



**GOVERNOR'S OFFICE OF
CRIME PREVENTION, YOUTH,
AND VICTIM SERVICES**

Maryland's 2023 DCRA State Implementation Plan

Death in Custody Reporting Act (DCRA); Public Law 113-242

Submitted by:

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Introduction

The Death in Custody Reporting Act (DCRA; Public Law 113-242) requires each State Administering Agency to report information to the Attorney General on a quarterly basis as it relates to the death of any person who is detained, under arrest, in the process of being arrested, en route to be incarcerated, or 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 correctional facility, or other local or state correctional facility (including any juvenile facility). It also requires each State Administering Agency to collect data from state and local entities, to include law enforcement agencies, local jails, correctional institutions, medical examiners, and other state agencies. Each quarter, states must: (1) report all deaths in custody that occurred in their jurisdictions during the corresponding quarter and provide basic information about the circumstances of those deaths; or (2) affirm that no deaths in custody occurred in their jurisdictions during the reporting period. Furthermore, states must answer specific questions related to the deaths in custody in the Bureau of Justice Assistance's (BJA's) Performance Measurement Tool (PMT) and submit the information by April 30, July 30, October 30, and January 30 of each year.

To ensure compliance with DCRA, BJA requires State Administering Agencies to submit a plan for DCRA data collection and reporting as part of its Edward Byrne Memorial Justice Assistance Grant (JAG) solicitation response. It also requires State Administering Agencies to have policies and procedures in place as well as agreements with state and local agencies to ensure complete decedent records are reported in a timely manner.

DCRA Implementation Plan

As required by JAG reporting, *Maryland's FFY 2023 DCRA State Implementation Plan* includes information pertaining to the data collection infrastructure, data collection methods, and data reporting methods.

Data Collection Infrastructure

The Governor's Office of Crime Prevention, Youth, and Victim Services (Office), Maryland's State Administering Agency, worked with State and local entities to identify current efforts, and to develop and implement a data collection infrastructure (*as described below*). In addition, and to ensure compliance with federal and State laws and regulations, the Office will collect DCRA data in accordance with [45 CFR § 160.103](#), [§ 3-8A-27 of the Courts and Judicial Proceedings Article](#), and other applicable laws and regulations that protect the information collected under the Act.

Does your state have a death-in-custody reporting law, requiring state and local agencies to report the related data to a state entity? **Yes. Please refer to the information below.**

Chapter 134 of 2015 (House Bill 954) requires local law enforcement agencies to provide the Office with information, from the previous calendar year, about each officer-involved death and death in the line of duty that involved a law enforcement officer employed by the agency.¹ Specifically, the Act requires agencies to provide the information on or before March 1 of each year, as it relates to (at a minimum):

- The age, gender, ethnicity, and race of a deceased individual;
- The age, gender, ethnicity, and race of the officer involved;
- A brief description of the circumstances surrounding the death;
- The date, time, and location of the death; and
- The law enforcement agency of the officer who:
 - Died, if the incident involved an officer who died in the line of duty; or
 - Detained, arrested, or was in the process of arresting the deceased, if the incident involved an officer-involved death.

Furthermore, and in accordance with § 3-507(e) of the Public Safety Article, the Office shall make an annual report on the incidence of officer-involved deaths and deaths in the line of duty in the State to the General Assembly by June 30 of each year. For more information, please refer to the Office's website at: goccp.maryland.gov/crime-statistics/law-enforcement-reports/deaths-involving-law-enforcement/.

How many non-federal law enforcement agencies, municipal or county jails or lockup facilities, state or contract prisons, or state-run/contract boot camp facilities are in your state? **There are approximately 192 agencies in Maryland.**

Are there any agencies that are not actively participating in your state's DCRA data collection? **Yes. There are approximately 190 agencies not actively participating in the Office's DCRA data collection; however, all law enforcement agencies are complying with the State requirement. The two agencies that are actively participating in DCRA data collection are the Department of Public Safety and Correctional Services (DPSCS) and Office of the Chief Medical Examiner (OCME). Although law enforcement agencies are submitting data to our office for cases pertaining to deaths involving a law enforcement officer as part of the State reporting requirement, this data has not previously been added to our quarterly DCRA submissions in BJA's PMT system - for this reason, it was not captured in our totals. Though some local correctional facilities have submitted DCRA data directly in BJA's PMT system, training will be scheduled to ensure all law enforcement, local correctional facilities, juveniles facilities, etc. are aware of this reporting requirement.**

