

Massachusetts' Death in Custody Reporting Act (DCRA) State Implementation Plan

DCRA Data Collection Infrastructure

State Death-in-Custody Law:

Massachusetts requires state and local agencies to report any death-in-custody to the Office of the Chief Medical Examiner (OCME) pursuant to G.L. c. 38, §3(7). The OCME will take jurisdiction pursuant to G.L. c. 38, §4. (Full text below):

1. [General Laws - Part I, Title VI, Chapter 38, Sections 3¹ and 4²](#):

Section 3: Duty to report deaths; failure to report; “It shall be the duty of any person having knowledge of a death which occurs under the circumstances enumerated in this paragraph immediately to notify the office of the chief medical examiner, or the medical examiner designated to the location where the death has occurred, of the known facts concerning the time, place, manner, circumstances and cause of such death:

- (1) death where criminal violence appears to have taken place, regardless of the time interval between the incident and death, and regardless of whether such violence appears to have been the immediate cause of death, or a contributory factor thereto;
- (2) death by accident or unintentional injury, regardless of time interval between the incident and death, and regardless of whether such injury appears to have been the immediate cause of death, or a contributory factor thereto
- (3) suicide, regardless of the time interval between the incident and death;
- (4) death under suspicious or unusual circumstances;
- (5) death following an unlawful abortion;
- (6) death related to occupational illness or injury;
- (7) death in custody, in any jail or correctional facility, or in any mental health or mental retardation institution;
- (8) death where suspicion of abuse of a child, family or household member, elder person or disabled person exists;
- (9) death due to poison or acute or chronic use of drugs or alcohol;
- (10) skeletal remains;
- (11) death associated with diagnostic or therapeutic procedures;
- (12) sudden death when the decedent was in apparent good health;

¹ <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVI/Chapter38/Section3>

² <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVI/Chapter38/Section4>

- (13) death in any public or private conveyance;
- (14) fetal death, as defined in section 202 of chapter 111, where the period of gestation has been 20 weeks or more or where fetal weight is 350 grams or more;
- (15) death of children under the age of 18 years from any cause;
- (16) any person found dead;
- (17) death in an emergency treatment facility, medical walk-in center, child care center or under foster care; or
- (18) deaths occurring under such other circumstances as the chief medical examiner shall prescribe in regulations promulgated pursuant to chapter 30A.

Section 4: Investigation; transportation of bodies. “Upon notification of a death in the circumstances enumerated in section three, the chief medical examiner or his designee shall carefully inquire into the cause and circumstances of the death. In carrying out the duties prescribed by this section, the chief medical examiner or his designee shall be entitled to review and receive copies of medical records, hospital records, or information which he deems relevant to establishing the cause and manner of death.”

2. [General Laws - Part I, Title VII, Chapter 40, Section 36A](#)³:

Report of death or suicide of lockup inmates; records of attempts at, or threats of, suicide; “Whenever a person is in police custody and commits suicide or dies at a lockup facility established pursuant to the provisions of section thirty-four of chapter forty, or under the jurisdiction of the metropolitan police, or whenever a person in police custody inflicts self-injury at a lockup facility which subsequently results in his death, the officer in charge of the lockup facility shall make a report of such incident, identifying the deceased and describing the circumstances of such death. One copy of said report shall be sent, within seven days of such death, together with copies of any incident pertaining thereto to the medical examiner's office in the county wherein such incident occurred, and one copy of said report shall be retained in the lockup files. Said report shall be in addition to the requirement of notification pursuant to section six of chapter thirty-eight.⁴”

Under the federal change to reporting, law enforcement agencies report deaths in custody to the OCME rather than directly to the DOJ. In addition, sheriffs no longer file reports on inmates who die at the hospital; rather, the hospitals report to the OCME.

Reporting Universe:

There are 344 Municipal Police Departments, 59 College/University Law Enforcement Agencies, 24 County Houses of Correction and Jails, 17 MA State Prisons, and 5 State Agencies with arrest powers or a lock-up facility in MA (see Appendix).

Non-Participating Agencies:

There are no known agencies that are not actively participating in DCRA data collection.

³ <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40/Section36A>

⁴ G.L. c. 40, §36A references c. 38, §6, but should reference c. 38, §3(7).

