



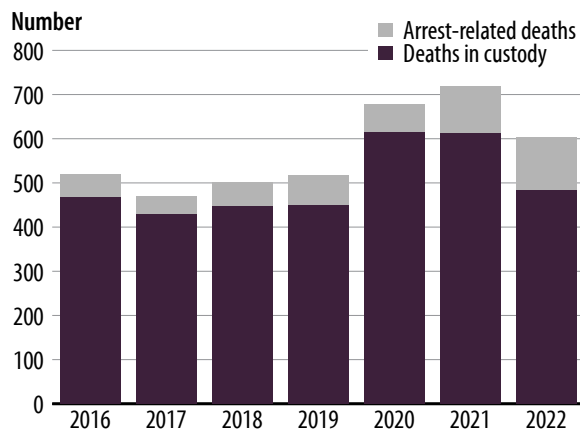
Federal Deaths in Custody and During Arrest, 2022 – Statistical Tables

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Federal law enforcement agencies reported 120 arrest-related deaths and 483 deaths in custody in fiscal year (FY) 2022 (figure 1). From FY 2016 to FY 2022, federal agencies reported an average of 72 arrest-related deaths and 501 deaths in custody each year. From FY 2021 to FY 2022, arrest-related deaths increased by 14% and deaths in custody decreased by 21%. The manner of these deaths included homicide, suicide, illness/natural, accident, other, and unknown means.

Findings in this report are based on the Bureau of Justice Statistics' (BJS) Federal Law Enforcement Agency Deaths in Custody Reporting Program (FDCRP), which began collecting data in FY 2016 in response to the Death in Custody Reporting Act (DCRA) of 2013 (P.L. 113-242). DCRA requires federal law enforcement agencies to report information about the death of any person who dies while detained, under arrest, being arrested, or in the custody of federal law enforcement officers.

FIGURE 1
Number of arrest-related deaths and deaths in custody, FY 2016–2022



Note: Excludes federal executions in fiscal years 2020, 2021, and 2022. See *Methodology*. For execution data, visit <https://bjs.ojp.gov/topics/corrections/capital-punishment>. See appendix table 1 for counts.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal years 2016–2022.

Highlights

In FY 2022:

- Homicides accounted for the largest portion (41%) of arrest-related deaths, followed by accidents (28%) and suicides (23%).
- In arrest-related deaths, 98% of decedents were male, 75% were white, and 53% were ages 25 to 44.
- In 55% of arrest-related deaths, law enforcement officers were serving a warrant when they made initial contact with the decedent.
- A violent offense was the most serious offense allegedly committed by decedents in 50% of arrest-related deaths.
- Decedents attempted to injure law enforcement officers in 35% of arrest-related deaths and discharged a firearm in 38%.
- Law enforcement officers discharged their firearms in 43% of arrest-related deaths.
- The majority (74%) of the 483 deaths in custody were due to natural causes or illnesses (including HIV/AIDS), followed by accidents (11%).
- Of those who died in custody, 96% were male, 63% were white, 31% were black, and 51% were age 55 or older.
- The most commonly reported offenses for persons who died in custody were drug violations (29%), followed by weapons violations (20%) and sex offenses (19%).



Terms and definitions

Cause of death—A description of the specific factors leading to the termination of the biological functions that sustain life.

Decedent—A person who died.

Federal arrest-related death—A death that occurs when the event causing the death (e.g., gunshot wound, self-inflicted injury, cardiac arrest, fall from a height, or drowning) occurs while the decedent's freedom to leave is restricted by federal law enforcement personnel acting in an official capacity. Arrest-related deaths include—

- any death attributed to any use of force by federal law enforcement personnel
- any death that occurred while the decedent's freedom to leave was restricted by federal law enforcement prior to, during, or following an arrest—
 - while detained for questioning or investigation
 - during the process of apprehension (e.g., pursuit of criminal suspect or standoff with law enforcement)
 - while in the custody of, or shortly after restraint by, law enforcement (even if the decedent was not formally under arrest)
 - during transport to or from law enforcement, detention, incarceration, or medical facilities
- any death while the decedent was confined in a temporary holding facility designed to hold detained persons for no longer than 72 hours (e.g., booking center, holding area, or staging location)
- any death that occurred during an interaction with federal law enforcement personnel during response to medical or mental health assistance (e.g., response to suicidal persons).