If agencies are not actively participating in your state's DCRA data collection, establish lines of communication and encourage non-reporting entities to start reporting. **Please refer to the information below.**

¹ Maryland General Assembly. (2015). *Chapter 134 of 2015 (House Bill 954), Public Safety - Deaths Involving a Law Enforcement Officer - Reports*. <https://mgaleg.maryland.gov/2015RS/bills/hb/hb0954E.pdf>

On May 25, 2023, the Office emailed law enforcement agencies and correctional administrators to request a point of contact for each agency for DCRA reporting. As of July 18, 2023, the Office received contact information from 52 law enforcement agencies and correctional facilities (*as illustrated on the following page*). Given the low response rate, the Office sent a follow-up email on July 19, 2023, to request a DCRA representative for the remaining 138 agencies. As of August 23, 2023, the Office has received contact information from an additional twenty-five agencies, making for a total of 77. Once all representatives are identified, the Office will host a training session on the collection and submission of DCRA data to ensure compliance with this requirement. In addition, and to maximize efficiency, the Office is working to create a specific email account for agencies to submit their DCRA data each quarter. This email account will also allow designated staff of the Maryland Statistical Analysis Center (MSAC) to access DCRA data and compile it, as required, for submission in BJA’s PMT by the Office’s Grants Administration team.

Point of Contact Information Received from Law Enforcement Agencies and Correctional Facilities	
Allegany County Sheriff's Office - Detention Center	Maryland Department of State Police
Amtrak Police Department - Mid Atlantic South Division - Baltimore	Maryland Department of State Police - Barrack "N" Rockville
Anne Arundel County Police Department	Maryland State Police
Anne Arundel County Sheriff's Office	Maryland State Police - Barrack B Frederick
Baltimore County Police Department	Maryland State Police - Leonardtown Barrack
Baltimore County Police Department - Crimes Against Children Unit	Maryland State Police - McHenry Barrack
Berlin Police Department	Maryland State Police -JFK Memorial Highway Barrack "M"
Carroll County	Maryland Transportation Authority Police
Carroll County Detention Center	Montgomery County Department of Correction and Rehabilitation
Carroll County Sheriff's Office	Montgomery County Department of Police
Charles County Detention Center	North East Police Department
Chestertown Police Department	Ocean Pines Police Department
City of Bowie Police Department	Prince George’s County Police Department’s- Beltsville Division VI Station
City of Hyattsville Police Department	Prince George's Community College Police Department
Cumberland Police Department	Prince George's County
Dorchester County Sheriff's Office	Salisbury Police Department
Elkton Police Department	Somerset County Sheriff's Office
Frederick County Detention Center	St. Mary's County Sheriff's Office
Frederick Police Department	Sykesville Police Department
Frostburg State University Police	Taneytown Police Department
Garrett County Detention Center	Thurmont Police Department
Greensboro Police Department	UMBC Police Department
Harford County Sheriff's Office	University of Maryland, Baltimore Police Department
Havre de Grace Police Department	Washington County Police Department
Howard County	Westminster Police Department
Hurlock Police Department	Wicomico County Department of Corrections

Do you provide training or technical assistance (TTA) to assist state and local agencies with reporting DCRA data? This will occur in the near future (as described below).

The Office will host a virtual training session on the collection and submission of DCRA data to ensure the State remains compliant with this requirement. Given the BJA's recent *Death in Custody Reporting Act (DCRA): State Implementation Plan* training, which occurred on June 14, 2023, the Office intends to use the provided information to create a training for State and local entities to provide guidance on the collection of the data, as required by Public Law 113-242. The virtual training is projected to occur in the calendar year 2023, in which all designated points of contact for DCRA data collection will be invited. This virtual training will be recorded to accommodate individuals with other obligations, which will be placed on the Office's website to increase accessibility and visibility.

Do you need TTA from BJA as it relates to complying with the requirements of DCRA? This is to be determined.

The Office is in the process of developing policies and procedures, and will institute agreements with State and local agencies to ensure complete decedent records are reported in a timely manner.

Data Collection Methods

The Office is working with State and local entities to improve existing data collection methods (as described below).

Who within your agency is responsible for DCRA data collection from state/local agencies? MSAC, located within the Office, is responsible for collecting and securely archiving all DCRA data.

