



Rhode Island Public Safety Grant Administration Office

Death In Custody Reporting Act Implementation Plan

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Contents

Background 3

Data Collection Infrastructure..... 4

 Reporting Universe 4

 Training and Technical Assistance 7

Data Collection Methods 7

Data Reporting Methods 8

 Data Review and Verification..... 8

Background

The Death in Custody Reporting Act ([DCRA; Public Law 113-242](#)) requires states that receive funding under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program to report to the Attorney General information regarding "the death of any person who is detained, under arrest, or is in the process of being arrested, is enroute 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, or any State or local contract facility, or other local or State correctional facility (including any juvenile facility).

(US Department of Justice, 2023)

The Rhode Island Public Safety Grant Administration Office serves as the State Administering Agency. This Implementation Plan serves to demonstrate our understanding of DCRA reporting requirements and outline how we intend to gather, review, and report the required data.

Data Collection Infrastructure

The State of Rhode Island does not have a death-in-custody reporting law. However, the RI Attorney General’s Office has a protocol in place for the review of incidents involving the use of deadly force, excessive force, and custodial deaths. This protocol establishes criteria for when the Attorney General’s Office is notified of an incident, which then allows them to perform a joint investigation. This protocol is designed to promote greater uniformity, accountability and impartiality in the investigation of police use-of-force incidents where deadly force was employed, where there has been an allegation of excessive use of force by police, and where a custodial death occurs.

Reporting Universe

The reporting universe is comprised of the following agency counts:

| Agency Type | Quantity |
|--------------------------------|-----------|
| Department of Corrections | 1 |
| Local Jails | 0 |
| Juvenile Detention Facilities | 1 |
| State Law Enforcement Agencies | 8 |
| Local Law Enforcement Agencies | 38 |
| Tribal Police | 1 |
| Other | 2 |
| Total: | 51 |

| Agency Name | Agency Type | Reporting Status | Agreement On File? |
|------------------------------------|------------------------------|------------------|--------------------|
| RI Adult Correctional Institution | Department of Corrections | Reporting | No |
| Rhode Island Training School | Juvenile Detention Facility | Not Reporting | No |
| Narragansett Tribal Police | Tribal Police | Not Reporting | No |
| Community College of RI | State Agency | Not Reporting | No |
| Rhode Island College | State Agency | Not Reporting | No |
| Rhode Island Fire Marshal’s Office | State Agency | Not Reporting | No |
| Rhode Island State Police | State Agency | Not Reporting | No |
| RI Attorney General's Office | State Agency | Not Reporting | No |
| RI Capitol Police | State Agency | Not Reporting | No |
| RI Division of Enforcement (DEM) | State Agency | Not Reporting | No |
| RI Sheriff's Office | State Agency | Not Reporting | No |
| URI Police Department | State Agency | Not Reporting | No |
| Rhode Island Airport Police | Other | Not Reporting | No |
| Brown University Police | Other | Not Reporting | No |
| Barrington Police Department | Local Law Enforcement Agency | Not Reporting | No |

| | | | |
|------------------------------------|------------------------------|---------------|----|
| Bristol Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Burrillville Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Central Falls Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Charlestown Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Coventry Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Cranston Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Cumberland Police Department | Local Law Enforcement Agency | Not Reporting | No |
| East Greenwich Police Department | Local Law Enforcement Agency | Not Reporting | No |
| East Providence Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Foster Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Glocester Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Hopkinton Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Jamestown Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Johnston Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Lincoln Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Little Compton Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Middletown Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Narragansett Police Department | Local Law Enforcement Agency | Not Reporting | No |
| New Shoreham Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Newport Police Department | Local Law Enforcement Agency | Not Reporting | No |
| North Kingstown Police Department | Local Law Enforcement Agency | Not Reporting | No |
| North Providence Police Department | Local Law Enforcement Agency | Not Reporting | No |
| North Smithfield Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Pawtucket Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Portsmouth Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Providence Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Richmond Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Scituate Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Smithfield Police Department | Local Law Enforcement Agency | Not Reporting | No |
| South Kingstown Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Tiverton Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Warren Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Warwick Police Department | Local Law Enforcement Agency | Not Reporting | No |
| West Greenwich Police Department | Local Law Enforcement Agency | Not Reporting | No |
| West Warwick Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Westerly Police Department | Local Law Enforcement Agency | Not Reporting | No |
| Woonsocket Police Department | Local Law Enforcement Agency | Not Reporting | No |

