



COLORADO

Division of Criminal Justice

Department of Public Safety

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Death in Custody Reporting Act Plan

Office of Adult and Juvenile Justice Assistance

Colorado Department of Public Safety

Division of Criminal Justice

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Background

The [Death in Custody Reporting Act](#) (DCRA; Public Law 113-242) requires states to report to the Attorney General information regarding the death of any person who is either detained, under arrest, in the process of being arrested, en route to be incarcerated, or is incarcerated at a municipal or county jail, state prison, state-run boot camp prison, boot camp prison that is contracted out by the state, or any state or local contract facility, or other local or state correctional facility (including any juvenile facility). These death-in-custody data were previously captured by the Bureau of Justice Statistics (BJS).

In 2019, the Bureau of Justice Assistance (BJA) took over the aggregation of state and local mortality data on behalf of the Department of Justice. State Administering Agencies (SAAs) continue to be responsible for collecting these data on a quarterly basis from state and local entities including law enforcement agencies, local jails, correctional institutions, medical examiners, and other state agencies. SAAs then compile and submit the data to BJA as part of their Justice Assistance Grant reporting.

Colorado's plan to collect the Death In Custody Data (DCRA) involves the collaboration between two offices within the Division of Criminal Justice (DCJ). The Office of Adult and Juvenile Justice Assistance (OAJJA) works with the Office of Research and Statistics (ORS) to collect the data from the Department of Corrections and local Law Enforcement.

In Colorado, reporting is required to the Division of Criminal Justice, which is the SAA for the state. Please note that reporting is required for all persons:

1. Detained
2. Under arrest
3. In the process of being arrested
4. En route to be incarcerated
5. Incarcerated at a municipal or county jail, state prison, state-run boot camp prison, boot camp prison that is contracted out by the state, or any state or local contract facility, or other local or state correctional facility (including any juvenile facility)

I. DCRA Data Collection Infrastructure

The state of Colorado currently has state statute [C.R.S. Section-24-31-903](#) that requires law enforcement agencies to report on contacts, use of force, and deaths related to police activity to the Office of Research and Statistics. The Office of Adult and Juvenile Justice Assistance requests from Law Enforcement Agencies, State Prisons, and Juvenile Correctional facilities in addition to include reporting the DCRA required data.

A. Reporting Universe

Agency Type	Number of Facilities
Law Enforcement Agencies	270
Municipal/County Jails or Lockups	60
State Adult Prisons	21
Community Corrections Facilities	30
State Juvenile Detention and Correctional Facilities	15

Please see Appendix A for DCRA Reporting Universe by Department

B. Engaging Non-Reporting Agencies

1. Once the non-reporting agencies are identified the ORS and OAJJA will reach out notifying them of the DCRA Reporting requirements and process. We will be creating an automated process for this so that as agencies report they will be removed from the next follow-up reminder.
2. Training and Technical Assistance will be offered to assist them to come into compliance.

C. Training and Technical Assistance Provided

1. Instructions document on the website.
2. Designated Email to ask questions or request assistance.

D. Training and Technical Assistance Needs

At this time, Colorado is not in need of any training or technical assistance.

E. DCRA Website

[Death in Custody Reporting | Division on Criminal Justice – Office of Research and Statistics \(colorado.gov\)](#)

II. DCRA Data Collection Methods

The Office of Adult and Juvenile Justice Assistance is responsible for collecting data of all Death's in Custody as the administering office of the Byrne Justice Assistance Grant.

A. Reporting Time Frames

SUMMARY OF REQUIREMENT

Each required reporting agency must submit DCRA data quarterly to the Office of Adult and Juvenile Justice Assistance. All agencies are required to submit either “no data to report this quarter” or any qualifying death within their facility.

All reporting agencies are required to submit their deaths in custody via the DCRA Reporting Form link located on the [DCRA Website](#) on a quarterly basis. See the data reporting dates in the table below:

Quarter	Quarter Time Frame	Due Date
Q1	October 1 through December 31 st	January 15 th
Q2	January 1 through March 31 st	April 15 th
Q3	April 1 through June 30 th	July 15 th
Q4	July 1 through September 30 th	October 15 th

If a reporting agency does not have any deaths in custody to report for the quarter, they still are required to submit in the system that there is no data to report. This is to ensure that all agencies are accounted for and verified there is no qualifying data to be reported.