Federal death in custody—A death that occurs while the decedent is detained or incarcerated for violating federal criminal or administrative law and housed in any facility designed to detain or incarcerate such individuals for longer than 72 hours. This includes all deaths of detained or incarcerated persons that occur in any federal corrections, pretrial, or administrative detention facility, or any other facility under federal contract to criminally hold, detain, imprison, or administratively hold or detain individuals.

Federal detention agency—An organizational unit or sub-unit of the federal government with the principal function to detain or incarcerate persons who allegedly committed or were convicted of criminal offenses.

Federal law enforcement agency—An organizational unit or sub-unit of the federal government with the principal functions of prevention, detection, and investigation of crime and the apprehension of persons who allegedly committed criminal offenses.

Homicide—The willful killing of one person by another. This includes killing in performance of an official duty or in circumstances defined by law as legally justified.

Manner of death—An explanation of how a person died, typically illustrated by a one-word description of the intentions and circumstances that led to the stated medical cause of death (e.g., accident, homicide, natural, suicide, or undetermined).

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TABLE 1
Number of deaths reported, by type of death and federal agency, FY 2022

	Arrest-related deaths	Deaths in custody
Total deaths	120	483
Department of Defense		
Army Criminal Investigation Command	1	0
U.S. Marine Corps Police	1	0
U.S. Navy Corrections	0	1
Department of Homeland Security		
Customs and Border Protection	44	0
Immigration and Customs Enforcement	0	3
Secret Service	1	0
Department of Justice		
Bureau of Alcohol, Tobacco, Firearms, and Explosives	3	0
Federal Bureau of Investigation	7	0
Federal Bureau of Prisons	0	395
U.S. Marshals Service	60	74
Department of the Interior		
Bureau of Indian Affairs	1	10
Bureau of Land Management	1	0
Social Security Administration		
Office of the Inspector General	1	0

Note: Excludes federal executions. See *Methodology*. For execution data, visit <https://bjs.ojp.gov/topics/corrections/capital-punishment>.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2022.

TABLE 2
Arrest-related deaths, by manner of death and weapon causing death, FY 2022

	Number	Percent
Total arrest-related deaths	120	100%
Manner of death		
Homicide ^a	45	40.9%
Homicide by—		
Federal law enforcement officer	28	73.7
State/local task force officer	8	21.1
Other ^b	2	5.3
Unknown/missing ^c	7	~
Suicide	25	22.7
Natural	9	8.2
Accident	31	28.2
Unknown/missing ^{c,d}	10	~
Weapon causing death		
Total deaths caused by weapons	64	100%
Handgun	41	64.1
Rifle/shotgun	14	21.9
Unspecified firearm	8	12.5
Other	1	1.6
Unknown/missing ^d	12	~

~Excluded from percentage calculations.

^aHomicide is the willful killing of one person by another and may include justifiable homicide by a law enforcement officer.

^bIncludes deaths that were determined to be homicides but not caused by federal, state, local, or task force officers.

^cIncludes deaths where the investigation was pending at the time of data collection.

^dIncludes one death whose manner of death could not be determined at the time of reporting.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2022.

TABLE 3
Arrest-related deaths, by decedent characteristics,
FY 2022

	Number	Percent
Total arrest-related deaths	120	100%
Sex		
Male	117	97.5%
Female	3	2.5
Race		
White	85	74.6%
Black	24	21.1
American Indian/Alaska Native	3	2.6
Asian	2	1.8
Native Hawaiian/Other Pacific Islander	0	0.0
Two or more races	0	0.0
Unknown/missing*	6	~
Ethnicity		
Hispanic	53	54.6%
Non-Hispanic	44	45.4
Unknown/missing*	23	~
Age		
17 or younger	4	3.3%
18–24	16	13.3
25–34	37	30.8
35–44	27	22.5
45–54	20	16.7
55–64	9	7.5
65 or older	6	5.0

~Excluded from percentage calculations.

