

**New Hampshire Department of Justice
Grants Management Unit**



**Bureau of Justice Assistance
Death in Custody Reporting Act**

IMPLEMENTATION PLAN

VERSION 1.0 | 06/15/2023

I. Introduction

Purpose

The Death in Custody Reporting Act (DCRA) (Public Law 113-242) requires all states to report to the Attorney General information regarding *“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, or any State or local contract facility, or other local or State correctional facility (including any juvenile facility).”*

As part of the state Edward Byrne Memorial Justice Assistance Grant (JAG) reporting, State Administering Agencies (SAAs) are responsible for collecting DCRA data on a quarterly basis from state and local entities and submitting that data to the Bureau of Justice Assistance (BJA).

Reportable Death Defined

The New Hampshire Attorney General’s Office (NH DOJ), Grants Management Unit, as the State Administering Agency (SAA), relies on State and local agencies, including correctional facilities, to accurately report the required statistical and demographic data as a requirement under the Death in Custody Reporting Act.

A reportable death includes the following:

- An individual who is detained.
- An individual who is under arrest.
- An individual who is in the process of being arrested.
- An individual en route to be incarcerated.
- An individual who is incarcerated at a municipal or county jail, State prison, State run boot camp prison, contracted boot camp prison, or any other local or State correctional facility (including any juvenile facility).

DCRA Data Collection Infrastructure

The NH DOJ follows Federal law regarding the Death in Custody Reporting Act (Public Law 113-242). New Hampshire is home to 213 law enforcement agencies (including two University police departments), and 13 correctional and transitional housing facilities.

All officer-involved incidences are investigated and reported by the NH DOJ.

All boot camp prison, or any other State correctional facility’s data is reported to the NH DOJ by the New Hampshire Department of Corrections.

II. DCRA Implementation Plan

This section outlines a description of how death in custody data will be obtained, how any missing data will be obtained, and available training and technical assistance for agencies who report Death in Custody data.

Data Collection Process

The assigned Grant Manager will obtain all death in custody reporting data from the previous quarter from the applicable corrections department point of contact and review any NH Attorney General Press Releases for information regarding incidents involving law enforcement and/or corrections officers.

Points of Contact

In the table below, the following organizations/individuals have been identified as the points of contact for obtaining the required DCRA data.

All officer-involved data is reported by the NH Department of Justice, Office of the Attorney General (NH DOJ). The NH DOJ is tasked with investigating all incidences involving law enforcement and/or correctional facility personnel.

ORGANIZATION	NAME	PHONE	E-MAIL
NH Department of Justice, Office of the Attorney General (Director of Grants Management)	Lisa Lamphere	(603) 271-8090	Lisa.J.Lamphere@doj.nh.gov
NH Department of Justice, Office of the Attorney General (Grant Manager)	Kathryn Fisher	(603) 271-1261	Kathryn.E.Fisher@doj.nh.gov
NH Department of Justice, Office of the Attorney General (Director of Communications)	Michael Garrity	(603) 931-9375	Michael.S.Garrity@doj.nh.gov
New Hampshire Department of Corrections	Tahra White Janet Belben	(603) 271-5600	Tahra.White@doc.nh.gov Janet.L.Belben@doc.nh.gov
Cheshire County Department of Corrections	Doug Iosue	(603) 903-1600	Diosue@co.cheshire.nh.us
Grafton County Department of Corrections	George Baldwin	(603) 787-2019	G Baldwin@co.grafton.nh.us
Merrimack County Department of Corrections	Travis Cushman Garrett Jewell	(603) 796-3600	TCushman@mcdoc.net Gjewell@mcdoc.net
Rockingham County Department of Corrections	Jamie Banks	(603) 679-2244	Jbanks@co.rockingham.nh.us
Strafford County Department of Corrections	Raymond Pardy Gwen Weisgarber	(603) 742-3310	Rpardy@co.strafford.nh.us Gweisgarber@co.strafford.nh.us
Sullivan County Department of Corrections	Dave Berry Mark Deem	(603) 542-8717	Dberry@sullivancountynh.gov Mdeem@sullivancountynh.gov

DCRA Data Collection Method

The Death in Custody reportable data will be collected by the Grant Manager assigned to the Byrne JAG grant via email to the Department of Corrections points of contact, as noted under Points of Contact.

The Grant Manager will send a request, via email, to all Points of Contact, requesting any data pertaining to the death of any individual in their custody from the reportable period. This email will be sent out within the first week of the Performance Management Tool (PMT) opening.

The email notification will contain the following:

- DCRA Reporting Form (Blank) – *Revised 07/10/2023.*
- Date of the reporting period.
- Verbiage from the DCRA Statute of 2013 indicating the collection of this data is a mandatory requirement of the Death in Custody Reporting Act of 2013.
- A request for the minimum reporting requirements (i.e., name, gender, race, ethnicity, and age of the deceased; the date, time, and location of death; the law enforcement agency that detained, arrested, or was in the process of arresting the deceased; and a brief description of circumstances surrounding the death.).
- A due date of 10 days following the date the email sent to the recipient.
- Should there be no deaths at the correctional facility, NH DOJ will request that the agency provide an ‘Affirmative No’ for recordkeeping.

Should the requested data not be received within the allotted 10 days, a subsequent reminder email will be sent to the contact(s) with an additional three days to complete and submit the form to the Grant Manager. Any information not submitted will be requested in the following reporting period.

Data that pertains to pending investigations will have a calendared follow-up date of the subsequent reporting period. The assigned Grant Manager will request any updates regarding a pending investigation.

The NH DOJ assigned Grant Manager will review all agency-submitted data prior to submitting to BJA. Any information not reported will be collected following the steps as outlined in *III. DCRA Unreported Data - Collection Method.*

Officer-Involved Data Collection

Any data pertaining to an officer-involved incident will be reported by the NH DOJ - Director of Communications.

Required data will be extracted from a press release that is sent out from the NH DOJ - Director of Communications.

Any information not reported in the press release will be collected following the steps as outlined in *III. DCRA Unreported Data - Collection Method.*

Training or Technical Assistance for Agencies with Reporting DCRA Data

The NH Department of Justice, as SAA, will provide any training and technical assistance to agencies who report DCRA data, upon request.

III. DCRA Unreported Data – Collection Method

Any unreported data will be researched via the following methods:

- Google search for the deceased’s obituary
- Google search for incidents at each correctional facility within the reporting period

- Query of the New Hampshire Vital Records Information Network
- Inter-office communications with department(s) who have knowledge of the case/deceased

IV. DCRA – Reporting Procedure

As agencies submit the required death in custody data, the grant manager will enter this information, manually, into the BJA reporting website ([OJP PMP Login](#)). Any information being completed by NH DOJ will be entered onto a blank DCRA Reporting Form (Blank) – *Revised 07/10/2023* form and retained for auditing purposes.

Should NH DOJ not be able to find or verify any missing data, NH DOJ will submit what is known with the remaining unknown items to be submitted as “unknown”. As additional details come to fruition, the prior DCRA reports will be reopened and updated, as needed.