

**“JUST
THE
FACTS”**



MTIBRS Training & Technical Assistance

Death in Custody Reporting Act (DCRA)

Federal DCRA Data Collection History

- ▶ 2000 - Congress passes Death in Custody Reporting Program (DCRP) P.L. 106-297
- ▶ 2003 - BJS established the Death In Custody Reporting Program and began two parallel data collection efforts;
 - ▶ Mortality in Correctional Institutions (MCI) and
 - ▶ Arrest-Related Deaths (ARD) to capture DCRA data
- ▶ 2013 - Reauthorized the law & expanded requirements
- ▶ 2016 - Reporting oversight transferred to BJA
- ▶ 2020 - Passage of the Death in Custody Reporting Act (DCRA) P.L. 113-242

2020 passed Death in Custody Reporting Act (DCRA) in 2000 to collect data on deaths involving law enforcement (e.g., while detained, under arrest, in the process of arrest, or en route to incarceration/detention)

2003 – BJS began collecting DCRA data both in correctional institutions and arrest related deaths – such as suicide while in county jail or if killed while detained or in custody.

2013 in the wake of high-profile police shootings, Congress reauthorized the law and expanded its requirements to include deaths of individuals in correctional institutions. It also authorized the US Attorney General to withhold 10 percent of a state's Byrne Justice Assistance Grant (JAG) award for non-compliance.

2016- Office of Justice Programs (OJP) determined that BJS, as a strictly statistical agency prohibited from policy-related activities that could trigger an enforcement penalty (i.e., the 10 percent JAG penalty), could no longer collect DCRA data. Thus, DCRA reporting oversight was transferred to BJA.

2020 - The Bureau of Justice Statistics began the MCI (formerly the DCRP) in 2000 in response to the passage of the Death in Custody Reporting Act (DCRA) of 2000 (P.L. 106-297), which required the collection of individual data on deaths in the process of arrest, local jails, and state prisons. The MCI collects many, but not all, of the elements outlined in the DCRA reauthorization (P.L. 113-242), but because MCI is collected for statistical purposes only, it cannot be used for DCRA enforcement.

Montana DCRA Data Collection History

- ▶ 2010 - Montana collected this data using the Swift Jail Management System reports.
- ▶ 2017 - Due to difficulties with Swift, data collection ceased in 2017
- ▶ 2020 - Montana works with the Violent Death Reporting System and the MT DOC to collect DCRA

2010 – Montana used BJS grants to build reports in the Swift Records management system to gather this information from all county detention systems on all jail statistics including deaths in custody.

2017 – With technology advancements, Swifts DOS system made it difficult for agencies to securely connect to the JMS to submit this data. Montana quit collecting this data as more and more agencies were unable to load the data into SWIFT

2020 - JAG and other formula grants could be penalized for not collecting this data. MBCC is involved with the Violent Death Reporting system that receives all death reports for the state. Those deaths in custody are flagged not only for the VDRS group, but are then passed on to MBCC. We also receive reports from corrections for those deaths in the state prison or aftercare facilities. The two data sets are compiled and duplicates removed before submitting to Bureau of Justice Assistance.

DCRA - So... what do you need from me?

- ▶ Hopefully very little
- ▶ Montana will work mostly with the VDRS folks and the Vital Records division of DPHHS
- ▶ County Coroners play the biggest role in obtaining this data
- ▶ Your JAG and other discretionary grants such as Covid Relief Funds depend on:
 - ▶ DCRA
 - ▶ NIBRS
 - ▶ Use of Force
 - ▶ Law Enforcement Employee Survey data

NIBRS – this includes LEOKA – Law Enforcement Officers Killed and Assaulted (LEOKA), hate crimes, homicides,

Use of Force will include public contacts/calls for service

DCRA Resources

- ▶ [Death in Custody Fact Sheet](#)
- ▶ Death In Custody Related Resources (see the bottom of page 2 of the above fact sheet)
 - ▶ DCRA Frequently Asked questions
 - ▶ DCRA Performance Measure Training
 - ▶ DCRA Reporting Elements

