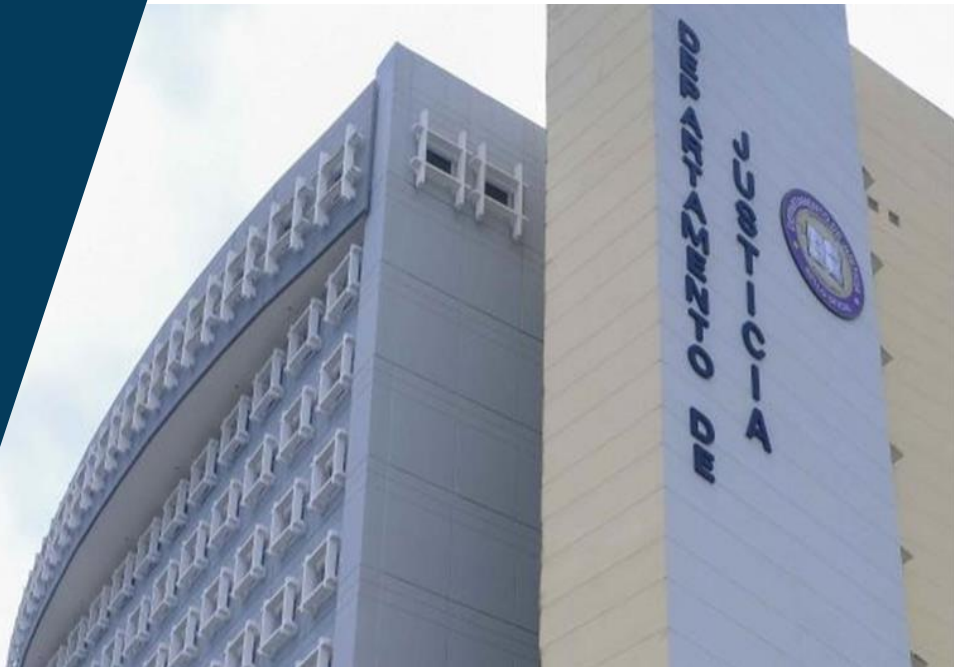


DEATH IN CUSTODY REPORTING
ACT STATE IMPLEMENTATION
PLAN FOR PUERTO RICO



Government of Puerto Rico
Department of Justice
External Resources Division



Death in Custody Reporting Act State Implementation Plan for Puerto Rico



I. Preface

This Puerto Rico Death in Custody Reporting Act (DCRA) Implementation Plan was driven by management and selected members of our staff, who provided guidance into its development. Specifically, our staff conducted an analysis of the processes in place to collect data from law enforcement agencies and those that can assist in achieving strict compliance with reporting of deaths in custody.

This document establishes the goals and objectives that, as the State Administrative Agency (SAA), we intend to achieve, how we will achieve them, and the strategies that will be implemented to achieve them. Everything provided in this plan is the result of a rigorous and participatory analysis of the operation and expectations of the Department of Justice of Puerto Rico (DPR).

Vision

To provide an opportunity to identify deaths of those who lost their lives in law enforcement custody and contribute to develop solutions to avoid them, including preventable death such as suicide.

Mission

To collect accurate and complete data from law enforcement agencies, correctional facilities including juvenile facilities, about in-custody death, in a timely manner. To perform these functions effectively and the firmest commitment to ensure faithful compliance with the death reports of those who die in law enforcement custody.

II. Introduction

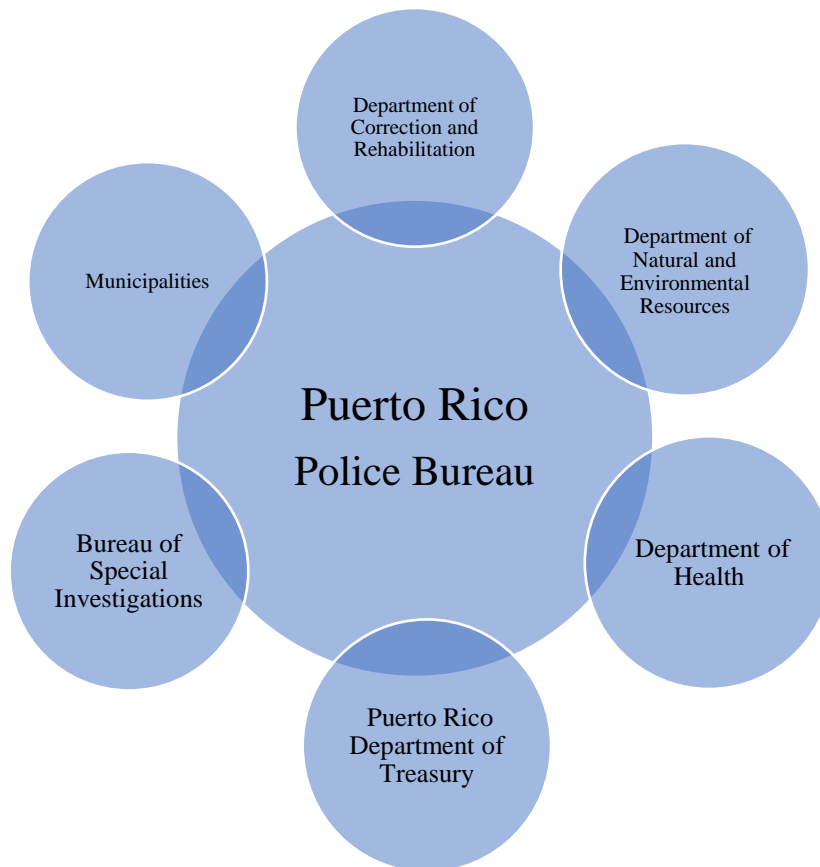
The governor of Puerto Rico, Hon. Pedro Pierluisi, has designated the PRDOJ as the SAA for various federal grant programs authorized by the United States Department of Justice (USDOJ) and is the designated pass-through entity for Puerto Rico's Edward Byrne Memorial Justice Assistance Grant Program (JAG). Therefore, the PRDOJ, as the SAA, is required to provide the Death in Custody Reporting Act (DCRA) Implementation Plan to report to the Attorney General certain information regarding "the death of any person who is detained, under arrest, or is in the process of being arrested, is in 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).



