

Death In Custody Reporting Act 2023 Implementation Plan



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I. Introduction

Beginning in FFY 2019 Edward Byrne Memorial Justice Assistance Grant (Byrne JAG) awards, recipient states are required to report quarterly data on deaths occurring while in custody pursuant to the *Death in Custody Reporting Act* (DCRA). In accordance with the US Department of Justice Bureau of Justice Assistance (US DOJ BJA) guidance, as DCRA is a component of Byrne JAG performance management tool (PMT), “the State Administering Agency (SAA) is ultimately responsible for setting up their own policies and procedures to ensure that DCRA reporting is completed.”

As the SAA for the State of Connecticut, the Connecticut Office of Policy and Management (OPM CJPPD) administers the Byrne JAG grant program. In keeping with practices established by US DOJ BJA and other states, OPM CJPPD coordinates quarterly reporting of DCRA data to satisfy both DCRA and Byrne JAG requirements.

II. DCRA Implementation

A. Reporting Universe

Within Connecticut there are 169 municipalities and no administrative county government. There therefore exists a largely unified criminal justice system: Except for municipalities with organized police departments, for example, most criminal justice functions are administered and operated by state agencies.

The Connecticut Department of Correction (DOC) operates 15 facilities and one high-security Medical-Surgical Ward at the University of Connecticut Health Center. These facilities house and serve the state’s sentenced and pretrial populations. In addition to these facilities, there are two primary agencies responsible for the statewide supervision of individuals on various forms of community release:

- The DOC’s Parole and Community Services Division oversees individuals on parole, special parole, or supervised community release via five regional offices and several specialized units that administer the state’s community supervision and re-entry programs. This includes contracts with fourteen independent, non-profit agencies, which operate thirty-two nonresidential and residential service facilities, including halfway houses.
- The Judicial Branch’s Court Support Services Division (JB-CSSD) administers adult and juvenile probation supervision as well as pretrial bail and diversionary activity.

In addition to adult probation and pretrial bail and diversionary activity, JB-CSSD also administers much of Connecticut’s juvenile justice system. For example, it administers a network of juvenile programs and services including two secure state-operated residential

centers, located in Bridgeport and Hartford, and numerous contracted residential programs.

Except for 106 municipal, tribal, university, or transit police forces, all criminal justice functions are provided by state agencies. The various divisions of Connecticut's Department of Emergency Services and Public Protection, which includes the Division of State Police, fulfill public safety, law enforcement, highway patrol, emergency response, and investigative functions statewide. In Connecticut sheriff functions are fulfilled by the state marshal system administered by the Judicial Branch.

B. Reporting Procedures

The OPM CJPPD Grants Unit serves as the SAA for Byrne JAG and several other federal grant programs, while the Research Unit is Statistical Analysis Center for Connecticut. The units work together to fulfill the collection, review, and submission of quarterly DCRA data.

The Office of Policy and Management neither receives nor holds archived death records or other vital demographic statistics. To respond to DCRA reporting requirements, OPM CJPPD has implemented data-sharing arrangements with key criminal justice agencies to support complete and accurate quarterly reporting of death in custody cases for all reportable death types.

Reporting Process

OPM CJPPD's grants unit requests death in custody records by the fifteenth of the month following the conclusion of each FFY quarter. Two agencies currently report source death in custody records quarterly: the DOC and the Office of the Chief Medical Examiner (OCME).

- ***Prison-Related Deaths***
Prison- and parole-related deaths are provided by the DOC, which populates a dataset mirroring the PMT DCRA questionnaire with decedent information queried from the agency's Offender Based Information System.
- ***Jail-Related Deaths***
Because of Connecticut's unified criminal justice system, deaths occurring in both sentenced and pretrial custody are captured by DOC's described quarterly reporting activities.
- ***Arrest-Related Deaths***
The OCME is charged with investigating sudden, unexpected, or violent deaths in the State of Connecticut. Established under *Connecticut General Statutes 19a-400* et seq., OCME must receive reports of certain deaths, including, among others,

“violent deaths, whether apparently homicidal, suicidal or accidental,” as well as, “any other death, not clearly the result of natural causes, that occurs while the deceased person is in the custody of a peace officer or a law enforcement agency or the Commissioner of Correction.” As such, OCME records capture arrest-related deaths in the custody of any law enforcement agency, either state or local, occurring in Connecticut. Each quarter, OCME provides OPM CJPPD an extract of internal data, including the decedent and cause of death information.