B. DCRA Reporting Process

SUMMARY OF REQUIREMENT

All Colorado law enforcement agencies, jails, and correctional facilities, both adult and juvenile, are subject to DCRA reporting and are required to submit that data to the Division of Criminal Justice through the via the DCRA Reporting Form.

Reporting is required for all persons:

1. Detained
2. Under arrest
3. In the process of being arrested
4. En route to be incarcerated
5. Incarcerated at a municipal or county jail, state prison, state-run boot camp prison, boot camp prison that is contracted out by the state, or any state or local contract facility, or other local or state correctional facility (including any juvenile facility)

Steps to report DCRA data:

1. Go to the [DCJ Death in Custody Reporting Website](#).
2. Complete the [DCRA Reporting Form](#) and submit.
3. The form will be approved by DCJ and if there are questions they will be in contact with the submitter.

What if I Have Questions?

If you have questions about the reporting requirement or form please email

cdps_dcj_dcra@state.co.us.

C. Required Data Points

SUMMARY OF REQUIREMENT

Each quarter, states must either (1) report all deaths in custody that occurred in their jurisdictions during the corresponding quarter and provide basic information about the circumstances of those deaths or (2) affirm that no deaths in custody occurred in their jurisdictions during the reporting period.

What Kinds of Deaths Count?

All types of deaths should be reported, including those due to:

- Accident
- Death attributed to use of force
- Homicide
- Natural causes
- Suicide
- Execution

Information Needed to Submit a Report

For each death in custody, states must report the following information:

- The decedent's name, date of birth, gender, race, and ethnicity
- The date, time, and location of the death
- The law enforcement or correctional agency that detained, arrested, or was in the

process of arresting the deceased; and

- A brief description of the circumstances surrounding the death

Reporting Requirements for No Deaths

Every agency listed in the DCRA Reporting Universe is required to report quarterly. If there are no DCRA incidents to report, that agency must submit that there were no deaths with a “zero report” response.

D. Data Verification and Quality Assurance

SUMMARY OF REQUIREMENT

All DCRA data submitted via the DCRA Reporting Form should be reviewed for accuracy or missing information.

Review of DCRA Data Submissions

The designated Division of Criminal Justice (DCJ) staff member or the manager of the Office of Adult and Juvenile Justice Assistance (OAJJA) will review each individual data submission.

The review will consist of:

1. Missing data fields
2. Data entry errors
3. Incorrect category selection
4. The need for additional information in the brief description leading up to the incident/death.

If the data reviewer finds any of the above errors, the DCRA Reporting Form will be returned and a request to submit the missing or corrected information will be made. Those change

requests will be monitored with in the data collection system to ensure the needed changes are made and the submission is completed. *(process still in development)*

E. Other Sources for Identifying Qualifying DCRA Incidents

SUMMARY OF REQUIREMENT

The designated DCJ staff or OAJJA manager will conduct regular searches to identify any DCRA incidents that were not reported by required entities.

Other Sources Available

1. News Media, Social Media, and the Internet
2. Local Coroners' Office *(process is still in development)*

Outreach Process

1. The designated employee will obtain a copy of the media story, medical record, or other documents.
2. A letter and copy of the document will be sent to the corresponding law enforcement agency requesting the submission of a DCRA Reporting Form
3. The designated employee will track and confirm the DCRA Reporting Form submission.
4. Reminders will be sent until the form is submitted.

III. DCRA Data Reporting Methods

A. Reporting Data to BJA

SUMMARY OF REQUIREMENT

Each quarter, states must either (1) report all deaths in custody that occurred in their jurisdictions during the corresponding quarter and provide basic information about the circumstances of those deaths or (2) affirm that no deaths in custody occurred in their jurisdictions during the reporting period in BJA’s Performance Measurement Tool (PMT) and submit the information by the reporting deadline.

Reporting Deadlines

Quarter	Quarter Time Frame	Due Date
Q1	October 1 through December 31 st	January 31 st
Q2	January 1 through March 31 st	April 30 th
Q3	April 1 through June 30 th	July 31 st
Q4	July 1 through September 30 th	October 31 st

Submission Process

1. The designated employee will pull the final quarterly data report from the DCRA Reporting data base for final review.

2. Data will be prepared in the proper template for a bulk upload to the BJA PMT.
3. The designated employee will log in to the BJA PMT, answer the initial questions, upload the data template, certify the data, and submit.