*Includes deaths where the investigation was pending at the time of data collection.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2022.

TABLE 4
Arrest-related deaths, by reason for law enforcement
contact and decedent’s alleged offense, FY 2022

	Number	Percent
Total arrest-related deaths	120	100%
Reason for initial officer contact with decedent		
Service of warrant	66	55.0%
General law enforcement response/patrol	44	36.7
Criminal investigation	3	2.5
Detention or transport to detention	2	1.7
Inspection	2	1.7
Medical/mental health service call	1	0.8
Security and protection	2	1.7
Decedent’s most serious alleged offense^a		
Violent ^b	58	50.0%
Property ^c	4	3.4
Drugs	1	0.9
Weapons	4	3.4
Immigration violation	35	30.2
Probation/parole violation	2	1.7
Other ^d	12	10.3
Unknown/missing ^e	4	~

~Excluded from percentage calculations.

^aPercentages are based on the number of decedents who allegedly committed an offense in the events leading up to their death.

^bIncludes homicide, attempted homicide, sex offenses, aggravated assault, assault, and kidnapping.

^cIncludes arson, burglary, and property offenses.

^dIncludes failure to appear, probation violation, aid and abet escape, escape, and human trafficking.

^eIncludes deaths where the investigation was pending at the time of data collection.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2022.

TABLE 5**Arrest-related deaths, by perceived decedent condition(s) and action(s) during the incident, FY 2022**

	Yes		No		Unknown/ missing ^a
	Number	Percent	Number	Percent	
Decedent condition					
Appeared intoxicated	8	16.7%	40	83.3%	72
Exhibited mental health issues	2	4.5	42	95.5	76
Exhibited physical disability	0	0.0	45	100.0	75
Had trouble understanding instructions	2	4.1	47	95.9	71
Made suicidal statements	7	13.5	45	86.5	68
Decedent weapon use					
Discharged firearm	45	37.8%	74	62.2%	1
Displayed firearm	24	20.5	93	79.5	3
Used other weapon ^b	5	4.3	112	95.7	3
Displayed other weapon ^b	7	5.9	111	94.1	2
Indicated possession of weapon ^b	9	7.6	109	92.4	2
Used vehicle as weapon	11	9.2	109	90.8	0
Used bodily force as weapon	3	2.5	117	97.5	0
Decedent action					
Caused fatal injury to law enforcement officer(s)	0	0.0%	119	100.0%	1
Caused nonfatal injury to law enforcement officer(s)	9	7.5	111	92.5	0
Attempted to injure law enforcement officer(s)	41	34.7	77	65.3	2
Caused fatal injury to civilian(s)	4	3.3	116	96.7	0
Caused nonfatal injury to civilian(s)	6	5.0	114	95.0	0
Attempted to injure civilian(s)	5	4.2	115	95.8	0
Attempted to escape/flee from custody	38	31.9	81	68.1	1
Barricaded self	32	26.7	88	73.3	0
Gained/attempted to gain possession of officer's weapon	1	0.8	119	99.2	0
Resisted arrest	39	32.8	80	67.2	1
Threatened others	10	8.5	108	91.5	2

Note: Respondents were able to indicate more than one decedent condition, use of weapon, or action for each case.

^aIncludes deaths where the investigation was pending at the time of data collection. These were excluded from the percentage calculations.

^bIncludes explosives, knives, nail gun, or other objects that appeared to be a weapon.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2022.

TABLE 6**Arrest-related deaths, by law enforcement actions, FY 2022**

	Yes		No		Unknown/ missing*
	Number	Percent	Number	Percent	
Law enforcement action					
Arrested/attempted to arrest decedent	31	26.1%	88	73.9%	1
Engaged in motor vehicle pursuit	30	25.0	90	75.0	0
Restrained decedent with equipment	20	16.8	99	83.2	1
Engaged in foot pursuit	19	15.8	101	84.2	0
Fought/struggled with decedent	7	5.8	113	94.2	0
Placed decedent in prone position	3	2.5	115	97.5	2
Physically restrained decedent	9	7.6	109	92.4	2

Note: Respondents were able to indicate more than one law enforcement action for each case.

