

Death in Custody Reporting Standard Operating Procedures



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Background

The Illinois Criminal Justice Information Authority (ICJIA) is responsible for state and federal death in custody reporting. Full text for the federal Death in Custody Reporting Act of 2013 (34 USC § 60105) and Illinois Reporting of Deaths in Custody Act (730 ILCS 210) are presented in Appendix A. The state and federal definitions of “death in custody” are presented in Appendix B, in addition to a table that summarizes definitional boundaries.

This document provides official ICJIA death in custody reporting procedures. The audiences for this document are: (1) ICJIA staff members responsible for handling death in custody reporting, (2) ICJIA managers overseeing responsible staff members, and (3) stakeholders requiring information on ICJIA’s death in custody reporting practices. The document describes tasks that must be completed by ICJIA staff for death in custody reporting. Collectively, the tasks describe a holistic process for collecting, maintaining, and verifying death in custody records, towards the goal of creating a complete statewide data set.

The document includes five sections, as follows:

1. **Reporting strategy** – reporting implementation given: (1) differences in state and federal requirements, and (2) record management dynamics in Illinois agencies that house death in custody data or are responsible for providing records to ICJIA.
2. **Data collection** – obtaining records from relevant Illinois agencies, including information on frequency and expected deliverables.
3. **Data maintenance** – storage of death in custody records on ICJIA servers, including source record maintenance and data table structure.
4. **Data reporting** – processes for executing state and federal reporting.
5. **Auditing** – processes for identifying missing records and incorporating them into the existing data table.

Many of the report sections include summary tables labeled *Important Points* that list key takeaways.

Reporting Strategy

A Single Process

There are differences between the federal Death in Custody Reporting Act and Illinois Reporting of Deaths in Custody Act. Three differences are as follows.

1. The Death in Custody Reporting Act was enacted in 2013, whereas the Illinois Reporting of Deaths in Custody Act was enacted in 2021. Thus, ICJIA had been handling federal reporting for approximately eight years prior to the onset of state reporting.
2. The audience differs for federal and state reporting and, hence, the reporting mechanisms differ. For federal reporting, the primary audience is the federal government. States are statutorily obligated to submit reports to the Attorney General (34 USC § 60105(a)). In practice, ICJIA submits reports to the Bureau of Justice Assistance (BJA) as part of the Edward Byrne Memorial Justice Assistance Grant (JAG) program. ICJIA uploads reports electronically through the Bureau of Justice Assistance Performance Management Tool. BJA, and not ICJIA, is responsible for wider dissemination of federal death in custody records. ICJIA need only comply with BJA requirements. In contrast, for state reporting, the public is the primary audience. The Illinois Reporting of Deaths in Custody Act requires ICJIA to publicly disseminate individual reports on the ICJIA website (730 ILCS 210/3-5(h)) and issue a public annual report (730 ILCS 210/3-5(i)).
3. Reporting elements differ for federal and state reporting. Appendix C summarizes reporting elements. State reporting includes a greater number of data elements.

Despite these differences, **ICJIA combines federal and state reporting into a single process.** The following four sections on data collection, data maintenance, data reporting, and auditing describe processes that apply to both federal and state reporting unless specifically identified as applying to only one reporting requirement.

Reliance on Preexisting Reporting Processes

Death in custody incidents are initially reported by several types of justice system agencies:

- Local, county, and state law enforcement agencies
- State prisons for adults
- State Youth Centers (juvenile detention centers operated by the Illinois Department of Juvenile Justice)
- County juvenile detention centers

For the first three, ICJIA does not require agencies with initial reporting responsibility to submit death in custody records. Instead, **ICJIA receives death in custody data from centralized state agencies with authorized oversight of reporting agencies within their domain.** For example, ICJIA receives data on deaths in Illinois Department of Corrections facilities from centralized IDOC administrators as opposed to individual Illinois correctional facilities. In contrast, ICJIA does directly contact county juvenile

detention centers. This is because the corresponding centralized state agency, Illinois Department of Juvenile Justice, does not oversee county juvenile detention centers. They operate independently.

There are two reasons why ICJIA adopts this centralized approach:

1. Reporting agencies are accustomed to receiving oversight and guidance from centralized agencies within their domain.
2. There are instances where, independent from the Illinois Reporting of Deaths in Custody Act and Death in Custody Reporting Act, agencies are already reporting death in custody information to the centralized oversight agency in their domain; thus, were individual agencies to report directly to ICJIA it would create redundancy.

Overall, based on the strategy of receiving records from centralized state agencies where feasible, ICJIA contacts the following entities to request new or updated death in custody records:

- Illinois State Police
- Illinois Department of Corrections, Planning and Research
- Illinois Department of Corrections, Jail and Detention Standards
- Illinois Department of Juvenile Justice
- Sixteen county juvenile detention centers (listed in Appendix D)

Data Collection describes data housed at each of these source agencies. Where applicable, *Data Collection* also describes independent death in custody reporting; processes adopted by source agencies for collecting death in custody information, but for reasons independent from the Illinois Reporting of Deaths in Custody Act and Death in Custody Reporting Act.

The twenty agencies indicated above are contacted as an initial course to request new or updated death in custody records. However, it may be necessary to contact additional agencies to obtain missing data elements or missing records. These processes are described in *Data Collection* and *Auditing*.

Finally, it should be noted that, despite reliance on preexisting reporting processes, ICJIA hosts a web-based data entry tool that enables law enforcement agencies to directly provide arrest-related death records to ICJIA, thus eliminating the centralized agency. ICJIA only uses the tool under special circumstances. Unless specified below, agencies should not be asked to submit records through the tool as a first course.

 Important Points 

There are two reporting requirements combined into one reporting process.

There are hundreds of Illinois agencies that may have reportable incidents but ICJIA relies on centralized agencies and preexisting reporting and, thus, only contacts twenty agencies as an initial course (although other agencies may be contacted to address missing data elements or missing records).

Data Collection

Assigned ICJIA staff members will contact centralized source agencies and county juvenile detention centers at the beginning of every quarter to request new death in custody records - January 1, April 1, July 1, and October 1 (see Appendix E for a timeline of key death in custody reporting tasks). Assigned staff members will also, as part of these contacts, request updates of reports previously received by ICJIA.