B. Tracking Data for Updates

SUMMARY OF REQUIREMENT

Cases that have insufficient information or remain under investigation should be tracked by the designated employee to follow up on final determinations of the “manner of death”

Reasons for Tracking

1. If a DCRA data submission included an “unknown” data value
2. If the “manner of death” was reported as “unavailable or investigation pending,”

Process for Tracking DCRA Submission (*process is still in development*)

1. A data “error” flag will be indicated for that submission and will trigger a reminder email to the entity/individual who reported the data to submit updated information.
2. Those reminders will be monitored and cleared once a updated submission is received.
3. If the entity fails to submitted an updated form, notices will be sent every 30 days.
4. Direct outreach will follow if the entity fails to respond to the request after 90 days.

C. Updating Previous Data Entries

SUMMARY OF REQUIREMENT

All updated DCRA Reporting Forms and data need to be reported and updated in the BJA PMT quarterly.

Process for Updating DCRA Data Submissions

1. The designated employee will prepare the updated DCRA Data submission to be entered into the BJA PMT.
2. They will contact the BJA PMT Support Desk to request the needed reporting period/quarter is reopened for data corrections.
3. Individual Data will be updated and resubmitted.

IV. Conclusion

A. Defining Challenges

1. Consistent Use of Force Death reporting
2. Receiving updated information on “Unavailable” or “Pending Investigation” data
3. Implementing a Zero Reporting policy/requirement
4. Timely DCRA submissions. Agencies miss deadlines and the OAJJA has to identify those late submissions outside of the reporting period and go back in the PMT to add those submissions. When that occurs, those late submissions have to be manually updated because the bulk upload option is not available and will replace any existing data.

A. Overcoming Challenges

3. The best way to overcome most of our challenges is to increase the awareness of the requirements, training, and the provision of additional TA to local and state agencies.
4. The design and full implementation of our new DCRA Reporting Database and designing the “data error” flagging and reminder functions.

B. Training and Technical Assistance Needs

1. Resources on alternate data sources for reporting.

Appendix A

AgencyName	Reporting
Adams County Sheriff's Office	Yes
Alamosa County Sheriff's Office	
Alamosa Police Department	
Alma Police Department	
Antonito Police Department	
Arapahoe County Sheriff's Office	Yes
Archuleta County Sheriff's Office	
Arvada Police Department	
Aspen Police Department	
Aurora Police Department	
Avon Police Department	
Baca County Sheriff's Office	
Basalt Police Department	
Bayfield Marshal's Office	
Bent County Sheriff's Office	Yes
Black Hawk Police Department	
Blanca Marshal's Office	
Boulder County Sheriff's Office	
Boulder Police Department	Yes
Breckenridge Police Department	
Brighton Police Department	
Broomfield Police Department	
Brush Police Department	
Buena Vista Police Department	
Burlington Police Department	
Calhan Police Department	
Campo Police Department	
Canon City Police Department	
Carbondale Police Department	
Castle Rock Police Department	
Cedaredge Police Department	
Centennial Police Department	
Center Police Department	
Chaffee County Sheriff's Office	
Cherry Hills Village Police Department	
Cheyenne County Sheriff's Office	
Clear Creek County Sheriff's Office	
Collbran Marshal's Office	

Colorado Springs Police Department	Yes
Columbine Valley Police Department	
Commerce City Police Department	
Conejos County Sheriff's Office	
Cortez Police Department	
Costilla County Sheriff's Office	
Craig Police Department	
Crested Butte Marshal's Office	
Cripple Creek Police Department	
Crowley County Sheriff's Office	
Custer County Sheriff's Office	
Dacono Police Department	
De Beque Marshal	
Del Norte Police Department	
Delta County Sheriff's Office	
Delta Police Department	
Denver Police Department	
Denver Police Department	
Denver Sheriff's Department	
Dillon Police Department	
Dolores County Sheriff's Office	
Douglas County Sheriff's Office	Yes
Durango Police Department	
Eagle County Sheriff's Office	
Eagle Police Department	
Eaton Police Department	
Edgewater Police Department	
El Paso County Sheriff's Office	Yes
Elbert County Sheriff's Office	
Elizabeth Police Department	
Empire Police Department	
Englewood Police Department	Yes
Erie Police Department	
Estes Park Police Department	
Evans Police Department	
Federal Heights Police Department	
Firestone Police Department	
Fort Collins Police Department	
Fort Lupton Police Department	
Fort Morgan Police Department	
Fountain Police Department	