It is the PSGAO's goal to ensure all agencies report in a timely and accurate manner. This office will communicate annually with non-reporting agencies to determine reasons for their lack of reporting. This office will also communicate with the Rhode Island Police Chiefs Association to share details on the requirements of this program, outlining the critical nature of the data they are being asked to report. The PSGAO will make routine phone and email contact with agencies that are not members of the police chief's association to follow up on the status of their reporting.

The PSGAO has drafted an MOU for agencies to sign, indicating their understanding of DCRA reporting requirements.

The State of Rhode Island does not maintain a death in custody reporting web site.

Training and Technical Assistance

While this office does not provide training and technical assistance to state and local agencies, we encourage agencies to regularly review training materials provided via the Death in Custody Reporting Act Training and Technical Assistance Center. If additional training is required, agencies will be encouraged to request the training directly from the Justice Information Resource Network (JIRN). The PSGAO does not currently require any additional TTA.

Data Collection Methods

The PSGAO will collect data from departments of corrections, local jails, juvenile detention facilities, state, local and tribal law enforcement agencies on a quarterly basis. The BJA DICRA data collection tool will be modified to allow identification of the reporting agency, including contact information for data corrections or cause of death follow up. The form will also include a signature line for the submitting agency to certify the information is accurate at the time it is provided. Agencies will transmit this form to the PSGAO via e-mail or hard copy via US Mail. Due to the nature of the data submitted on this form, the form will not be accepted via fax.

The following data will be collected for each death in custody, as outlined in the aforementioned BJA questionnaire.

- The decedent's name, date of birth, gender, race, and ethnicity
- The 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

The data collected will be stored electronically in its original format and on a quarterly basis, these records will be manually entered into the PMT. Due to the low quantity of records, we will not utilize the import feature.

If an agency does not have a death in custody for a reporting period, they will be instructed to submit the signed DICRA reporting form indicating they had no deaths in custody during that quarter.

There is currently no Rhode Island law requiring death in custody reporting, which has posed a challenge with collecting data. To overcome this challenge, the PSGAO will communicate with agencies and stress the importance of data collection and its effect on future JAG funding.

Data Reporting Methods

PSGAO staff will report deaths in custody to BJA quarterly via the Performance Measurement Tool (PMT) as outlined below.

| Reporting Period | Due Date |
|-------------------------|-----------------|
| October 1 - December 31 | January 30 |
| January 1 – March 31 | April 30 |
| April 1 – June 30 | July 30 |
| July 1 – September 30 | October 30 |

Data Review and Verification

The PSGAO encourages and urges reporting agencies to ensure the data they are providing is complete and accurate to the best of their ability and limit their use of “unknown” as a response. If an incomplete form is received, the PSGAO will return said form to the reporting agency for completion and resubmission.

If a record has been flagged by BJA for a compliance issue(s) the PSGAO will notify and ask the original reporting agency to provide updated and accurate information to address the compliance issue(s). PSGAO staff will correct the data in the PMT system.

For cases where the manner of death is “unavailable, investigation pending” agencies will be instructed to provide the PSGAO with updated information when it becomes available. PSGAO staff will update the data in the PMT after contacting the PMT Helpdesk to unlock the appropriate quarterly report for corrections. PSGAO will maintain a file of all deaths that are classified in this manner and will routinely follow up with the reporting agencies to check the status of the investigation.