As described above, ICJIA staff will contact: (1) Illinois State Police, (2) Illinois Department of Corrections, Planning and Research, (3) Illinois Department of Corrections, Jail and Detention Standards, (4) Illinois Department of Juvenile Justice, and (5) sixteen county juvenile detention centers. Data collection processes differ for each of these data sources.

Illinois State Police

The Illinois State Police (ISP) house reportable death in custody incidents in which a person dies:

- as a result of police officer use of force,
- while under arrest,
- while in the process of being arrested,
- while en route to be detained in a lockup, jail, or prison.

ISP collects information pertaining to these reporting scenarios as part of their Uniform Crime Reporting responsibilities. In particular, the Uniform Crime Reporting Act (50 ILCS 709/) requires Illinois law enforcement agencies to submit information on “arrest-related deaths” to ISP. The Act defines “arrest-related death” in a manner that incorporates the four reporting scenarios listed above:

“Arrest-related death’ means any death of an individual while the individual’s freedom to leave is restricted by a law enforcement officer while the officer is on duty, or otherwise acting within the scope of his or her employment, including any death resulting from a motor vehicle accident, if the law enforcement officer was engaged in direct action against the individual or the individual’s vehicle during the process of apprehension. ‘Arrest-related death’ does not include the death of law enforcement personnel.” (50 ILCS 709/5-5).

Illinois law enforcement agencies report arrest-related deaths to ISP through a web-based reporting platform. The reporting platform is commonly referred to as the “NIBRS reporting system” because it is also used by law enforcement agencies to report incident and arrest records for the National Incident-Based Reporting System. Overall, the platform is used for all law enforcement reporting indicated in the Uniform Crime Reporting Act, which extends beyond NIBRS and arrest-related death.

ICJIA has access to the arrest-related death module of the reporting platform. In addition, ISP has implemented modifications to the arrest-related death module so that it better accommodates death in custody reporting. Thus, assigned ICJIA staff members will either: (1) download arrest-related death records, or (2) contact the manager of ICJIA’s Center for Criminal Justice Data and Analytics to request that arrest-related death records be downloaded on their behalf. The download should include all available arrest-related death records. That is, assigned ICJIA staff members should not limit the download to records created since the previous quarter. For example, if the assigned staff member downloads records on April 1, 2023, the download would include all available records prior to April 1,

2023 as opposed to only downloading records from January 1, 2023 – March 31, 2023. This is because assigned ICJIA staff members should check older records to see if information has been updated.

The arrest-related death module of the ISP reporting platform excludes personally identifiable information. However, federal reporting requires personally identifiable information:

- name of the deceased;
- brief description of the circumstances surrounding the case.

The latter is not a direct personal identifier. However, narrative descriptions often include names as a means of attributing events to persons.

In addition to name and narrative description, there are two additional data elements that were omitted from modifications to the ISP reporting platform. These elements are required for state reporting:

- if emergency care was requested by the law enforcement agency in response to any illness, injury, self-inflicted or otherwise, or other issue related to rapid deterioration of physical wellness or human subsistence
- details concerning emergency care that were provided to the decedent if emergency care was provided.

Assigned ICJIA staff members will contact the author of every arrest-related death report. That is, because name and narrative description is not available in the ISP reporting platform, ICJIA directly contacts the source agency that submitted the report to ISP. Staff members will request the author to either:

- provide an official incident report that includes name and case narrative;
- provide the name of the deceased and case narrative through the ICJIA web-based reporting tool.

Correspondence to law enforcement agencies will be handled through email if feasible. The email recipient is the individual named in ISP records as the responsible agent for Uniform Crime Reporting. An ISP point of contact should be copied on every outgoing email to a law enforcement agency. This helps legitimize the request for the law enforcement agency. Assigned ICJIA staff members should ask their supervisor for the appropriate ISP contact.

🔒 Important Points 🔒

<i>Death in custody incidents involving police use of force and/or occurring during an arrest are obtained from the Illinois State Police.</i>
<i>Records are downloaded from the Illinois State Police law enforcement reporting platform (“NIBRS reporting system.”)</i>
<i>ICJIA staff must collect the following information directly from reporting agencies and not from the Illinois State Police:</i> <ul style="list-style-type: none">• <i>Name of the deceased;</i>• <i>Brief description of the circumstances surrounding the case;</i>• <i>If emergency care was requested;</i>• <i>Details of emergency care, if provided.</i>

Illinois Department of Corrections, Planning and Research

The Illinois Department of Corrections, Planning and Research (IDOC P&R) house reportable death in custody incidents in which a person dies while detained in an adult Illinois prison. IDOC P&R provide ICJIA a spreadsheet with required information on incidents occurring at adult prisons. The spreadsheet is created specifically for state and federal death in custody reporting. Unlike Illinois State Police data, there is no additional reporting requirement for which information is obtained.

IDOC P&R populates the spreadsheet based on internal data sources available within their organization. At present, the spreadsheet does not include every required data element. IDOC P&R recently expanded the spreadsheet to include additional information but some information remains unavailable to them. ICJIA supervisory staff will continue to develop strategies with IDOC P&R for obtaining full compliance. The following data elements are missing or incomplete:

- incident date
- sexual orientation (extensive missing data)
- gender Identity (extensive missing data)
- ethnicity
- if emergency care was requested by the law enforcement agency in response to any illness, injury, self-inflicted or otherwise, or other issue related to rapid deterioration of physical wellness or human subsistence
- details concerning emergency care that were provided to the decedent if emergency care was provided.

In other instances, the IDOC P&R spreadsheet includes a data element but in a manner that does not precisely match requirements. For example, federal reporting of decedent gender includes the category “other”, presumably to capture incidents in which the decedent identified themselves as transgender or non-binary. The IDOC spreadsheet does not include this category. However, in some instances, ICJIA has the capability to populate categories that are not provided by using information that is provided; data can be recoded and made to conform with requirements. These processes are described in *Data Maintenance*.

