

BUREAU OF JUSTICE ASSISTANCE

DEATH IN CUSTODY REPORTING ACT (DCRA)

REPORTABLE VS. NONREPORTABLE DEATHS

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BJA
Bureau of Justice Assistance
U.S. Department of Justice

Reportable vs. Nonreportable Deaths Under Death in Custody Reporting Act



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This is part of a training series of videos designed to help states comply with Death in Custody Reporting Act (DCRA; [Public Law 113-242](#)).

This video will cover the following topics:

- What "in custody" includes under DCRA
- Reportable deaths in prisons, jails, and arrest-related scenarios
- Examples of reportable and nonreportable deaths

What Does "In Custody" Include?



The DCRA ([Public Law 113-242](#)) requires 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, any state or local contract facility, or other local or state correctional facility (including any juvenile facility).

Reportable Deaths: Prison



Any individual's death that occurs while incarcerated in a correctional facility is reportable under DCRA. Such facilities include:

- State-run prisons
- Privately operated institutions that are under contract with the state
- State run-boot camps
- Juvenile correctional facilities
- Halfway houses, work-release centers, and treatment centers operated by or under contract with the state department of corrections

This includes ALL deaths (e.g., natural causes, suicide, accident) that occur:

- Due to an altercation with other incarcerated individuals or facility staff
- During transport
- After being admitted to hospital

Reportable Deaths: Jails



Any individual's death that occurs while detained by a police department, municipal or county jail, lock-up, detention center or treatment center operated by or under contract with the local government is reportable under DCRA.

This includes ALL deaths (e.g., natural causes, suicide, accident) that occur:

- Due to an altercation with other incarcerated individuals or facility staff
- During transport
- After being admitted to hospital

Reportable Deaths: Arrest-Related



The DCRA law requires states to report the deaths of individuals who were under arrest, who died during the **process of being arrested**, or who died in **en route to being incarcerated**.

Reportable death scenarios:

- Serving a warrant
- Conducting a traffic stop
- Performing a welfare check
- During a police pursuit (including passengers in the car being pursued)
- While subduing the individual
- While transporting an arrested individual to a police department

Reportable Deaths: Arrest-Related



Deaths following interaction with a police officer are typically reportable under DCRA. The following table presents common arrest-related scenarios and the corresponding manner of death that should be selected.

Manner of Death	Scenario
Use of Force by Law Enforcement	Restraint, taser, use of firearm, precision immobilization technique (PIT) maneuver, tactical vehicle intervention (TVI), or physical altercation
Accident	Car accident as a result of police pursuit, but not due to PIT maneuver or TVI
Suicide	Suicide while attempting to arrest or detain

Reportable Overdose Deaths: Arrest-Related



Reportable

Overdoses occurring **during** arrest or **after** initial contact is made when the intention is to arrest or detain that individual.

These deaths should have "Other" selected as manner of death, with "Overdose" in the open-text response.

Not Reportable

Overdoses that occurred **before** police arrived on scene.

Example: If police are called to the scene and discover someone who has overdosed or is overdosing, and there is no intention to arrest that individual, it is not a reportable death.

Non-Reportable Deaths



Non-Reportable Deaths	Exceptions (Reportable)
Parole/Probation	Manner of death is use of force by law enforcement OR the individual has been paroled to finish their sentence in a halfway house contracted by the state and the death occurs within the facility are reportable.
Medical Parole/ Compassionate Release	Deaths occurring when an individual is on medical furlough but had been expected to return to custody following treatment are reportable. (e.g., if not for the precipitating event or underlying medical condition would the person still be in the correctional facility).
Work-Release	Deaths that occur within a work-release center under state contract are reportable. Deaths occurring outside of the facility are not reportable.
Ankle Monitor or Another Global Position System (GPS) Device	Only if death occurs during arrest.
Halfway House (Not Under State Contract)	Only if death occurs during arrest.
Police Officers/Corrections Officers	No exceptions. Deaths of law enforcement are reportable to the FBI's Uniform Crime Reporting (UCR) program.

Non-Reportable Deaths cont.



Non-Reportable Deaths	Exceptions
Fatal car accidents with no police involvement	No exceptions
Fatal car accidents after active pursuit has ended	No exceptions
Bystander deaths	No exceptions
Victims of homicides occurring outside of correctional facilities	No exceptions

For more information on non-reportable deaths, please review the [DCRA Reporting Guidance and Frequently Asked Questions](#).

Contact Information



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BJA PMT Helpdesk

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Contact Information



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Thank you for your hard work and dedication.