TTA Provision:

MA legislation requires hospitals to report a death to the OCME if the decedent was still in custody when he/she died in the hospital. There have been occasions where the reporter of the death at the hospital did not know or did not inform the OCME that the decedent was an inmate. To address this, the OCME is always educating and reeducating facilities on reporting requirements, but there is no formal education or training that is routinely provided. The Chief of Investigations at OCME holds reporting requirement trainings at healthcare facilities on an as-needed basis.

Data Collection Methods

Data Collection Responsibility:

The Research and Policy Analysis Division (RPAD)⁵ is tasked with collecting, validating, and reporting DCRA data. The OCME assists RPAD in obtaining data on deaths in custody.

Data Collection Procedures and Tools:

Any person reporting a death to the OCME should report such deaths to the OCME Case Intake Department. Depending on the type of reporting department, the following information is collected:

Law Enforcement:

- Caller's name, rank, contact number, and law enforcement agency
- Location, Date, and Time of the death
- Circumstances of the injury or death
- If the deceased has decomposed
- If reporting from a local police department, whether the state police detective unit was notified
- The deceased's name, date of birth, address, closest legal living relative, medical history (if known)

Hospitals, Nursing Homes, and State Facilities:

- Caller's name, title, contact number, and name of the facility
- Name and title of the person who pronounced the death
- Date and Time of the death
- The circumstances of the death, including anything significant that may have contributed to the death, such as a fall or medical procedure
- The medical record number and the name of the attending physician
- The name of the primary care physician

⁵ The Research and Policy Analysis Division (RPAD) acts as the Statistical Analysis Center for Massachusetts. RPAD is housed within the Office of Grants and Research (OGR), a division of the Massachusetts Executive Office of Public Safety and Security (EOPSS).

- The deceased's name, date of birth, address, closest legal living relative, and prior medical history (if known)
- The staff transporting the deceased should be provided with: copies of the medical record, emergency department report, admission and discharge summary, laboratory and diagnostic reports, and admission blood. Any reports that are unavailable at the time of transport should be sent to the OCME.

The above information, and any investigative reports of the death, are added to the Case Management and Tracking System (CMTS) used by the OCME. This electronic database contains comprehensive case data including, but not limited to, Death Notification Reports, medical records, and investigative reports. OCME staff review daily rosters, which come from the intake reports, to identify the deaths in custody. OCME staff conduct a daily search of the CMTS using search terms that include: cell, chase, corrections/correctional, custody, facility, GSW, incarcerated, inmate, involved, jail, law enforcement, prison, prisoner, pursuit, shot, and shooting. The search terms have been expanded based on previous cases that were not found in the initial database search due to a missing key word. When a case applicable to DCRA is found, it is marked by OCME staff to be included in the DCRA quarterly report.

Prior to the end of the quarter, a Senior Research Analyst from RPAD sends the OCME a reminder email with the BJA DCRA excel form and DCRA codebook attached. At the end of the quarter, OCME staff complete the DCRA excel form using the information obtained from the CMTS. Because cases in the CMTS are being continuously updated, the form is completed at the end of the quarter to ensure the most accurate and up-to-date information is reported. The DCRA excel form and accompanying Death Notification Reports are sent to RPAD for review.

Data Collection Tools:

- OCME's Case Management and Tracking System
- BJA's DCRA Excel Form

Defining Challenges:

1. It is the responsibility of the agency to report the death to the OCME. If a death is not reported, the OCME may not be aware of the death.
2. A manual review of the daily OCME case rosters using key search terms is time-consuming and there is a potential for cases to be missed.
3. The amount and quality of information being reported varies across agencies and agency types. The information can also be dependent on who is familiar with reporting.
4. Agencies may have issues defining what constitutes a death in custody. The OCME has to determine whether a death is a death in custody using the available information.

Overcoming Challenges:

1. The Chief of Investigations at the OCME holds trainings at healthcare facilities on an as-needed basis to familiarize staff with reporting requirements.

2. The list of key search terms has been expanded over time in an attempt to include all applicable cases. We will continue to update and improve these key search terms.
3. RPAD conducts web searches to check for any unreported cases.
4. The OCME Intake Department is trained to ask questions in order to obtain the correct information from reporters.
5. The OCME Intake Department assists agencies in determining whether a death should be reported as a death in custody.

Reporting Data to BJA

Reporting Data:

A Senior Research Analyst from RPAD submits DCRA data quarterly using the data import feature in the Performance Measurement Tool (PMT).