Illinois Department of Corrections, Jail and Detention Standards

The Illinois Department of Corrections, Jail and Detention Standards (IDOC JDS) is responsible for monitoring law enforcement compliance with jail and lockup standards. They house reportable death in custody incidents in which a person dies while detained in a county jail. IDOC JDS staff report that, although their authority extends to both county and local law enforcement agencies, death in custody information for local law enforcement agencies is incomplete. Thus, they are utilized as a source for county jail data only.

IDOC JDS obtains death in custody information from two sources. First, they require the reporting agency to submit an official Illinois Department of Corrections form titled the Report of Extraordinary or Unusual Occurrences. This report is used not only for death in custody incidents but also a variety of other incident types (e.g., sex offenses, escape attempts). Second, IDOC JDS has adopted a form developed by the Bureau of Justice Assistance specifically for federal death in custody reporting.

At present, IDOC JDS does not provide every required data element. IDOC P&R recently expanded the spreadsheet to include additional information but some information remains unavailable to them. ICJIA supervisory staff will continue to develop strategies with IDOC P&R for obtaining full compliance. The following data elements are missing or incomplete:

- incident date;
- sexual orientation;
- gender Identity;
- location of death (location name and address);
- if emergency care was requested by the law enforcement agency in response to any illness, injury, self-inflicted or otherwise, or other issue related to rapid deterioration of physical wellness or human subsistence;
- details concerning emergency care that were provided to the decedent if emergency care was provided.

Important Points

Death in custody incidents in which a person dies while detained in an adult Illinois prison are obtained from the Illinois Department of Corrections, Planning and Research.

Death in custody incidents in which a person dies while detained in an adult Illinois prison are obtained from the Illinois Department of Corrections, Planning and Research.

For both sources, several required data elements are missing or incomplete.

In some instances, data can be recoded and made to conform with requirements.

Illinois Department of Juvenile Justice

The Illinois Department of Juvenile Justice (IDJJ) is responsible for managing the operation of Illinois Youth Centers. These are secure juvenile facilities that are directly managed by the State of Illinois as opposed to by an Illinois county. Assigned ICJIA staff members will contact IDJJ to ask whether there are reportable death in custody incidents occurring within an Illinois Youth Center. When there are one or more reportable incidents, an appropriate IDJJ point of contact will be directed to the ICJIA web-based data entry tool and asked to complete the web-based form for each incident.

County Juvenile Detention Centers

The Illinois Department of Juvenile Justice (IDJJ) does not have jurisdiction over county juvenile detention centers. Assigned ICJIA staff members will contact each county detention center to ask whether there are reportable death in custody incidents occurring within their facility. When there are one or more reportable incidents, an appropriate point of contact at the facility will be directed to the ICJIA web-based data entry tool and asked to complete the web-based form for each incident.

Update Requests

Every quarterly request for new death in custody incidents will be accompanied by requests for updates of previously submitted records as needed. There are three types of data elements that must be updated:

1. data elements that are missing, but known to be available in other reports originating from the same source;
2. data elements with personally identifying information that are knowingly omitted from arrest-related death reports;
3. data elements that are unknown on the date and time the report is completed because of ongoing investigations or examinations.

The first type of data element excludes requests for data elements that are known to be systematically missing. These data elements are listed in the sections above. Thus, for example, knowing that the Illinois Department of Corrections, Jail and Detention Standards does not collect information on sexual orientation, they would not be asked to provide this information. Inclusion of this information in their reporting process must be handled in a different manner (through supervisory coordination leading to organizational change) than simply asking them to update records. On the other hand, if a report is missing a data element that is routinely provided in other reports, then an update to address the missing information is requested.

The second type of data element includes the following information:

- **Manner of Death**, in any instance when the report author uses the “unavailable, investigation pending” category;
- **Narrative Description**, in any instance when the narrative is missing because the report author awaits description from a investigatory or examination report;
- **Death Investigation Status, Investigating Agency, End Date**, in any instance when the investigation is not recorded as complete.

Every quarter, immediately prior to requesting new reports, responsible ICJIA staff members will review all submitted reports and identify those where an update is required. Tracking and management of this process is described in *Data Maintenance* below.

Because each data source provides records in a different manner, update requests also differ by source. The table below shows the manner that updated information is provided by each source.

Source	Method
Illinois State Police	Contact the reporting agency as opposed to the Illinois State Police. Updates may be provided: (1) through the arrest related death module (if the data element is reported in the module), (2) through the ICJIA web-based reporting tool.
Illinois Department of Corrections, Planning and Research	IDOC P&R resubmits their full spreadsheet with updated information included.
Illinois Department of Corrections, Jail and Detention Standards	IDOC JDS provides updates through the ICJIA web-based reporting tool.
Illinois Department of Juvenile Justice	IDJJ provides updates through the ICJIA web-based reporting tool.
County Juvenile Detention Centers	County juvenile detention centers provide updates through the ICJIA web-based reporting tool.

Important Points

<i>Do not request updates of data elements that the source agency does not collect at all.</i>
<i>Do request updates of data elements that are missing but known to be collected.</i>
<i>Do request updates of data elements that are unknown when the report was completed but become available upon investigation or examination.</i>

Data Maintenance

Master Data Table

ICJIA maintains a master data table that includes death in custody records from 2019 to present. However, data collection from centralized state agencies began during early to mid-2019 and, thus, 2019 records are not complete. ICJIA maintains a codebook for the master data table. The codebook indicates precisely how information should be maintained in the master data table. Assigned staff members will ensure that information entered in the master data table matches specifications described in the codebook.

Assigned ICJIA staff members will ensure that new quarterly death in custody reports are obtained from the four centralized data sources (Illinois State Police, Illinois Department of Corrections – Planning and Research, Illinois Department of Corrections – Jail and Detention Standards, and Illinois Department of Juvenile Justice) and sixteen county juvenile detention centers. Each document will be placed in a designated location and retained indefinitely. These documents are important. They are the source material for ICJIA death in custody reporting.

The master data table includes columns indicating: (1) the file directory path for the source document, (2) the name of the source document. These columns make it possible to associate records in the master data table to the source document used to produce the record. For #2 (source document name), assigned ICJIA staff members should retain the original file name created by the source agency. In this manner, should communication with the source agency about the file be necessary, it will be easier for the source agency to recall their actions, locate files on their servers, etc.

