

## THE DEATH IN CUSTODY REPORTING ACT

### **THE PROBLEM: RESEARCHERS, PUBLIC OFFICIALS, AND POLICYMAKERS LACK ACCURATE INFORMATION**

In 2000, Congress unanimously passed the Death in Custody Reporting Act, which required states to provide basic information any time an individual dies in custody or during an arrest. However, the Act expired in 2006. Since then, the Justice Department has not had access to accurate information on deaths in custody or during arrest. As a result, public debates about this crucial issue are not informed by complete, timely data.

### **THE SOLUTION: THE DEATH IN CUSTODY REPORTING ACT**

- Requires states and federal law enforcement agencies to report to the Attorney General basic information—including demographic data, the name of the detaining or arresting agency, and the basic circumstances of the death—regarding deaths occurring in law enforcement custody or during an arrest.
- Requires the Attorney General to study this information and provide suggestions to reduce the number of such deaths.

### **EXISTING DATA IS INADEQUATE**

Since death in custody reporting became optional in 2006, the Bureau of Justice Statistics has been unable to guarantee complete and accurate data. BJS has stopped reporting on deaths during arrest altogether, and underreporting in other areas has crept up. Other studies of the issue are anecdotal or simply inadequate, leading to confusion.

### **BETTER DATA MEANS BETTER POLICY**

Without accurate and timely data, it is nearly impossible for policymakers to identify variables that lead to an unnecessary and unacceptable risk of individuals dying in custody or during an arrest. The Death In Custody Reporting Act will ensure that the nation knows exactly how many Americans die in custody and that policymakers have the information they need to address this problem.