Quality Assurance:

An RPAD Senior Research Analyst checks the DCRA excel form against the Death Notification Reports sent by the OCME to verify accuracy. If inconsistencies are found, the Senior Research Analyst discusses any issues or questions with the OCME and corrects the form. In addition, the Senior Research Analyst conducts web searches to check that no DCRA applicable cases were missed. The websites utilized include the District Attorney websites for each MA county and the Washington Post Police Shootings Database.

Records Pending Investigation:

RPAD utilizes Tableau Prep to aggregate quarterly DCRA reports into a single file. A 'flow' was created in Tableau Prep to identify records that are open or pending investigation for cause of death. When this flow is run, an excel file output is created containing all open or pending cases. An RPAD Senior Research Analyst sends the Pending Investigation excel file to the OCME quarterly so they can provide any updates for open records. RPAD is responsible for reporting updates to records in PMT.

Appendix A
Law Enforcement Agencies and Facilities in Massachusetts

Municipal Agencies

Abington Police Department	Bridgewater Police Department
Acton Police Department	Brimfield Police Department
Acushnet Police Department	Brockton Police Department
Adams Police Department	Brookfield Police Department
Agawam Police Department	Brookline Police Department
Alford Police Department	Buckland Police Department
Andover Police Department	Burlington Police Department
Amesbury Police Department	Cambridge Police Department
Amherst Police Department	Canton Police Department
Arlington Police Department	Carlisle Police Department
Ashburnham Police Department	Carver Police Department
Ashby Police Department	Charlemont Police Department
Ashfield Police Department	Charlton Police Department
Ashland Police Department	Chatham Police Department
Aquinnah Police Department	Chelmsford Police Department
Athol Police Department	Chelsea Police Department
Attleboro Police Department	Cheshire Police Department
Auburn Police Department	Chester Police Department
Avon Police Department	Chesterfield Police Department
Ayer Police Department	Chicopee Police Department
Barnstable Police Department	Chilmark Police Department
Barre Police Department	Clarksburg Police Department
Becket Police Department	Clinton Police Department
Bedford Police Department	Cohasset Police Department
Belchertown Police Department	Colrain Police Department
Bellingham Police Department	Concord Police Department
Belmont Police Department	Conway Police Department
Berkley Police Department	Cummington Police Department
Berlin Police Department	Dalton Police Department
Bernardston Police Department	Danvers Police Department
Beverly Police Department	Dartmouth Police Department
Billerica Police Department	Dedham Police Department
Blackstone Police Department	Deerfield Police Department
Blandford Police Department	Dennis Police Department
Bolton Police Department	Dighton Police Department
Boston Police Department	Douglas Police Department
Bourne Police Department	Dover Police Department
Boxborough Police Department	Dracut Police Department
Boxford Police Department	Dudley Police Department
Boylston Police Department	Dunstable Police Department
Braintree Police Department	Duxbury Police Department
Brewster Police Department	East Bridgewater Police Department

East Brookfield Police Department
East Longmeadow Police Department
Eastham Police Department
Easthampton Police Department
Easton Police Department
Edgartown Police Department
Egremont Police Department
Erving Police Department
Essex Police Department
Everett Police Department
Fairhaven Police Department
Fall River Police Department
Falmouth Police Department
Fitchburg Police Department
Foxborough Police Department
Framingham Police Department
Franklin Police Department
Freetown Police Department
Gardner Police Department
Georgetown Police Department
Gill Police Department
Gloucester Police Department
Goshen Police Department
Gosnold Police Department
Grafton Police Department
Granby Police Department
Granville Police Department
Great Barrington Police Department
Greenfield Police Department
Groton Police Department
Hadley Police Department
Halifax Police Department
Hamilton Police Department
Hampden Police Department
Hancock Police Department
Hanover Police Department
Hanson Police Department
Hardwick Police Department
Harvard Police Department
Harwich Police Department
Hatfield Police Department
Haverhill Police Department
Hawley Police Department
Heath Police Department
Hingham Police Department
Hinsdale Police Department