Note that because ICJIA receives records in different forms from different source agencies, the source file is not a unique record identifier. For example, each IDOC P&R spreadsheet includes numerous death in custody incidents in the same spreadsheet. Nonetheless, the two columns (file directory path, name of source document) make it possible to associate the record with a source document. Anyone should be able to look at a row in the master data table and know the exact source document.

In addition to the two columns, each record in the master data table also has a unique record identifier that pertains exclusively to a single death in custody. Unique identifiers are structured as follows:

- Three letter agency prefix: ISP, PAR, JDS, DJJ, county detention center acronym (e.g., Cook County Juvenile Detention – CCD).
- Date of receipt: 03022021 for March 2, 2021
- Sequential record number that starts at 1 for each agency prefix/date combination: for example, JDSU03022021-1, JDSU03022021-2, etc.

Information is manually entered into the master data table from source data. There exists no automated process that transfers information from source data to the master data table. When entering data, some source information must be modified from its form in the source data. The table below shows the most salient modification. The IDOC P&R spreadsheet includes a single column for decedent race, omitting a column for decedent ethnicity. As shown in the table, “Hispanic” in the IDOC P&R spreadsheet is recorded as “Unknown” race and “Hispanic, Latino” ethnicity in the master data table. All other IDOC

P&R race categories are recorded in their corresponding race category in the master data table and “Not Hispanic, Latino” in the master data table.

Race	Ethnicity	
	Hispanic/Latino	Not Hispanic/Latino
American Indian/Alaska Native		
Asian		
Black/African-American		
Native Hawaiian/Other Pacific Islander		
White		
Unknown		



Race/ethnicity categories used in master data table when source data does not separate race and ethnicity.

The same death in custody incident may be reported to ICJIA from multiple sources. For example, if a death occurs in a lockup facility operated by a county sheriff’s office, then the sheriff’s office may be required to both report the incident to IDOC JDS and submit an arrest-related death report to ISP. Assigned ICJIA staff members are responsible for identifying potential duplication. Regardless whether a report submitted by a source agency is a duplicate, it should be entered in the master data table. The master data table includes a “Duplicate” flag that should be used whenever a second record is entered that duplicates an existing record.

Update/Audit Table and Update Process

ICJIA maintains an update/audit table. For updates, the table serves two purposes. First, the table is used to document every instance when a report submitted to ICJIA requires an update. Thus, the table is used to create quarterly lists of agencies that must be contacted to request updates and the precise updates that are required. Second, the table is used to document when updates are made, and the information that was provided to ICJIA both before and after the update. Thus, the table is used to document changes over time to individual records.

The update table is a mechanism for ensuring version control in the master data table. It is not ideal for ICJIA to obtain new information pertaining to a record in the master data table and overwriting old information without documenting what fields were updated and when they were updated. In some systems, it is possible for technology professionals to reproduce older versions of data tables with date/time stamps indicating when record updates occurred. The update table serves as a manual proxy for such a situation.

Assigned ICJIA staff members should engage in the following steps for updating death in custody records in the master data table:

1. Every quarter, coinciding with contacts to obtain new death in custody records, the master data table is reviewed for: (1) data elements that are missing, but known to be available in other reports originating from the same source, (2) data elements with personally identifying information that are knowingly omitted from arrest-related death reports, and (3) data elements that are unknown on the date and time the report is completed because of ongoing investigations or examinations.
2. Each new update instance is recorded in the update/audit table.
3. The update/audit table is used to produce a list of required updates composed of unresolved updates from previous quarters and new update instances identified in Step 1. This list is merged with any unreported death in custody incidents identified through the audit process described in *Auditing* below.
4. The list is sent to the Illinois State Police Uniform Crime Reporting (ISP UCR) team. This team is responsible for administering arrest-related death reporting and, thus, should be notified that ICJIA will be contacting local and county law enforcement agencies to request updates and additions to information in the arrest-related death reporting module. As noted in the table on page 10, when updates or additions to information reported in the arrest-related death reporting module are required, ICJIA directs local and county law enforcement agencies to submit them via the module as opposed to providing information directly to ICJIA.
5. As needed, obtain email addresses for local and county law enforcement agencies from ISP UCR, as available in Uniform Crime Reporting administrative information.
6. Emails are sent to applicable source agencies on the list. ISP UCR is copied on every outgoing email sent to a local or county law enforcement agency pertaining to a death in custody incident that is eligible for inclusion in the arrest-related death reporting module. Emails are sent by the ICJIA Executive Director. Assigned ICJIA staff members will coordinate the process with the Executive Director's administrative staff. Email recipients will be advised on how to provide new or updated information to ICJIA (see the table on page 10).
7. Upon receipt, documents with new or updated information will be placed in a designated location and retained indefinitely.
8. The update/audit table includes columns indicating: (1) the file directory path for the source document, (2) the name of the source document. Upon receipt of updated information, these columns are completed. The columns make it possible to associate records in the update table to the source document used to produce the record. For #2 (source file name), assigned ICJIA staff members should retain the original file name created by the source agency (or, in the case of updated information obtained through the ICJIA web-based reporting tool, a name assigned by ICJIA).

9. The update/audit table includes columns indicating: (1) the date the update is received, (2) the updated information. Upon receipt of updated information, these columns are completed.
10. The master data table is revised to incorporate the updated information. This is achieved by adding or overwriting columns that required updating.

The Bureau of Justice Assistance periodically audits Illinois death in custody records and sends reports to ICJIA. These reports list missing information and ask that ICJIA populate every data element in the list. However, the lists include data elements that are known to be systematically missing. For example, IDOC JDS does not currently collect information on sexual orientation at all. Thus, if BJA notes that sexual orientation is missing from a record for which IDOC JDS is the source, the issue is systematic and not record specific. Nonetheless, every missing data request made by BJA should be recorded in the update/audit table. Source agencies will not be asked to update information they are not collecting. Thus, assigned ICJIA staff members will, in instances when BJA requests missing information that is systematically missing, check the “No Request” flag in the update table.