Fowler Police Department	
Fraser/Winter Park Police Department	
Frederick Police Department	
Fremont County Sheriff's Office	
Frisco Police Department	
Fruita Police Department	
Garfield County Sheriff's Office	Yes
Georgetown Marshal's Office	
Gilcrest Police Department	
Gilpin County Sheriff's Office	
Glendale Police Department	
Glenwood Springs Police Department	
Golden Police Department	
Granada Police Department	
Granby Police Department	
Grand County Sheriff's Office	
Grand Junction Police Department	
Greeley Police Department	Yes
Greenwood Village Police Department	
Gunnison County Sheriff's Office	
Gunnison Police Department	
Haxtun Police Department	
Hayden Police Department	
Hinsdale County Sheriff's Office	
Holyoke Police Department	
Hotchkiss Marshal's Office	
Hudson Marshal's Office	
Huerfano County Sheriff's Office	
Idaho Springs Police Department	
Ignacio Police Department	
Jackson County Sheriff's Office	
Jefferson County Sheriff's Office	Yes
Johnstown Police Department	
Kersey Police Department	
Kiowa County Sheriff's Office	
Kit Carson County Sheriff's Office	
Kremmling Police Department	
La Jara Police Department	
La Plata County Sheriff's Office	Yes
La Veta Marshal's Office	
Lafayette Police Department	

Lake County Sheriff's Office	
Lakeside Police Department	
Lakewood Police Department	Yes
Lamar Police Department	
Lamar Police Department	
Larimer County Sheriff's Office	Yes
Las Animas County Sheriff's Office	
LaSalle Police Department	
Leadville Police Department	
Limon Police Department	
Lincoln County Sheriff's Office	
Littleton Police Department	
Lochbuie Police Department	
Logan County Sheriff's Office	
Longmont Police Department	
Louisville Police Department	Yes
Loveland Police Department	
Manassa Police Department	
Mancos Marshal's Office	
Manitou Springs Police Department	
Manzanola Police Department	
Mead Police Department	
Mesa County Sheriff's Office	Yes
Milliken Police Department	
Mineral County Sheriff's Office	
Moffat County Sheriff's Office	
Monte Vista Police Department	
Montezuma County Sheriff's Office	
Montrose County Sheriff's Office	
Montrose Police Department	
Monument Police Department	
Morgan County Sheriff's Office	
Morrison Police Department	
Mountain View Police Department	
Mountain Village Police Department	
Nederland Marshal	
New Castle Police Department	
Northglenn Police Department	
Norwood Police Department	
Nunn Police Department	
Oak Creek Police Department	

Olathe Police Department	
Otero County Sheriff's Office	
Ouray County Sheriff's Office	
Pagosa Springs Police Department	
Palisade Police Department	
Palmer Lake Police Department	
Paonia Police Department	
Parachute Police Department	
Park County Sheriff's Office	
Parker Police Department	Yes
Phillips County Sheriff's Office	
Pitkin County Sheriff's Office	
Platteville Police Department	
Prowers County Sheriff's Office	
Pueblo County Sheriff's Office	Yes
Pueblo Police Department	Yes
Rangely Police Department	
Ridgway Marshal's Office	
Rifle Police Department	
Rio Blanco County Sheriff's Office	
Rio Grande County Sheriff's Office	
Rocky Ford Police Department	
Routt County Sheriff's Office	
Saguache County Sheriff's Office	
Salida Police Department	
San Juan County Sheriff's Office	
San Miguel County Sheriff's Office	
Sedgwick County Sheriff's Office	
Sheridan Police Department	
Silt Police Department	
Silverthorne Police Department	
Snowmass Village Police Department	
South Fork Police Department	
Steamboat Springs Police Department	
Sterling Police Department	Yes
Summit County Sheriff's Office	
Teller County Sheriff's Office	
Telluride Marshal's Office	
Thornton Police Department	
Timnath Police Department	
Trinidad Police Department	

Vail Police Department	
Walsh Police Department	
Ward Marshal's Office	
Washington County Sheriff's Office	
Weld County Sheriff's Office	Yes
Westminster Police Department	Yes
Wheat Ridge Police Department	
Wiggins Police Department	
Windsor Police Department	
Woodland Park Police Department	
Wray Police Department	
Yuma County Sheriff's Office	
Yuma Police Department	
Colorado Department of Corrections	Yes
Colorado Division of Youth Services	Yes
Colorado State Patrol	Yes
Colorado Office of Community Corrections	Yes