This document establishes the goals and objectives that we as an administration have proposed to achieve, the way we will complete them and the strategies that will be implemented to accomplish them. With this Plan the PRDOJ reaffirms our unwavering commitment to the objectives of the JAG Grant Program and the DCRA Implementation Plan working closely with state and local agencies to develop policies and procedures to ensure complete decedent records in a timely manner.

III. Potential law enforcement report agencies

In Puerto Rico, the agencies that have law enforcement officers who have the authority to arrest persons suspected of crimes are the Puerto Rico Police Bureau (PRB), the Department of Natural and Environmental Resources, Municipalities, the Bureau of Special Investigations (NIE by its acronym in Spanish), Department of Correction and Rehabilitation, Department of Health and Puerto Rico Department of Treasury. The aforementioned agencies have the duty to report in-custody deaths to the Puerto Rico Police Bureau. The information of these deaths is collected in an incident report that includes the name of the deceased, age, race, gender, address, among other information. The PRB records these incidents in its statistics system and is the database they use to provide us with reports for DCRA.

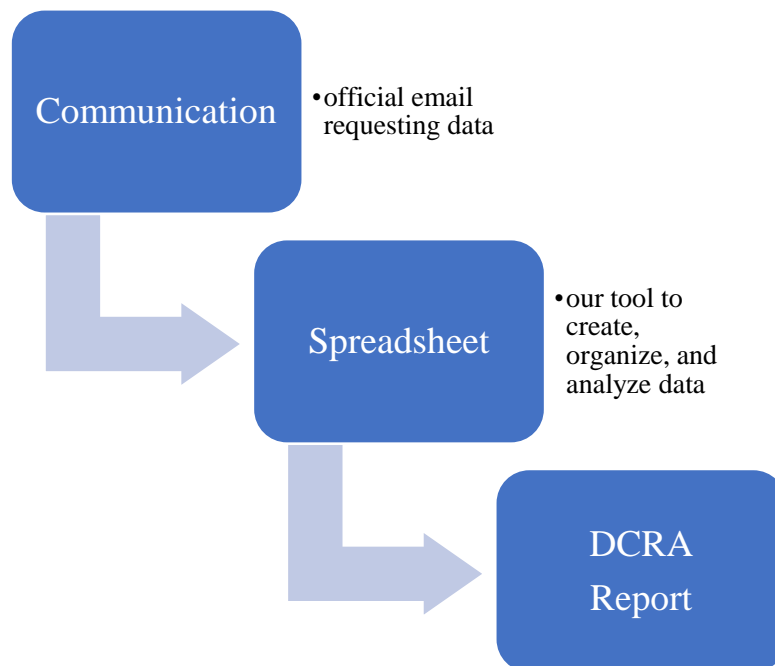


Furthermore, the Department of Justice of Puerto Rico (PRDOJ) is the government agency responsible for investigating and prosecuting law offenders in court and the Criminal Justice Information Services Office (PRCJIS) is the central repository of criminal information of the Government of Puerto Rico. Access to accurate and precise criminal justice information gets the jurisdiction to develop measures that eradicate crime. Also, it has the criminal history of a suspects and allows the PRDOJ to request that data. This database that manages criminal history and records are the National Crime Information Center (NCIC) and the Integrated Criminal Registry (RCI). The NCIC is operated by the Federal Bureau of Investigation (FBI) and provides timely and accurate current criminal justice information to authorized personnel in the states, territories, and tribes of the North American nation. RCI is the main state database and serves as the central information exchange hub for investigations and criminal prosecution. Information supplied through RCI is used by local, state, and federal law enforcement agencies as the leading work platform for law-and-order officials.

IV. Data collection procedure

The External Resources Division of the Puerto Rico Department of Justice (ERD), has established a data collection procedure for DCRA that allows PRDOJ to obtain complete and accurate information for the quarterly basis submission.

The designated staff sends an official communication to the Puerto Rico Police Bureau (PRB) and PRCJIS requesting information on in-custody deaths. This communication has the description of DCRA and highlights the importance of complying with this report. A spreadsheet is also included with the requested data so that the PRB and PRCJIS can complete it.



In order to obtain the information on time for the quarterly reports, the PRDOJ requests the information of the deceased on a monthly basis. In addition, the agencies are requested to update the information provided in previous reports to find out if there is new data on the deaths already reported. In this way, there is an opportunity to analyze the data and request additional information if necessary. In this manner, this Implementation Plan is aligned with the objectives and aspirations of the PRDOJ to ensure compliance with federal requirements and agency regulations.

V. Challenges

The challenge that the PRDOJ has faced the most is the delay in the immediate response of the agencies that must report deaths in custody. This is so due to the lack of personnel and the turnover in the different law enforcement agencies.

We will responsibly address the challenges and seize the opportunities to improve the data collection with training and on-site technical assistance.

VI. Conclusion

The PRDOJ will strongly encourage the law enforcement agencies to promote coordination and planning to strengthen commitment to compliance with federal requirements and agency regulations.

address the areas of need for their specific jurisdictions, continue to promote coordination and planning at the state and municipal levels, and provide guidelines for funding that align with Puerto Rico's criminal justice priorities.