BJA audit lists will be responded to promptly. In addition, every BJA audit list will be retained indefinitely. The assigned ICJIA staff member will promptly acknowledge the request. Should the BJA list include missing information that should be collected as part of the update process, the assigned ICJIA staff member will make an immediate effort to collect the missing information, even if the BJA request is made outside the quarterly timeline by which ICJIA requests new or updated records. This may constitute making a new request to a source agency or following up on an existing request (e.g., if ICJIA was already aware of the missing information through the process described in this section).

In some instances, missing information may be publicly available through media reports. However, even if information is publicly available, assigned ICJIA staff will not unilaterally populate missing information. All information that ICJIA provides to BJA or publishes on the ICJIA website will come directly from source agencies.

Important Points

<i>Death in custody incidents must be entered in the master data table in a manner that accords exactly with the codebook.</i>
<i>Source documents must be associated with death in custody incidents via source file directory path and source file name columns in the master data table.</i>
<i>Be cognizant of instances when information from source data must be modified in order to enter the information in the master data table.</i>
<i>The update table is used to track required updates and their resolution. Use the steps described in this section to update records.</i>

Data Reporting

The master data table combines information required for the state Reporting of Deaths in Custody Act and federal Death in Custody Reporting Act of 2013. In addition, the master data table includes columns that facilitate internal ICJIA internal administration, such as source file directory path and source file name, that are non-essential for dissemination and reporting. Because of these attributes, the master data table is adapted for external reporting.

There are two reporting requirements: (1) federal reporting through the Bureau of Justice Assistance Performance Management Tool, and (2) public reporting on the ICJIA website pursuant to the state Reporting of Deaths in Custody Act. For both requirements reporting tables are created using the master data table. At present, the creation of reporting tables is not automated. Assigned ICJIA staff members will manually adapt the master data table for reporting.

Reporting must be completed within two months of quarterly data collection (see Appendix E for a timeline of key death in custody reporting tasks). Thus, reporting deadlines are March 1, June 1, September 1, and December 1.

Assigned ICJIA staff members will produce the necessary reporting tables by manually editing a copy of the master data table. Every reporting table should be maintained indefinitely. In this manner, ICJIA can immediately identify files used for reporting. Likewise, reporting tables should be named so that any observer can readily identify the table used for each reporting instance. As such, the following naming convention will be adopted:

- Three letter prefix noting whether the reporting table is intended for BJA or public reporting: BJA or PUB.
- Reporting period for which the table applies denoted as a quarter and calendar year, e.g., Q1_2023.

Every reporting table should encompass the entire time period for which ICJIA has complete arrest-related death records and should be based on the entirety of the master data table. For example, if the assigned staff member is producing a reporting table for Q1 2023, records for Q1 2023 in the master data table should not simply be added to the previous reporting table (Q4 2022) while leaving older records intact. Instead, the Q1 2023 reporting table should be created anew in entirety, including all records in the master data table through to the end of Q1 2023. This is because pre Q1 2023 records may have been updated since the last reporting table was created.

Appendix C shows data elements that are required for BJA reporting. ICJIA staff submit BJA records through the Bureau of Justice Assistance Performance Management Tool. One notable aspect of the BJA reporting requirement is that it does not require inclusion of a unique record identifier. Thus, in order to upload the required information, row-level identification must be removed from the table. Although rows can generally be distinguished based on decedent and incident characteristics, absence of row-level identification can potentially be problematic in instances when column attributes are similar. Thus, assigned ICJIA staff members will retain an internal version of the BJA reporting table that is an exact replica of the reporting table but with ICJIA identifier retained. The replica will be sorted identically to the official upload version, thus facilitating record identification.

At present, the ICJIA public website includes a public dashboard and data table that constitutes a good faith effort to comply with the Illinois Reporting of Deaths in Custody Act. Assigned ICJIA staff should review the public table and match contents as described in the public data dictionary.

 **Important Points** 

Federal and state reporting requirements differ. And, reporting does not include certain elements that are useful for project administration. Thus, separate data tables are created for reporting.

The separate data tables use the master data table as a starting point.

Reporting tables should be retained and clearly identified.

Auditing

Assigned ICJIA staff will engage in processes for identifying missing records and incorporating them into the master data table. Death in custody incidents are both newsworthy and relatively rare. As such, they may be reported in the media. Moreover, there are academic entities and advocacy groups that mine public sources for death in custody information, then organize the information for the public. Every quarter, coinciding with contacts to obtain new death in custody records, assigned ICJIA staff will seek unreported records through the following processes:

1. Conduct ad hoc internet searches, using the following terms: “officer shootings in Illinois”, “prison deaths in Illinois”, “jail deaths in Illinois”, “police custody deaths in Illinois.” Limit review of output to a logical point of diminishing returns, on the assumption that results are sorted by algorithmically derived relevance (e.g., a Google search that is automatically sorted by relevance from high to low).
2. The Cline Center for Advanced Social Research publishes a public dashboard on police use of lethal force in Illinois (see <https://clinecenter.illinois.edu/spotlite>). At present, the project leads are Scott Althaus (salthaus@illinois.edu) and Jay Jennings (jayjen@illinois.edu). Contact these individuals requesting their records pertaining to police use of lethal force resulting in fatalities.
3. Review individual Illinois records available at the Mapping Police Violence (<https://mappingpoliceviolence.org/>) website.
4. Review individual Illinois records available in the Washington Post Fatal Force database (<https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>).

On page 14, it was noted that the Bureau of Justice Assistance periodically audits Illinois death in custody records and sends reports to ICJIA. These reports list missing reports and ask that ICJIA submit the report to BJA. Every potentially missing report noted by BJA should be recorded in the update/audit table.

BJA audit lists will be responded to promptly. In addition, every BJA audit list will be retained indefinitely. The assigned ICJIA staff member will promptly acknowledge the request. The assigned ICJIA staff member will make an immediate effort to obtain the new report, even if the BJA request is made outside the quarterly timeline by which ICJIA requests new or updated records. This may constitute making a new request to a source agency or following up on an existing request (e.g., if ICJIA was already aware of the missing report through the process described in this section).