In addition to the two primary sources of quarterly DCRA records, OPM CJPPD also solicits death in custody records by the fifteenth of the month from the following agency sources:

- The two sovereign tribal nations, the Mashantucket Pequot Tribe and the Mohegan Tribe of Indians of Connecticut,
- JB-CSSD, and
- the Judicial Branch Marshals Service

Although OPM CJPPD solicits death in custody records from these authorities each quarter, no reportable deaths have yet occurred in these entities’ custody since OPM CJPPD assumed responsibility for this collection in 2022.

Upon receipt of these data, OPM CJPPD staff from both units concurrently review data to check for consistency and alignment with reporting requirements. During OPM’s review, any non-applicable records are identified for removal from DCRA submission. Should two or more agencies report on the same death, OPM CJPPD reconciles these sources into a single unified record for submission. Following OPM CJPPD review, a single, combined set of DCRA records is prepared for quarterly submission into PMT within thirty days of the quarter’s end. Typically, records are batch submitted into PMT from the assembled file.

C. Verification of DCRA Reporting

OPM CJPPD has now implemented and refined our reporting procedure over several DCRA reporting cycles. Given Connecticut’s unified correctional system and the role of our state’s OCME, OPM CJPPD has high confidence in the completeness of its DCRA responses. Staff believes the shared source agency records supporting this collection reasonably encompass the complete reporting universe each quarter. OPM CJPPD also believes in the accuracy of Connecticut’s DCRA reporting on account of the primary data sources supplying records. The two key reporting agencies each use digital records systems to collect key DCRA reporting data: the Offender Based Information System for the DOC, an electronic health record system for the OCME. The statewide use of such systems supports data consistency and the validity of reported information.

While the reporting procedures described support high-quality data and timely, comprehensive reporting of deaths in custody for Connecticut, we have also identified three key challenges to regularly providing *complete* and *accurate* responses to the DCRA Performance Measure Questionnaire ([Appendix A](#)):

1. Quarterly review and preparation of consolidated DCRA submission

Considerable OPM CJPPD staff effort is necessary to assess, review, and combine source data to reliably report custody deaths each quarter. In particular, OCME source data extracts are created using a custody identifier implemented in OCME's case records management system. This custody identifier yields a mix of DCRA reportable arrest-related death records, DCRA reportable prison-related death records, and many other deaths occurring in the custody of various state social service agencies not reportable to DCRA. OPM CJPPD must therefore review detail death information for each OCME record, often evaluating free-text descriptions of death circumstances to ensure suitability for DCRA inclusion each quarter. There is considerable burden administratively to receive, review and assess the records in this manner within the 30-day reporting timeframe each quarter. In addition, reconciling this collection can then lead to delays in the completion of additional Byrne JAG PMTs.

2. Source data alignment with DCRA reporting definitions

Reporting fields and definitions utilized in key agency digital records systems do not always align with DCRA reporting requirements or formats. In particular, given the age of the DOC information system, data fields are constrained and may not capture the detail required by DCRA, especially regarding decedent race and ethnicity. Reconciling source data with required DCRA formats on an ongoing basis may necessitate OPM CJPPD seeking alternate record sources to augment available information from our primary data sources.

3. Consistency of Updates

Currently, OPM CJPPD is notified by reporting agencies when an investigation is complete and will update submitted DCRA records accordingly. The timeliness and consistency of these updates remains uncertain.

Given such reporting challenges, OPM CJPPD is exploring supplementing death in custody source data to address current data limitations. In April 2023, BJA requested OPM CJPPD revise unknown values reported in Connecticut's FFY2023 Q1 DCRA submission. In response, OPM CJPPD consulted with the Connecticut Department of Public Health's Health Statistics and Surveillance Section about supplementing DCRA reporting with data from the state's Vital Records Registry, the most complete, high-quality data source on decedents' race, ethnicity, and manner of death. While DPH's data collection may help reconcile data elements omitted from primary DCRA sources, vital records are typically not available until six months or more following death. As such it is

not suitable as a primary record source for DCRA reporting. Given its utility in reconciling missing or omitted data however, OPM CJPPD is collaborating with DPH on developing a data sharing arrangement to obtain death records from its vital statistics collection going forward. The semi-annual provision of Vital Records Registry death data will support our use reviewing and augmenting DCRA submissions reported in preceding quarters.

III. Key Priorities in 2023

Over the coming Byrne JAG award period, OPM CJPPD has identified the following activities as priorities regarding DCRA implementation.

Priority 1: Refine existing DCRA collection and reporting procedures.

OPM CJPPD will continue to refine the quarterly DCRA reporting cycle (shown in Table 1) and procedures with our key partner agencies. Staff will work with these agencies on data provision, update procedures, and providing any assistance or resources in response to challenges they may encounter.