Holbrook Police Department
Holden Police Department
Holland Police Department
Holliston Police Department
Holyoke Police Department
Hopedale Police Department
Hopkinton Police Department
Hubbardston Police Department
Hudson Police Department
Hull Police Department
Huntington Police Department
Ipswich Police Department
Kingston Police Department
Lancaster Police Department
Lanesborough Police Department
Lakeville Police Department
Lawrence Police Department
Lee Police Department
Leicester Police Department
Lenox Police Department
Leominster Police Department
Leverett Police Department
Lexington Police Department
Leyden Police Department
Lincoln Police Department
Littleton Police Department
Longmeadow Police Department
Lowell Police Department
Ludlow Police Department
Lunenburg Police Department
Lynn Police Department
Lynnfield Police Department
Malden Police Department
Manchester-by-the-Sea Police Department
Mansfield Police Department
Marion Police Department
Marblehead Police Department
Marlborough Police Department
Marshfield Police Department
Mashpee Police Department
Mattapoisett Police Department
Maynard Police Department
Medfield Police Department
Medford Police Department
Medway Police Department
Melrose Police Department

Mendon Police Department
Merrimac Police Department
Methuen Police Department
Middleborough Police Department
Middlefield Police Department
Middleton Police Department
Milford Police Department
Millbury Police Department
Millis Police Department
Milleville Police Department
Milton Police Department
Monson Police Department
Montague Police Department
Monterey Police Department
Nahant Police Department
Nantucket Police Department
Natick Police Department
Needham Police Department
New Bedford Police Department
New Braintree Police Department
New Marlborough Police Department
New Salem Police Department
Newbury Police Department
Newburyport Police Department
Newton Police Department
Norfolk Police Department
North Adams Police Department
North Andover Police Department
North Attleborough Police Department
North Brookfield Police Department
North Reading Police Department
Northampton Police Department
Northborough Police Department
Northbridge Police Department
Northfield Police Department
Norton Police Department
Norwell Police Department
Norwood Police Department
Oak Bluffs Police Department
Oakham Police Department
Orange Police Department
Orleans Police Department
Otis Police Department
Oxford Police Department
Palmer Police Department
Paxton Police Department

Peabody Police Department
Pepperell Police Department
Pelham Police Department
Pembroke Police Department
Peru Police Department
Petersham Police Department
Phillipston Police Department
Pittsfield Police Department
Plainfield Police Department
Plainville Police Department
Plymouth Police Department
Plympton Police Department
Princeton Police Department
Provincetown Police Department
Quincy Police Department
Raynham Police Department
Randolph Police Department
Reading Police Department
Rehoboth Police Department
Revere Police Department
Richmond Police Department
Rochester Police Department
Rockland Police Department
Rockport Police Department
Rowe Police Department
Rowley Police Department
Royalston Police Department
Russell Police Department
Rutland Police Department
Salem Police Department
Salisbury Police Department
Sandisfield Police Department
Sandwich Police Department
Saugus Police Department
Savoy Police Department
Scituate Police Department
Seekonk Police Department
Sharon Police Department
Sheffield Police Department
Shelburne Police Department
Sherborne Police Department
Shirley Police Department
Shrewsbury Police Department
Shutesbury Police Department
Somerset Police Department
Somerville Police Department

South Hadley Police Department
Southborough Police Department
Southbridge Police Department
Southampton Police Department
Southwick Police Department
Spencer Police Department
Springfield Police Department
Sterling Police Department
Stockbridge Police Department
Stoneham Police Department
Stoughton Police Department
Stow Police Department
Sturbridge Police Department
Sudbury Police Department
Sutton Police Department
Swansea Police Department
Swampscott Police Department
Taunton Police Department
Templeton Police Department
Tewksbury Police Department
Tisbury Police Department
Tolland Police Department
Topsfield Police Department
Townsend Police Department
Truro Police Department
Tynsborough Police Department
Tyringham Police Department
Upton Police Department
Uxbridge Police Department
Wakefield Police Department
Wales Police Department
Walpole Police Department
Waltham Police Department
Ware Police Department
Wareham Police Department
Warren Police Department
Warwick Police Department
Washington Police Department
Watertown Police Department

Wayland Police Department
Webster Police Department
Wellesley Police Department
Wellfleet Police Department
Wendell Police Department
Wenham Police Department
West Boylston Police Department
West Bridgewater Police Department
West Brookfield Police Department
West Newbury Police Department
West Springfield Police Department
West Stockbridge Police Department
West Tisbury Police Department
Westborough Police Department
Westhampton Police Department
Westfield Police Department
Westford Police Department
Westminster Police Department
Westport Police Department
Weston Police Department
Westwood Police Department
Weymouth Police Department
Whately Police Department
Whitman Police Department
Wilbraham Police Department
Williamsburg Police Department
Williamstown Police Department
Wilmington Police Department
Winchendon Police Department
Winchester Police Department
Windsor Police Department
Winthrop Police Department
Woburn Police Department
Worcester Police Department
Worthington Police Department
Wrentham Police Department
Yarmouth Police Department