In some instances, information from missing reports may be publicly available. However, even if the report is publicly available, assigned ICJIA staff will not unilaterally enter the report in the master data file. All information that ICJIA provides to BJA or publishes on the ICJIA website will come directly from source agencies.

Aside from BJA audits, all output obtained from ICJIA-initiated searches will be retained indefinitely and organized on ICJIA servers. Output for each source is the following:

- Webpages identified in an ad hoc internet search that include content describing potential unreported death in custody incidents. The webpages will be saved locally using the most complete save option available (e.g., an option that retains as much of the page content and style as possible). There is no need to obtain all output from ad hoc internet searches. Save only content describing potential unreported incidents.
- In addition to saving webpages describing potential unreported incidents, retain a master file of URLs for the webpages. The local copy safeguards against page removal by the source. The URL safeguards against local copies losing content and style attributes, so long as the URL remains publicly available.
- Data tables obtained from the Cline Center for Advanced Social Research.
- Downloaded Illinois records available at Mapping Police Violence as a csv file.
- Downloaded records available through the Washington Post Fatal Force database GitHub site as a csv file. At present, there is a link to the GitHub site available directly from the database homepage.

Each audit output file will be named as follows:

- Prefix noting the audit source: GOOGLE, UIUC, MPV, WASHPOST.
- Source date as an eight number sequence (e.g., 01012023 for January 1, 2023). Source date context differs by audit source.
 - a. For ad hoc Google searches, use the date associated with the web content. For example, if the webpage is a news article, use the date indicated for the article.
 - b. For records from the Cline Center for Advanced Social Research, use the date of receipt.
 - c. For records from the Mapping Police Violence and Washington Post Fatal Force Database websites use the date the records were downloaded.
- Reporting quarter during which the record was obtained, e.g., Q1_2023.

Audit files will be manually cross-checked against the master data file. At present, there is no automated process for cross-checking audit output files against the master data table. When requesting records from the Cline Center for Advanced Studies or downloaded from the Mapping Police Violence and Washington Post Fatal Force Database websites there should be no date parameters. The audit output files should not be limited to records with an incident date since the previous audit. Instead, the entire data table should be obtained. This is because the source agencies may add older records to their Illinois data. For example, a record pertaining to a 2020 incident may be added to a data source in 2023.

Every potential unreported death in custody should be entered in the update/audit table. Here, the table serves purposes identical to those for updates. The table is used to create quarterly lists of agencies that must be contacted to request that previously unreported incidents be submitted. And, the table is used to document when new records are provided in response to audit requests.

Steps for requesting unreported records and incorporating new records in the master data table overlap with the update process on pages 13-14. Moreover, several of the processes are merged. For example, source agencies are simultaneously contacted about updates and potentially missing reports.

1. Following the audit process described in this section, each potential unreported death in custody report is recorded in the update/audit table.
2. The update/audit table is used to produce a list of potential unreported death in custody reports composed of unresolved omissions from previous quarters and new potential instances identified through the latest audit. This list is merged with any death in custody incidents that require updates as identified through the process described in *Data Maintenance* above.
3. The list is sent to the Illinois State Police Uniform Crime Reporting (ISP UCR) team. This team is responsible for administering arrest-related death reporting and, thus, should be notified that ICJIA will be contacting local and county law enforcement agencies to request updates and additions to information in the arrest-related death reporting module. As noted in the table on page 10, when updates or additions to information reported in the arrest-related death reporting module are required, ICJIA directs local and county law enforcement agencies to submit them via the module as opposed to providing information directly to ICJIA.
4. As needed, obtain email addresses for local and county law enforcement agencies from ISP UCR, as available in Uniform Crime Reporting administrative information.
5. Emails are sent to applicable source agencies on the list. ISP UCR is copied on every outgoing email sent to a local or county law enforcement agency pertaining to a death in custody incident that is eligible for inclusion in the arrest-related death reporting module. Emails are sent by the ICJIA Executive Director. Assigned ICJIA staff members will coordinate the process with the Executive Director's administrative staff. Email recipients will be advised on how to provide new or updated information to ICJIA (see the table on page 10).
6. Upon receipt, documents with new or updated information will be placed in a designated location and retained indefinitely.
7. The update/audit table includes columns indicating: (1) the file directory path for the source document, (2) the name of the source document. Upon receipt of new death in custody incident reports stemming from the audit process, these columns are completed. The columns make it possible to associate records in the update/audit table to the source document used to produce the record. For #2 (source file name), assigned ICJIA staff members should retain the original file name created by the source agency (or, in the case of updated information obtained through the ICJIA web-based reporting tool, a name assigned by ICJIA).
8. The update/audit table includes a column indicating the date the new report is received. This column is completed.

9. The new report is added to the master data table. The new record must include the following:
 - a. Completed source file directory path and source file name columns are completed.
 - b. The Source Context column will reflect that the record was obtained through an audit by recording either the “ICJIA audit” or “BJA audit” category.

Important Points

Every quarter, missing death in custody reports will be sought by obtaining potential omissions from three external sources and by conducting ad hoc internet searches.

Use the audit/update table to record potential omissions and incorporate requests for omitted records into the same process whereupon record updates are requested.

Appendix A

Full Text – State and Federal Death in Custody Reporting Requirements

Reporting of Deaths in Custody Act (730 ILCS 210)

(730 ILCS 210/3-1)

Sec. 3-1. Short title. This Article may be cited as the Reporting of Deaths in Custody Act. References in this Article to "this Act" mean this Article

(730 ILCS 210/3-5)

Sec. 3-5. Report of deaths of persons in custody in correctional institutions.

