

Federal Deaths in Custody Reporting Program (FDCRP)

CJ-13 FDCRP Annual Summary, FY 2024

The Death in Custody Reporting Act (DCRA) of 2013 (Pub. Law 113-242) requires the head of each Federal law enforcement agency to report annually to the Attorney General "information regarding the death of any person who is—

- "(1) detained, under arrest, or is in the process of being arrested by any officer of such Federal law enforcement agency (or by any State or local law enforcement officer while participating in and for purposes of a Federal law enforcement operation, task force, or any other Federal law enforcement capacity carried out by such Federal law enforcement agency); or
- "(2) en route to be incarcerated or detained, or is incarcerated or detained at—
 - (A) any facility (including any immigration or juvenile facility) pursuant to a contract with such Federal law enforcement agency;
 - (B) any State or local government facility used by such Federal law enforcement agency; or
 - (C) any Federal correctional facility or Federal pre-trial detention facility located within the United States."

In response to the DCRA reporting requirements, the Bureau of Justice Statistics (BJS) is conducting a survey of federal agencies with law enforcement, detention, and/or incarceration functions. BJS is conducting this data collection under Title 34 U.S.C. § 10132 and the Death in Custody Reporting Act of 2013 (Pub. Law 113-242). BJS will use the data for DCRA reporting purposes. By law, BJS will only use the information for statistical purposes and is required to ensure confidentiality (Title 34 U.S.C. § 10134 and 44 U.S.C. § 3563). BJS will not disclose personally identifiable information without a court order requiring disclosure.

The survey is designed to identify deaths that occur during the course of official federal law enforcement, detention and incarceration agency functions and to collect additional information about the decedent and the circumstances surrounding the incident.

For the purposes of this survey, please identify all deaths that (1) are arrest-related or (2) occur in detention or incarceration facilities during fiscal year 2024 (October 1, 2023 – September 30, 2024).

- (1) The DCRA defines an arrest-related death as "the death of any person who is detained, under arrest, or is in the process of being arrested by any officer of such Federal law enforcement agency (or by any State or local law enforcement officer while participating in and for purposes of a Federal law enforcement operation, task force, or any other Federal law enforcement capacity carried out by such Federal law enforcement agency)." Arrest-related deaths include any death that occurred:
 - While the decedent's freedom to leave was restricted by federal law enforcement prior to, during, or following an arrest.
 - As a result of use of force by federal law enforcement personnel acting in an official capacity (e.g., officer-involved shootings, accidental deaths caused by less-than-lethal weapons or tactics).
 - As a result of fatal medical conditions that present during an arrest-process (e.g., cardiac arrest).
 - During transport to or from law enforcement, detention, incarceration or medical facilities.
 - While the decedent was confined in a lockup or booking center (i.e., facilities designed to hold detainees for no longer than 72 hours).
 - During an interaction with federal law enforcement personnel during response to medical or mental health assistance (e.g., response to suicidal persons).
- (2) The DCRA defines a detention or incarceration death as "the death of any person who is en route to be incarcerated or detained, or is incarcerated or detained at— (A) any facility (including any immigration or juvenile facility) pursuant to a contract with such Federal law enforcement agency; (B) any State or local government facility used by such Federal law enforcement agency; or (C) any Federal correctional facility or Federal pretrial detention facility located within the United States." Detention or incarceration deaths include any death of persons:
 - Confined in correctional facilities operated by the responding federal agency, whether housed under your jurisdiction or that of another agency (federal, state, or local).
 - Under your jurisdiction but housed in private correctional facilities.
 - Under your jurisdiction but confined in special facilities (e.g., medical/treatment/release centers, halfway houses, police/court lockups, and work farms).
 - In transit to or from your facility while under your supervision.

Proceed to **CJ-13A – Arrest-Related Death Incident Report** or **CJ-13B – Detention or Incarceration Death Incident Report** to complete information about the decedent(s) and the circumstances surrounding the death(s).

If you have any questions about this form, or the FDCRP survey, please contact:

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Please provide the contact information for the person filling out this form.

Agency: _____

Name: _____

Title: _____

Email: _____

Telephone number: _____

A. Agency Authority

From October 1, 2023 through September 30, 2024, did your agency:

	Yes	No
A1. Employ any officers with federal arrest authority?	[]	[]
A2. Have the authority to detain or incarcerate individuals for violations of criminal or administrative law?	[]	[]
A3. Employ any officers who are authorized to carry a firearm?	[]	[]

B. Death Reporting

B1. Arrest-Related Deaths

	Yes	No	Not applicable (Did not employ any officers with federal arrest authority during this time period)
B1a. Did any arrest-related deaths occur in your jurisdiction from October 1, 2023, through September 30, 2024?	[]	[]	[]
B1a1. IF YES , How many arrest-related deaths occurred in your jurisdiction from October 1, 2023, through September 30, 2024? _____			

B2. Detention or Incarceration Deaths

	Yes	No	Not applicable (Did not employ any officers with authority to detain or incarcerate during this time period)
B2a. Did any detention or incarceration deaths occur in your jurisdiction from October 1, 2023, through September 30, 2024?	[]	[]	[]
B2a1. IF YES , How many detention or incarceration deaths occurred in your jurisdiction from October 1, 2023, through September 30, 2024? _____			

C. Other Federal Law Enforcement Agencies

We would like to understand how federal agencies within the same or related departments work together to report **arrest-related** and **detention or incarceration** deaths. Indicate whether your agency would report any arrest-related or detention or incarceration deaths on behalf of any other Federal agency by checking the appropriate box.

