Elevating institutions and agencies through strategic management, policy, and research.

We provide data-driven, proactive solutions to improve corrections and criminal justice outcomes. By collaborating with leaders, we address the root causes of incarceration and staffing challenges while creating opportunities for success in communities.

IN-CUSTODY MORTALITY: CHALLENGES, DATA, AND SOLUTIONS

ANALYZING REPORTING GAPS AND POLICY IMPLICATIONS

VALUES AT THE CORE OF INVESTIGATIONS

- In any democracy, limiting an individual's freedom is sobering and serious.
- We have a responsibility to the deceased individual, his or her family and to society, at large. Meaningful death investigations must be:
  - Independent, Objective and Fair
  - Accurate and Timely
  - Focused on addressing immediate cause(s) AND broader systemic patterns
- Responsible correctional leaders embrace independent and objective reviews as a cornerstone of effective management and continuous improvement.
- Investigations can and should ensure accountability and strengthen trust.

DEATHS IN CUSTODY REPORTING PROGRAM (DCRP)

- Governed by the Deaths in Custody Reporting Act (DCRA)
- Requires quarterly reporting to the Bureau of Justice Assistance by state and local agencies
- State Administering Agencies (SAAs) are responsible for overseeing the process for state and local entities
- Noncompliance can result in penalties, including but not limited to a reduction in federal funds allocated to the state.

HOW IT SHOULD WORK

- National Commission on Correctional Healthcare (NCCHC) offers a proper blueprint for investigations:
    1. Correctional agency administrative review
    2. Independent criminal investigation
    3. Clinical mortality review
    4. Psychological autopsy
- Important to track critical details in a log that captures key facts of the in-custody death, what occurred, and when each review was completed.

Source: https://www.ncchc.org/spotlight-on-the-standards/procedure-in-the-event-of-an-inmate-death/

CURRENT CHALLENGES

- Deaths appear to be increasing as staffing decreases
- Apathy surrounding in-custody deaths
- Political environment often results in blame for the director or agency head
- Requirements of the DCRP reporting may be more burdensome than useful
- DCRP reporting form is not well-designed to capture meaningful details in the data

TYING EVIDENCE TO PRACTICE: IN- CUSTODY DEATHS

- National data are not easily available
- Transparency is key to building community relationships and to keeping people safe.
- Families need to understand more about what is happening in our facilities for their own mental wellbeing.
- Centralizing de-identifiable data at the federal level allows state and local agencies to make use of the reporting they routinely provide.
- We have a duty to inform correctional practice using the evidence that illustrates what is occurring and how we can improve operations — Make use of what we know.

SUGGESTED IMPROVEMENTS TO DCRP REPORTING

- Improved data collection standards
- Improved training for agencies on how to comply with DCRA
- Technical assistance through reputable oversight entity
- Enhanced enforcement mechanisms to ensure reporting is done in a timely and accurate manner
- Independent review processes
- Improved access to publicly available data at the federal level

PROPOSAL FOR AFTER-ACTION REVIEW

- Following a death:
  - Gather facts, analyze what happened and why, both in execution and strategy.
  - Learn from mistakes (and successes) in order to foster change
  - Share lessons learned
- No Blame: no liability, safe space for candid discussion
- Team Members: non-political; experts and thought-leaders.
- Recommendations: make recommendations public and share with appropriate officials and stakeholders
- Results: better outcomes; increase in public trust
- Models: In PA: Parolee Homicide Review Team; Medicine, Aviation

SUMMARY

- States need support and oversight to improve the quality of in-custody death reporting.
- Everyone has a stake in improving the safety of our correctional facilities.
- Improving our review processes, data collection, and evidence-based practice is the first step, especially with regard to people dying in custody.

THANK YOU

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