intoxication, or illness/natural causes please mark, “99 - Not applicable.”

Item 23: If the death was an accident, homicide or suicide, what was the means of death?

This item is not related to the manner (item 9) or medical cause of death (item 10), but rather to the physical means by which the death was caused.