- ☐ My agency would not report any **arrest-related** or **detention or incarceration** deaths on behalf of any other Federal agency.
- ☐ My agency would report **arrest-related** or **detention or incarceration** deaths on behalf of another Federal agency. Please separate agencies by semicolon.

D. Additional Questions

Please answer only if your agency has the authority to detain or incarcerate individuals for violations of criminal or administrative law.

BJS is exploring the feasibility of collecting more detailed information on the circumstances around deaths that occur in federal custody. As a first step, BJS is collecting preliminary information about how agencies collect death in custody data. As a result, questions have been added to the CJ-13 Annual Summary Form to help determine what additional death in custody information is collected, compiled and reportable by Federal agencies.

Please answer all questions using the 2024 fiscal year as a reference. We are interested in knowing whether the following information is (1) collected by your agency; (2) electronically available; and (3) searchable and/or retrievable.

- By "electronically available," we mean that the information is available through a record or case management system in a spreadsheet format, as opposed to requiring reading a case file or narratives to obtain the information.
- By "searchable and/or retrievable," we mean that the information is stored in a database format that can be electronically queried and/or retrieved on a recurring basis in a standardized format.

D1. Decedent disability status

	Yes	No	Don't Know
D1a. Does your agency collect information on whether a decedent had a medically confirmed disability (mental or physical)?	☐	☐	☐
D1a1. IF YES , Is this information electronically available?	☐	☐	☐
D1a2. IF YES , Is this information searchable and/or retrievable?	☐	☐	☐
D1b. Does your agency collect information on whether a decedent <u>requested</u> special accommodations related to disability status?	☐	☐	☐
D1b1. IF YES , Is this information electronically available?	☐	☐	☐
D1b2. IF YES , Is this information searchable and/or retrievable?	☐	☐	☐
D1c. Does your agency collect information on whether a decedent <u>received</u> any special accommodations related to disability status?	☐	☐	☐
D1c1. IF YES , Is this information electronically available?	☐	☐	☐
D1c2. IF YES , Is this information searchable and/or retrievable?	☐	☐	☐

D2. Special Confinement

	Yes	No	Don't Know
D2a. Does your agency collect the type of confinement a decedent was housed in while detained (e.g. general population, medical isolation, solitary confinement, other segregated housing)?	☐	☐	☐
D2a1. IF YES , Is this information electronically available?	☐	☐	☐
D2a2. IF YES , Is this information searchable and/or retrievable?	☐	☐	☐
D2b. Does your agency collect the reason(s) why a decedent was placed into special confinement?	☐	☐	☐
D2b1. IF YES , Is this information electronically available?	☐	☐	☐
D2b2. IF YES , Is this information searchable and/or retrievable?	☐	☐	☐

D3. Decedent Pre-Existing Medical Conditions

	Yes	No	Don't Know
D3a. Does your agency collect information on whether a decedent had any pre-existing medical or health-related conditions (e.g. conditions that existed before the decedent arrived in the detention facility)?	☐	☐	☐
D3a1. IF YES , Is this information electronically available?	☐	☐	☐
D3a2. IF YES , Is this information searchable and/or retrievable?	☐	☐	☐
D3b. Does your agency collect information on whether a decedent <u>requested</u> any medical care or health-related service (e.g. therapy, treatment, diagnostic services, preventative services, imaging, lab tests/blood) for their pre-existing conditions while detained?	☐	☐	☐
D3b1. IF YES , Is this information electronically available?	☐	☐	☐
D3b2. IF YES , Is this information searchable and/or retrievable?	☐	☐	☐
D3c. Does your agency collect information on whether a decedent <u>received</u> any medical care or health-related services (e.g. therapy, treatment, diagnostic services, preventative services, imaging, lab tests/blood) for their pre-existing conditions while detained?	☐	☐	☐
D3c1. IF YES , Is this information electronically available?	☐	☐	☐
D3c2. IF YES , Is this information searchable and/or retrievable?	☐	☐	☐

D4. Alcohol/ Drug Intoxication and Overdose Deaths

	Yes	No	Don't Know
D4a. For alcohol/drug intoxication or overdose deaths, does your agency collect information on whether a decedent <u>requested</u> any treatment or related services (e.g. AA/NA, counseling services, medically assisted treatment, recovery support) while detained?	☐	☐	☐
D4a1. IF YES , Is this information electronically available?	☐	☐	☐
D4a2. IF YES , Is this information searchable and/or retrievable?	☐	☐	☐
D4b. For alcohol/drug intoxication or overdose deaths, does your agency collect information on whether a decedent <u>received</u> any treatment or related services (e.g. AA/NA, counseling services, medically assisted treatment, recovery support) while detained?	☐	☐	☐
D4b1. IF YES , Is this information electronically available?	☐	☐	☐
D4b2. IF YES , Is this information searchable and/or retrievable?	☐	☐	☐
D4c. For alcohol/drug intoxication or overdose deaths, does your agency collect information on the source of the alcohol/drug that contributed to the decedent's death?	☐	☐	☐
D4c1. IF YES , Is this information electronically available?	☐	☐	☐
D4c2. IF YES , Is this information searchable and/or retrievable?	☐	☐	☐

D5. Homicides

	Yes	No	Don't Know
D5a. For homicide deaths, does your agency collect information on whether the decedent had prior encounters with the perpetrator while detained?	☐	☐	☐
D5a1. IF YES , Is this information electronically available?	☐	☐	☐
D5a2. IF YES , Is this information searchable and/or retrievable?	☐	☐	☐