State Agencies

Alcoholic Beverages Control Commission Enforcement Division
MA Environmental Police
MA State Police
MA DOC
Trial Court Security Department

State Prisons (Department of Corrections)

Boston Pre-Release Center	MCI-Norfolk
Bridgewater State Hospital	MCI-Shirley
CFI County/Fed/Interstate	North Central Correctional Institution
Lemuel Shattuck Hospital Correctional Unit	Northeastern Correctional Center
MASAC at Plymouth	Old Colony Correctional Center
Massachusetts Treatment Center	Pondville Correctional Center
MCI Cedar Junction	South Middlesex Correctional Center
MCI-Concord	Souza-Baranowski Correctional Center
MCI-Framingham	

County Houses of Correction and Jails

Ash Street Jail and Regional Lock-Up/New Bedford Jail (Bristol County)
Barnstable County Correctional Facility
Berkshire County Jail and House of Correction
Bristol County House of Correction and Jail (Dartmouth Facility)
Bristol County Sheriff's Office Women's Center
Dukes County Jail, House of Correction, and Regional Lock-Up
Essex County Correctional Facility/Middleton House of Correction
Essex County Pre-release and Reentry Center/ECPRC
Franklin County Jail and House of Correction
Hampden County Jail and House of Correction (Main Institution)
Hampden County Pre-Release Center
Hampshire County Jail and House of Correction
Middlesex Jail and House of Correction
The Middlesex Sheriff's Office Women's Pre-Release Center
Nantucket County Jail
Nashua Street Jail (Suffolk County)
Norfolk County Correctional Center and Jail
Plymouth County Correctional Facility
South Bay House of Correction/Suffolk County House of Correction
Stonybrook Stabilization and Treatment Centers – Ludlow (Hampden County)
Stonybrook Stabilization and Treatment Centers - Springfield (Hampden County)
Western Massachusetts Recovery and Wellness Center – Springfield (Hampden)
Western Massachusetts Regional Women's Correctional Center/WCC (Hampden)
Women in Transition/WIT (Essex County)
Worcester County Jail and House of Correction

College/University Agencies

American International College Police Department
Amherst College Police Department
Assumption College Department of Public Safety
Babson College Department of Public Safety
Bay Path University Department of Campus Public Safety
Becker College Police Department
Bentley University Police Department
Berklee Public Safety Department
Boston College Police Department
Boston University Police Department
Brandeis University Police Department
Bridgewater State University Police Department
Bristol Community College Police Department
Bunker Hill Community College Police Department
Cape Cod Community College Police Department
Clark University Police Department
Curry College Department of Public Safety
College of the Holy Cross Public Safety
Emerson College Police Department
Fisher College Police Department
Fitchburg State University Police Department
Framingham State University Police Department
Greenfield Community College Office of Public Safety
Harvard University Police Department
Holyoke Community College Police Department
Lasell College Police Department
Massachusetts Bay Community College Campus Police Department
Massachusetts College of Art & Design Police Department
Massachusetts College of Liberal Arts Department of Public Safety
Massachusetts Institute of Technology Police Department
Massasoit Community College Police Department
Massachusetts College of Pharmacy and Health Services Public Safety Department
Merrimack College Police Department
Middlesex County College Police Department
Mount Holyoke College Campus Police Department
Mount Wachusett Community College Campus Police Department
Northeastern University Police Department
North Shore Community College Campus Police Department
Quinsigamond Community College Police Department
Salem State University Police Department
Simmons University Police Department
Smith College Campus Police Department
Springfield College Department of Public Safety
Springfield Technical Community College Police Department
Stonehill College Police Department

Suffolk University Police and Security Department
Tufts University Police Department
University of Massachusetts, Amherst Police Department
University of Massachusetts, Boston Police Department
University of Massachusetts, Dartmouth Police Department
University of Massachusetts, Lowell Police Department
University of Massachusetts Chan Medical School Police Department
Wellesley College Campus Police Department
Wentworth Institute of Technology Public Safety Department
Western New England University Department of Public Safety
Westfield State University Police Department
Wheaton College Public Safety Department
Worcester Polytechnic Institute Police Department
Worcester State University Police Department