(a) In this Act, "law enforcement agency" includes each law enforcement entity within this State having the authority to arrest and detain persons suspected of, or charged with, committing a criminal offense, and each law enforcement entity that operates a lock up, jail, prison, or any other facility used to detain persons for legitimate law enforcement purposes

(b) In any case in which a person dies:

(1) while in the custody of:

- (A) a law enforcement agency;
- (B) a local or State correctional facility in this State; or
- (C) a peace officer; or

(2) as a result of the peace officer's use of force, the law enforcement agency shall investigate and report the death in writing to the Illinois Criminal Justice Information Authority, no later than 30 days after the date on which the person in custody or incarcerated died. The written report shall contain the following information:

- (A) the following facts concerning the death that are in the possession of the law enforcement agency in charge of the investigation and the correctional facility where the death occurred, race, age, gender, sexual orientation, and gender identity of the decedent, and a brief description of causes, contributing factors and the circumstances surrounding the death;
- (B) if the death occurred in custody, the report shall also include the jurisdiction, the law enforcement agency providing the investigation, and the local or State facility where the death occurred;
- (C) if the death occurred in custody the report shall also include if emergency care was requested by the law enforcement agency in response to any illness, injury, self-inflicted or otherwise, or other issue related to rapid deterioration of physical wellness or human subsistence, and details concerning emergency care that were provided to the decedent if emergency care was provided.

- (c) The law enforcement agency and the involved correctional administrators shall make a good faith effort to obtain all relevant facts and circumstances relevant to the death and include those in the report.
- (d) The Illinois Criminal Justice Information Authority shall create a standardized form to be used for the purpose of collecting information as described in subsection (b). The information shall comply with this Act and the federal Death in Custody Reporting Act of 2013.
- (e) Law enforcement agencies shall use the form described in subsection (d) to report all cases in which a person dies:
 - (1) while in the custody of:
 - (A) a law enforcement agency;
 - (B) a local or State correctional facility in this State; or
 - (C) a peace officer; or
 - (2) as a result of the peace officer's use of force.
- (f) The Illinois Criminal Justice Information Authority may determine the manner in which the form is transmitted from a law enforcement agency to the Illinois Criminal Justice Information Authority. All state agencies that collect similar records as required under this Act, including the Illinois State Police, Illinois Department of Corrections, and Illinois Department of Juvenile Justice, shall collaborate with the Illinois Criminal Justice and Information Authority to collect the information in this Act.
- (g) The reports shall be public records within the meaning of subsection (c) of Section 2 of the Freedom of Information Act and are open to public inspection, with the exception of any portion of the report that the Illinois Criminal Justice Information Authority determines is privileged or protected under Illinois or federal law.
- (g-5) The Illinois Criminal Justice Information Authority shall begin collecting this information by January 1, 2022. The reports and publications in subsections (h) and below shall begin by June 1, 2022.
- (h) The Illinois Criminal Justice Information Authority shall make available to the public information of all individual reports relating to deaths in custody through the Illinois Criminal Justice Information Authority's website to be updated on a quarterly basis.
- (i) The Illinois Criminal Justice Information Authority shall issue a public annual report tabulating and evaluating trends and information on deaths in custody, including, but not limited to:
 - (1) information regarding the race, gender, sexual orientation, and gender identity of the decedent; and a brief description of the circumstances surrounding the death;
 - (2) if the death occurred in custody, the report shall also include the jurisdiction, law enforcement agency providing the investigation, and local or State facility where the death occurred; and
 - (3) recommendations and State and local efforts underway to reduce deaths in custody.

The report shall be submitted to the Governor and General Assembly and made available to the public on the Illinois Criminal Justice Information Authority's website the first week of February of each year.

- (j) So that the State may oversee the healthcare provided to any person in the custody of each law enforcement agency within this State, provision of medical services to these persons, general care and treatment, and any other factors that may contribute to the death of any of these persons, the following information shall be made available to the public on the Illinois Criminal Justice Information Authority's website:
- (1) the number of deaths that occurred during the preceding calendar year;
 - (2) the known, or discoverable upon reasonable inquiry, causes and contributing factors of each of the in-custody deaths as defined in subsection (b); and
 - (3) the law enforcement agency's policies, procedures, and protocols related to:
 - (A) treatment of a person experiencing withdrawal from alcohol or substance use;
 - (B) the facility's provision, or lack of provision, of medications used to treat, mitigate, or address a person's symptoms; and
 - (C) notifying an inmate's next of kin after the inmate's in-custody death.
- (k) The family, next of kin, or any other person reasonably nominated by the decedent as an emergency contact shall be notified as soon as possible in a suitable manner giving an accurate factual account of the cause of death and circumstances surrounding the death in custody in accordance with State and federal law.
- (l) The law enforcement agency or correctional facility shall name a staff person to act as dedicated family liaison officer to be a point of contact for the family, to make and maintain contact with the family, to report ongoing developments and findings of investigations, and to provide information and practical support. If requested by the deceased's next of kin, the law enforcement agency or correctional facility shall arrange for a chaplain, counselor, or other suitable staff member to meet with the family and discuss any faith considerations or concerns. The family has a right to the medical records of a family member who has died in custody and these records shall be disclosed to them in accordance with State and federal law.
- (m) Each department shall assign an employee or employees to file reports under this Section. It is unlawful for a person who is required under this Section to investigate a death or file a report to fail to include in the report facts known or discovered in the investigation to the Illinois Criminal Justice Information Authority. A violation of this Section is a petty offense, with a fine not to exceed \$500.

Death in Custody Reporting Act of 2013 (34 USC § 60105)

§60105. State information regarding individuals who die in the custody of law enforcement

(a) In general

For each fiscal year after the expiration of the period specified in subsection (c)(1) in which a State receives funds for a program referred to in subsection (c)(2), the State shall report to the Attorney General, on a quarterly basis and pursuant to guidelines established by the Attorney General, information regarding the death of any person who is detained, under arrest, or is in the process of being arrested, is 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, any State or local contract facility, or other local or State correctional facility (including any juvenile facility).

(b) Information required

The report required by this section shall contain information that, at a minimum, includes-

- (1) the name, gender, race, ethnicity, and age of the deceased;
- (2) the date, time, and location of death;
- (3) the law enforcement agency that detained, arrested, or was in the process of arresting the deceased; and
- (4) a brief description of the circumstances surrounding the death.

(c) Compliance and ineligibility

(1) Compliance date

Each State shall have not more than 120 days from December 18, 2014, to comply with subsection (a), except that-

- (A) the Attorney General may grant an additional 120 days to a State that is making good faith efforts to comply with such subsection; and
- (B) the Attorney General shall waive the requirements of subsection (a) if compliance with such subsection by a State would be unconstitutional under the constitution of such State.