Table 1. Connecticut DCRA Reporting Procedures

Federal Fiscal Quarters			DCRA Reporting Date		Review / Revision
#	Quarter Start Date	Quarter End Date	Reporting Deadline: DOC, OCME, Tribal Nations, and Judicial Marshal Services	OPM CJPPD PMT submission	DPH Vital Records Audit
1	October 1	December 31	January 15	January 30	
2	January 1	March 31	April 15	April 30	TBD
3	April 1	June 30	July 15	July 30	
4	July 1	September 30	October 15	October 30	TBD

Priority 2: Pursue supplemental sources of data to enhance DCRA collection.

OPM CJPPD will continue to seek and develop alternate sources of information to augment any limitations in source data. Staff anticipate primary efforts in the period will be toward the development and implementation of a data sharing agreement with the Department of Public Health regarding semi-annual provision of death records. Throughout this process, OPM CJPPD will work with our home agency representatives to develop the necessary agreements and our agency IT technical staff to ensure OPM CJPPD is capably able to safely collect and securely store this information for our review.

Appendix A

BUREAU OF JUSTICE ASSISTANCE Death in Custody Reporting Act PERFORMANCE MEASURES QUESTIONNAIRE

DEATH IN CUSTODY REPORTING ACT ACTIVITY

The Death in Custody Reporting Act of 2013 requires states receiving allocations under specified provisions of the Omnibus Crime Control and Safe Streets Act of 1968 to report certain information regarding the death of any person in law enforcement custody. This may include individuals who are detained, arrested, en route to incarceration, or incarcerated in a state or local facility or boot camp prison.

1. Was there at least one reportable death in your state during the reporting period? *A reportable death refers to the death of an individual who was detained, arrested, enroute to incarceration, or incarcerated in a state or local facility or boot camp prison.*
 - A. Yes
 - B. No *(If No, this marks the conclusion of the module)*
 - C. If Yes, provide the number of reportable deaths in your state during the reporting period:

2. Provide the following decedent information. *If you have multiple deaths in custody, report them one at a time.*
 - A. Name: _____
 - B. Gender
 1. Male
 2. Female
 3. Other gender identity: _____
 - C. Race *(Select all that apply)*
 1. American Indian or Alaska Native
 2. Asian
 3. Black or African American
 4. Native Hawaiian or other Pacific Islander
 5. White
 6. Unknown
 - D. Ethnicity
 1. Hispanic, Latino, or Spanish origin
 2. Not of Hispanic, Latino or Spanish origin
 3. Unknown
 - E. Birth year (YYYY) *(If unknown, enter "9999")*: _____

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Data must be entered into the Performance Measurement Tool at: <https://hjampt.ojp.gov>
OMB#1121-0365, Death in Custody Reporting Act, exp. 07/31/2024

3. List the following information regarding the decedent's death.
- A. Date of death (MM-DD-YYYY): _____
 - B. Time of death (24-hour clock): _____
 - C. Location of death
 - 1. Location name (if applicable). *This could be the name of a facility, place of business, or other designation for the location of death:* _____
 - 2. Street address: _____
 - 3. City: _____
 - 4. State (postal abbreviation): _____
 - 5. Zip code: _____
 - D. If the event causing the death occurred in any of the following facilities, indicate the appropriate facility. If the event causing the death did not occur in one of the following facilities, select "none of the above."
 - 1. Municipal or county jail
 - 2. State prison
 - 3. State run boot camp prison
 - 4. Contracted boot camp prison
 - 5. Any state or local contract facility
 - 6. Other local or state correctional facility (to include any juvenile facility)
 - 7. None of the above
4. List the name of the department or agency that detained, arrested, or was in the process of arresting the deceased.
- A. Agency name: _____
5. Indicate the manner of death. *Select only one.*
- A. Execution (i.e., capital punishment)
 - B. Accident
 - C. Death attributed to use of force by a law enforcement or corrections officer
 - D. Homicide (e.g., an incident between two or more incarcerated individuals resulting in death)
 - E. Natural causes
 - F. Suicide
 - G. Unavailable, investigation pending
 - 1. If Yes, report the agency conducting the investigation and an approximate end date. *When the investigation has concluded, contact the Performance Measurement Tool Helpdesk to update this report.* _____
 - H. Other
 - 1. If Other, explain: _____
6. Provide a brief description of the circumstances leading to the death (e.g., details surrounding an event that may have led to the death, the number and affiliation of any parties involved in the incident, the location and characteristics of the incident, other context related to the death, etc.). _____

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