*Includes deaths where the investigation was pending at the time of data collection. These were excluded from the percentage calculations.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2022.

TABLE 7
Arrest-related deaths, by law enforcement weapon use, FY 2022

Law enforcement officers used—	Yes		No		Unknown/ missing ^a
	Number	Percent	Number	Percent	
Any weapon ^b	56	46.7%	64	53.3%	0
Firearm	52	43.3%	68	56.7%	0
Baton	0	0.0	120	100.0	0
Bodily force	2	1.7	118	98.3	0
Conducted energy device	4	3.4	115	96.6	1
Explosive	2	1.7	118	98.3	0
Pepper/oleoresin capsicum (OC) spray	4	3.4	115	96.6	1
Law enforcement officers displayed but did not use firearm ^c	15	12.7%	103	87.3%	2

^aIncludes deaths where the investigation was pending at the time of data collection. These were excluded from the percentage calculations.

^bPercentages are calculated based on number of agencies that reported officers used a weapon. Details may not sum to totals because respondents could report more than one type of weapon.

^cIn 15 cases, respondents reported that officers displayed but did not use a firearm. These may have been in the same incidents where other officers did discharge a firearm.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2022.

TABLE 8**Deaths in custody, by manner and location of death, FY 2022**

	Number	Percent
Total deaths in custody	483	100%
Manner of death		
Illness/natural ^a	334	73.6%
Suicide	42	9.3
Accident ^b	50	11.0
Homicide ^c	28	6.2
Cause of death		
Blunt trauma	9	32.1
Gunshot wound	9	32.1
Stabbing	10	35.7
Unknown/missing ^d	29	~
Location of death		
Medical center outside facility	211	43.7%
Special medical unit or infirmary within facility	109	22.6
General housing unit in facility	99	20.5
Segregation unit	11	2.3
While in transit	2	0.4
Elsewhere (not specified)	51	10.6

Note: Excludes federal executions. See *Methodology*. For execution data, visit <https://bjs.ojp.gov/topics/corrections/capital-punishment>.

~Excluded from percentage calculations.

^aIncludes deaths due to HIV/AIDS.

^bIncludes accidental alcohol or drug overdoses, injuries to self, and other accidental causes of death.

^cHomicide is the willful killing of one person by another and may include justifiable homicide by a law enforcement or corrections officer.

^dIncludes deaths where the investigation was pending at the time of data collection.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2022.

TABLE 9**Deaths in custody, by decedent characteristics, FY 2022**

	Number	Percent
Total deaths in custody	483	100%
Sex		
Male	465	96.3%
Female	18	3.7
Race		
White	301	62.6%
Black	150	31.2
American Indian/Alaska Native	25	5.2
Asian/Native Hawaiian/Other Pacific Islander ^a	5	1.0
Unknown/missing ^b	2	~
Ethnicity		
Hispanic	87	18.1%
Non-Hispanic	393	81.9
Unknown/missing ^b	3	~
Age		
18–24	6	1.2%
25–34	57	11.8
35–44	81	16.8
45–54	92	19.0
55–64	103	21.3
65 or older	144	29.8

Note: Excludes federal executions. See *Methodology*. For execution data, visit <https://bjs.ojp.gov/topics/corrections/capital-punishment>.

~Excluded from percentage calculations.

^aRace data on deaths in custody reported by the Federal Bureau of Prisons and U.S. Marshals Service are based on National Crime Information Center classifications. (See <https://www.fbi.gov/services/cjis/ncic>.) This system includes four races: American Indian/Alaska Native, Asian/Pacific Islander, black, and white. Because the majority of deaths in custody are reported by these two agencies, BJS is unable to report Native Hawaiian and Other Pacific Islander separately from Asian.

^bIncludes deaths where the investigation was pending at the time of data collection.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2022.