Examine your methods for collecting reportable death data from each type of reporting entity (e.g., local law enforcement, local jails/lockup, and state correctional institutions). Please refer to the information below.

Reporting entities submit DCRA data, in the form of an Excel spreadsheet, to MSAC on a quarterly basis to comply with Public Law 113-242. Once received, MSAC manually compiles the data into a master Excel spreadsheet in preparation for its submission in BJA's PMT by the Office's Grants Administration team. MSAC will continue to collect DCRA data from reporting entities, and combine the data on a quarterly basis using the provided template.

What challenges does your state face in collecting and reporting DCRA data? What can be done to overcome those challenges? The Office manually compiles all DCRA data to ensure compliance with this requirement (as described below).

The Office currently lacks access to a sophisticated data collection tool beyond Excel spreadsheets and SurveyMonkey. MSAC aims to overcome this challenge by exploring sophisticated software options

that will allow for an automated data collection method, as well as encryption of said data for enhanced security, as mandated by [45 CFR § 160.103](#). At this time, the Office is actively in the process of software procurement, comparing options, and anticipates acquiring appropriate software by the end of calendar year 2023. In the meantime, and until a software option is procured, developed, and implemented for statewide use, the Office will continue to create a designated email account for agencies to directly submit their data to.

What data collection tools does your state use for DCRA data (e.g., spreadsheets, administrative records, data systems, etc.)? All DCRA data is collected through Excel spreadsheets (as described below).

At this time, the Office uses Excel spreadsheets to collect and compile all DCRA data submitted by respective agencies. If any information is missing, the point of contact for that agency is contacted to inquire about the information. If the point of contact is unable to provide the necessary information, the Office of Chief Medical Examiner will be contacted, followed by a search of local news and obituaries to gather the missing information. As explained above, the Office intends to expedite the collection method by implementing an automated process in the future.

Data Reporting Methods

The Office works with State and local entities to enhance data reporting methods (as described below).

How is DCRA data reported to BJA (e.g., manual data entry in the Performance Measurement Tool [PMT] or the data import feature in the PMT)? The manual data entry and data import feature are used within the BJA PMT system (as described below).

The Office currently uses both the manual data entry and import feature within the BJA PMT system. On a quarterly basis, the data import feature is utilized using the Death in Custody template. By the end of each reporting period, the Office's Grant Administration team, in collaboration with MSAC, compiles the data received from external entities for DCRA PMT submission.

Throughout the award period, the manual PMT data entry feature is utilized to provide updated information and/or corrected information for BJA verification requests.

For each reporting period:

- External entities are expected to have all quarterly DCRA data to the Office within 15 days after the end of a quarter (July 15, October 15, January 15, and April 15).
- All DCRA entries will be submitted in the BJA PMT system within 30 days after the end of the quarter (July 30, October 30, January 30, and April 30).

Does your agency have a process for reviewing and cleaning records prior to submission to BJA? Yes. Please refer to the information below.

When compiling data submitted by correctional facilities and law enforcement agencies each quarter, MSAC files the raw submitted data separate from the active working file where data is manually cleaned and formatted. Cleaning procedures include: checking for duplicate cases, missing data, and/or typos in data entry. Once the data is cleaned and combined into a working file, it is saved separately from the raw, submitted data files, then submitted to BJA.

Does your agency have a process for tracking and updating the status of records that are open or pending investigation? Yes. Please refer to the information below.

Until a sophisticated data collection system is implemented, the Office will continue to update records by flagging any and all cases marked as ‘pending’ or ‘open investigation’ each quarter. Once cases are flagged, the Office will then reach out to the relevant point of contact at the start of the next reporting quarter to confirm if any cases need to be updated from any prior reporting cycle. If an update is not needed, the case will be left as is. However, if there is a change in a case marked as ‘pending’ or ‘open investigation,’ the status of the case will be retroactively adjusted by MSAC in the working data file. Any such updates will be reported to BJA.

Conclusion

In accordance with Public Law 113-242, the Office will continue to work with law enforcement agencies, local jails, correctional institutions, medical examiners, and other State agencies to ensure all required information is received and submitted to BJA’s PMT on a quarterly basis. The Office will also work with State and local entities to develop and implement a quality DCRA State Implementation Plan, to include information pertaining to the data collection infrastructure, data collection methods, and data reporting methods. The next report, *Maryland’s 2024 DCRA State Implementation Plan*, will provide more information relating to the data collection infrastructure, data collection methods, and data reporting methods.