(2) Ineligibility for funds

For any fiscal year after the expiration of the period specified in paragraph (1), a State that fails to comply with subsection (a), shall, at the discretion of the Attorney General, be subject to not more than a 10-percent reduction of the funds that would otherwise be allocated for that fiscal year to the State under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.),¹ whether characterized as the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, the Local Government Law Enforcement Block Grants Program, the Edward Byrne Memorial Justice Assistance Grant Program, or otherwise.

(d) Reallocation

Amounts not allocated under a program referred to in subsection (c)(2) to a State for failure to fully comply with subsection (a) shall be reallocated under that program to States that have not failed to comply with such subsection.

(e) Definitions

In this section the terms "boot camp prison" and "State" have the meaning given those terms, respectively, in section 10251(a) of this title.

(f) Study and report of information relating to deaths in custody

(1) Study required

The Attorney General shall carry out a study of the information reported under subsection (b) and section 3(a) ¹ to-

(A) determine means by which such information can be used to reduce the number of such deaths;
and

(B) examine the relationship, if any, between the number of such deaths and the actions of management of such jails, prisons, and other specified facilities relating to such deaths.

(2) Report

Not later than 2 years after December 18, 2014, the Attorney General shall prepare and submit to Congress a report that contains the findings of the study required by paragraph (1).

Appendix B

State and Federal Death in Custody Definitions – Reporting Scope

Reporting of Deaths in Custody Act (730 ILCS 210/3-5(b)(1-2))

“All cases in which a person dies while in the custody of a law enforcement agency, a local or State correctional facility in this State, or a peace officer, or as a result of the peace officer’s use of force...”

Death in Custody Reporting Act of 2013 (34 USC § 60105(a))

“.....information regarding the death of any person who is detained, under arrest, or is in the process of being arrested, is 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, any State or local contract facility, or other local or State correctional facility (including any juvenile facility).”

Appendix C

State and Federal Death in Custody Reporting Elements

Both the state Reporting of Deaths in Custody Act and federal Death in Custody Reporting Act of 2013 list types of information that must be reported by law enforcement agencies. For example, both require that law enforcement agencies report the race, age, and gender of the deceased. However, neither Act provides detailed measurement specifications. For example, the Acts do not specify exact racial/ethnic categories that must be reported. However, the Bureau of Justice Assistance has created a death in custody reporting template that does include measurement details. In order to comply with federal reporting, states must provide records in the exact form specified in the template.

The table below shows the BJA reporting structure. Each unshaded row is an individual reporting element. For example, gender is composed of three categories: “male”, “female”, and “other”, each of which is a separate column in the BJA reporting table with binary yes/no data elements. Thus, when developing the BJA reporting table, there should be a column for each unshaded data element in the table. Instances when data elements are single categories in a larger reporting element (e.g., gender, race), the overall reporting element is shaded and categories are numbered.

Last Name
First Name
Middle Name
Gender
1. Male
2. Female
3. Other
Please specify other gender identity
Race (Select all that apply)
1. American Indian or Alaska Native
2. Asian
3. Black/African American
4. Native Hawaiian or Other Pacific Islander
5. White
6. Unknown
Ethnicity
1. Hispanic, Latino, or Spanish origin
2. Not of Hispanic, Latino, or Spanish origin
3. Unknown
Birth Year (YYYY) If unknown, please enter "9999"
Date of Death (MM-DD-YYYY)
Time of Death (24-hour clock HH:MM)
Location of Death
1. Location name
2. Street Address

3. City
4. State
5. Zip
If the event causing the death occurred in any of the following facilities
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 facilities)
7. None of the above
Please list the name of the department or agency that detained, arrested, or was in the process of arresting the deceased. (Agency Name)
Please indicate the manner of death (Mark only one)
1. Execution
2. Accident
3. Death attributed to use of force by a law enforcement or corrections officer
4. Homicide (e.g., an incident between two or more incarcerated individuals resulting in a death)
5. Natural causes
6. Suicide
7. Unavailable, investigation pending
If yes, please report the agency conducting the investigation and an approximate end date. When the investigation has concluded, please contact the PMT Help Desk to update this report.:
8. Other
If other, please explain:
Please 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 an incident, the location and characteristics of an incident, other context related to the death, etc.).

ICJIA has adopted a different data structure for public reporting, as required under the Reporting of Deaths in Custody Act. The differences are primarily intended to accommodate differences in state and federal reporting requirements. When creating the public data table, assigned ICJIA staff should refer to data dictionary published on the ICJIA website, available at:

<https://icjia.illinois.gov/researchhub/datasets/death-in-custody-reports/>

Appendix D

Illinois County Juvenile Detention Centers

Reportable death in custody incidents may occur within juvenile detention centers. However, the Illinois Department of Juvenile Justice (IDJJ) does not have jurisdiction over county juvenile detention centers. Thus, assigned ICJIA staff must contact each of the following organizations to request information on reportable incidents. The list was obtained from the IDJJ website. See IDJJ information on county juvenile detention centers available at:

<https://idjj.illinois.gov/facilities/county-detention-centers.html>

Adams County Juvenile Detention
Champaign County Detention
Cook County Juvenile Detention
Franklin County Juvenile Detention Center
Kane County Juvenile Detention Center
Mary Davis Detention Home
Hulse Detention Center – Lake County
LaSalle County Detention Home
Madison County Detention
McLean County Detention
Peoria County Detention Center
St. Clair County Detention
Sangamon County Custody/Services Division
River Valley Justice Center – Will County Juvenile Detention
Vermilion County Juvenile Detention
Winnebago County Juvenile Detention Center

Appendix E

Death in Custody Reporting Timeline

Task	Month											
	Jan 1	Feb 1	Mar 1	Apr 1	May 1	Jun 1	Jul 1	Aug 1	Sep 1	Oct 1	Nov 1	Dec 1
Contact source agencies for new reports												
Contact source agencies for updates												
Contact source agencies regarding potentially unreported incidents												
Upload BJA records												
Publish data on ICJIA website												
Publish annual report for prior year												