TABLE 10**Deaths in custody, by decedent offense, legal status, and time served, FY 2022**

	Number	Percent
Total deaths in custody	483	100%
Most serious offense		
Homicide/aggravated assault	20	4.1%
Sex offense	92	19.0
Robbery	27	5.6
Property ^a	49	10.1
Drugs	141	29.2
Weapons	94	19.5
Immigration	17	3.5
Supervision violation	16	3.3
Other ^b	27	5.6
Legal status at time of death		
Convicted, new commitment	390	80.7%
Convicted, returned probation/parole violator	12	2.5
Unconvicted, pending criminal case	61	12.6
Other ^c	20	4.1
Time served under current admission^d		
1 day	4	0.8%
2–5 days	12	2.5
6–10 days	5	1.0
11–30 days	10	2.1
31–180 days	65	13.6
181–365 days	48	10.1
More than 365 days	333	69.8
Unknown/missing ^e	6	~

Note: Excludes federal executions. See *Methodology*. For execution data, visit <https://bjs.ojp.gov/topics/corrections/capital-punishment>.

~Excluded from percentage calculations.

^aIncludes burglary/larceny, fraud/bribery/extortion, and other property offenses.

^bIncludes failure to appear, threatening, tribal warrant, and those who were not convicted of offenses.

^cIncludes cases where the decedent was awaiting transfer to last known country of legal residence or was held for witness security.

^dFor Federal Bureau of Prisons deaths, time served is typically post-conviction and calculated using the date the decedent was admitted to the facility where they died or were last incarcerated. For U.S. Marshals Service, Customs and Border Protection, Immigration and Customs Enforcement, and Bureau of Indian Affairs deaths, time served is typically pre-conviction.

^eIncludes deaths where the investigation was pending at the time of data collection.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2022.

Methodology

Overview

The Death in Custody Reporting Act (DCRA) of 2013 requires the head of each federal law enforcement agency to submit to the U.S. Attorney General information about the death of any person who is—

1. detained, under arrest, or in the process of being arrested by a federal law enforcement officer (or by a state or local law enforcement officer while participating in a federal law enforcement operation, task force, or other capacity)
2. being transported to, incarcerated at, or detained at any—
 - a. facility (including immigration or juvenile facilities) pursuant to a contract with a federal law enforcement agency
 - b. state or local government facility used by a federal law enforcement agency
 - c. federal correctional or pretrial detention facility located within the United States.¹

Determining eligibility for reporting to the Federal Law Enforcement Agency Deaths in Custody Reporting Program

DCRA requires the head of each federal law enforcement agency to provide information on all deaths that occur in their custody for each fiscal year (FY). For the FY 2022 collection, this covered the period of October 1, 2021 to September 30, 2022. The initial list of federal agencies to be contacted was developed from the FY 2021 Federal Law Enforcement Agency Deaths in Custody Reporting Program (FDCRP) list. To verify that the Bureau of Justice Statistics (BJS) had the most up-to-date information about arrest and detention authority, BJS contacted 138 agencies to determine eligibility. Of these agencies, 98 reported having both arrest and detention authority, 8 reported only detention authority, and 3 reported only arrest authority. Twenty-nine agencies indicated they had no arrest or detention authority and were removed from analysis.

¹Death in Custody Reporting Act of 2013, P.L. 113–242, § 3, 128 Stat. 2861 (2014). <https://uscode.house.gov/statviewer.htm?volume=128&page=2861>.

Instrument development

BJS adapted the FDCRP instruments from the previous Arrest-Related Deaths program and the Deaths in Custody Reporting Program instruments.² Each instrument was modified to align with DCRA.

The FDCRP survey consists of three instruments: a screener (CJ-13), the Arrest-Related Death Incident Report (CJ-13A), and the Detention/Incarceration Incident Report (CJ-13B).³ On the screener, agency respondents indicated whether they had arrest or detention authority. If so, respondents indicated whether they had any deaths to report. If a responding agency did not have either type of death (occurring either during arrest or while in detention/custody) during the reporting period, the survey instructed respondents to note on the screener that there were no deaths.

