



## **Death in Custody Reporting Act**

### **Data Collection Plan for Mississippi**

The Mississippi Division of Public Safety Planning operates within the Department of Public Safety and is the State Administering Agency for JAG. Mississippi does not have a current death in custody law that mandates law enforcement agencies to report their deaths in custody.

There are 364 law enforcement agencies documented in the state of Mississippi which consists of state agencies, police departments, sheriff offices, colleges and universities, school district agencies, and airport authority police departments. These agencies would be required, where applicable, to submit incident report forms quarterly to the DPSP.

- 336- Law Enforcement Agencies
- 6- State Prisons
- 20 -Juvenile Correctional Facilities
- 2- Private State Correctional Facilities

The local and county law enforcement agencies are not actively participating in the death in custody reporting requirement and when reminded to do so, the lack of understanding of the death in custody federal law results in a failure to report. Knowing the barriers surrounding the local and county law enforcement agencies a plan is being developed:

- Hire & Train - JAG Program staff to assist with Death in Custody reporting (A request has been sent to DPS Human Resources to start the process)

- Sending out mass communication and the DCRA fillable form by email to all local and county law enforcement agencies about the quarterly reporting and the importance of completing the requirements for their city or county.
- Collaborating with the Mississippi Department of Corrections to help plan and implement a Death in Custody reporting in-person class or virtual meetings for all agencies that need a better understanding on what's considered a death in custody and how to complete the forms.
- Quarterly email reminders to all agencies that have not reported.

No current assistance has been offered to any local or county law enforcement agencies, however, DPSP is working with MDOC on offering training and technical assistance to all agencies by early 2024. DPSP is willing to receive or attend any technical assistance training offered by BJA to be in compliance with the Death in Custody Reporting Act. Mississippi does not currently have a DCRA website.

### **Data Collection Methods**

The Mississippi Division of Public Safety Planning (DPSP) will submit quarterly Performance Measurement data to the office of BJA along with reporting on the Death in Custody Reporting Act via the BJA Performance Management Tool (PMT). DPSP is responsible for the DCRA data collection within the State of Mississippi. Sharon Nguyen, JAG Program Director is responsible for making sure the data is collected and the Death in Custody report is uploaded in the Performance Measures Tool website (PMT).

DPSP works with justice system stakeholders through effective informal agreements that provide information regarding death-in-custody cases. The Mississippi Department of Corrections agreement includes sending an excel spreadsheet every quarter with each individual descendants' reportable death information from all the state prisons across

Mississippi. DPSP have also reached out to the Sheriff's and Police Departments by providing a fillable DCR-1A form created by BJA regarding the decedent's characteristics and the circumstances surrounding the death in custody for that agency. These stakeholders include but are not limited to the Mississippi Department of Corrections and the Mississippi Sheriff Departments.

There are several challenges that DPSP face regarding data collection:

- Lack of understanding from the local law enforcement agencies on what is a reportable death.
- No state law to require the agencies to report their death in custody.
- Timely reporting from law enforcement agencies.
- Attempting to get the law enforcement agencies to report on the death that PMT staff send back after doing their own research, which many of the agencies believe is inaccurate and will not verify.

Many of the challenges can be overcome by offering training and technical assistance to the law enforcement communities on how to complete the DCR-1A form and to understand what is considered a death in custody. DPSP will start exploring multiple resources to help collect DCRA data including social media and news reports to help identify deaths in custody. Also, reaching out to the county coroner or medical examiner to collect death in custody related cases.

The DCRA information collected from MDOC is entered into an excel spreadsheet, provided by the PMT reporting system to capture certain data that is used for reporting. The excel spreadsheet is uploaded manually in the PMT system by the JAG Program Director. Using the information from the excel spreadsheet, the Division of Public Safety Planning uploads the appropriate information to the BJA PMT website as required by obtaining information for DCRA Reporting as noted below:

- Decedent's name, date of birth (age), gender, race, and ethnicity
- Date, time, and location of the death

- The law enforcement or correctional agency that detained, arrested, or was in the process of arresting the deceased.
- A brief description of the circumstances surrounding the death.

DPSP reviews all incidents and will follow-up with reporting entities regarding any discrepancies found prior to quarterly submission to BJA and if anything is found, the JAG Program Director reaches out to MDOC for clarification and corrections and then the excel spreadsheet is imported to the PMT database for processing. If there are any open and pending investigations, DPSP reaches out to MDOC for updates and corrections when needed in regard to death in custody related requirements, once the updates are received, the JAG Program Director uploads any updates into PMT database.