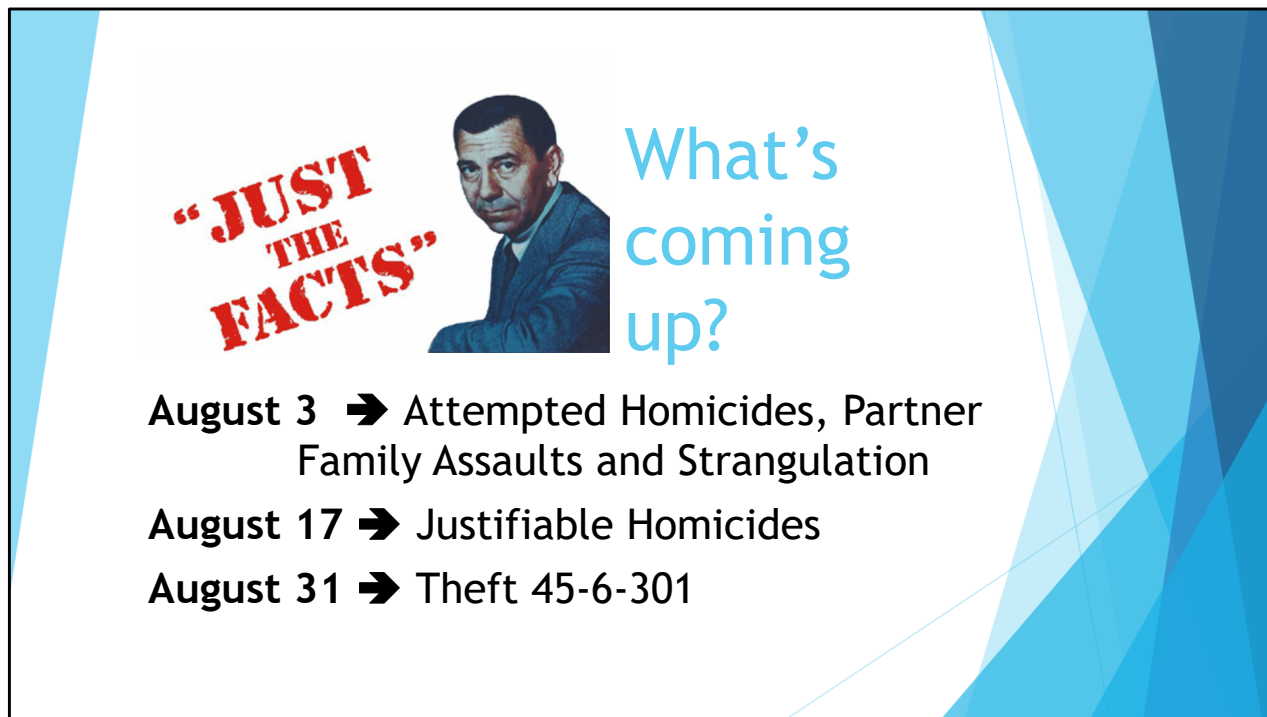


Montana Board of Crime Control
Statistical Analysis Center Staff
5 S. Last Chance Gulch | PO Box 201408 | Helena, MT 59620 |
MBCCdata@mt.gov

Kathy Wilkins
Statistical Analysis Center Director
Office: 406-444-4298 | Email: kwilkins@mt.gov

Jess Hard
Data Integrity Analyst
Office: 406-444-2084 | Email: jess.hard@mt.gov

Hank Webb
Data Integrity Analyst
Office: 406-444-3651 | Email: hank.webb@mt.gov



“JUST THE FACTS”

What's coming up?

August 3 → Attempted Homicides, Partner Family Assaults and Strangulation

August 17 → Justifiable Homicides

August 31 → Theft 45-6-301

- Go to <https://mbcc.mt.gov/Data/MTIBRS-Training> to register for all 2022 sessions. Make sure to bookmark this page.
- Future Just the Facts Training:
 - Hate Crimes & Cargo Thefts - September 14, 2022
 - Educator/Healthcare Worker/Legal Representative - September 28, 2022
 - Victim/Offender Relationship - October 12, 2022
 - Property Values, Stolen and Recovered - XML additions - October 26, 2022
 - Stolen and Recovered - XML additions - November 9, 2022
 - Drugs - new XML fields, measurements, drug types and more - November 23, 2022
 - Multi Jurisdiction Incidents - December 7, 2022
 - Warrants - December 21, 2022