For every arrest-related death, respondents completed a CJ-13A form. The CJ-13A instrument included questions about the incident, such as location, decedent characteristics (e.g., demographics and actions prior to and during the incident), and law enforcement characteristics (e.g., actions during the incident, interactions with the decedent, and weapon use).

For every death in custody, respondents completed a CJ-13B form. Similar to the CJ-13A, the CJ-13B instrument included questions about the incident, such as facility information, decedent characteristics (e.g., demographics and incarceration details), and facility staff characteristics (e.g., actions during the incident).

The two incident forms asked questions tailored to the differing functions and situations involved in arrests and custody. For example, because use of force by law enforcement often accounted for arrest-related deaths, the CJ-13A included questions about the type and extent of force applied during the incident. Additionally, because most deaths in custody were due to natural causes or illness, the CJ-13B included types of treatment provided for identified medical conditions.

²For information on the Arrest-Related Deaths program and Deaths in Custody Reporting Program, see the BJS FDCRP webpage at <https://bjs.ojp.gov/data-collection/federal-law-enforcement-agency-deaths-custody-reporting-program-fdcrp>.

³For survey forms, see: <https://bjs.ojp.gov/data-collection/federal-law-enforcement-agency-deaths-custody-reporting-program-fdcrp#surveys-0>.

Identifying and excluding duplicate records

Determining which agency has custody may be complicated by dual law enforcement and detention functions and overlapping jurisdiction with state and local law enforcement authorities. Duplicate death records may occur due to overlapping correctional populations, jurisdictions, and functions (arrest and detention) within an agency. Agencies participating in the same task force may also submit duplicate information. To identify duplicate records, BJS performed record matching based on decedent name, date of birth, date of death, and agency or correctional facility.

Out-of-scope records

Data on executions are excluded from this report but are accessible on the BJS website.⁴

Data collection and response rate

BJS emailed contacts at each agency to direct them to the FDCRP online survey submission portal. Each contact received a login name, password, and instructions. The initial screener form required agencies to enter the number of arrest-related deaths and deaths in custody

that occurred under their jurisdiction in FY 2022, as well as the decedents' names. Once each decedent was identified, respondents were instructed to provide incident information for each death.

Of the 138 agencies BJS contacted and deemed eligible for inclusion in the survey, all responded and provided completed survey forms, for a response rate of 100% (table 11). Ten agencies reported at least one arrest-related death, and five agencies reported at least one death in custody.

TABLE 11
Responses to the Federal Law Enforcement Agency Deaths in Custody Reporting Program, FY 2022

	Number
Eligible agencies surveyed	138
Responded	138
Reported arrest authority	101
Reported any arrest-related deaths	10
Reported incarceration/detention authority	106
Reported any deaths in custody	5

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal year 2022.

⁴See <https://bjs.ojp.gov/topics/corrections/capital-punishment>.

APPENDIX TABLE 1**Counts for figure 1. Number of arrest-related deaths and deaths in custody, FY 2016–2022**

Fiscal year	Arrest-related deaths	Deaths in custody
2016	51	468
2017	41	429
2018	53	448
2019	68	449
2020	65	614
2021	105	613
2022	120	483

Note: Excludes federal executions in fiscal years 2020, 2021, and 2022. See *Methodology*. For execution data, visit <https://bjs.ojp.gov/topics/corrections/capital-punishment>.

Source: Bureau of Justice Statistics, Federal Law Enforcement Agency Deaths in Custody Reporting Program, fiscal years 2016–2022.



The Bureau of Justice Statistics of the U.S. Department of Justice is the principal federal agency responsible for measuring crime, criminal victimization, criminal offenders, victims of crime, correlates of crime, and the operation of criminal and civil justice systems at the federal, state, tribal, and local levels. BJS collects, analyzes, and disseminates reliable statistics on crime and justice systems in the United States, supports improvements to state and local criminal justice information systems, and participates with national and international organizations to develop and recommend national standards for justice statistics. Kevin M. Scott, PhD, is the acting director.

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