1. What Is the Bureau of Justice Statistics?

The U.S. Department of Justice’s Bureau of Justice Statistics (BJS), one of the 13 recognized federal statistical agencies, is the sponsor of the Arrest-Related Deaths (ARD) program. BJS’ principal function is the compilation and analysis of criminal justice data and the dissemination of information for statistical purposes. BJS’ procedures for collecting, analyzing, publishing, and distributing data are subject to strict federal controls to ensure the quality, security, and integrity of our criminal justice statistics.

2. What Is the ARD program?

The ARD program was implemented from 2003 through 2013 as part of BJS’s Deaths in Custody Reporting Program (DCRP). The DCRP was developed in response to the Deaths in Custody Reporting Act of 2000 (P.L. 106-247), which required state and local prisons, jails, and law enforcement agencies to report information about in-custody deaths and deaths occurring in the process of arrest to the Department of Justice on a quarterly basis. The DCRP also includes collections that measure deaths occurring in jails and state prisons (see http://www.bjs.gov/index.cfm?ty=tp&tid=19).

The BJS designed the ARD program to be a census of all deaths that occur during the process of arrest or during an attempt to obtain custody by a law enforcement agency in the United States. The ARD program was the only national data collection that attempted to enumerate all arrest-related deaths in the United States, including accidental and natural deaths that occurred during the process of arrest in addition to law enforcement homicides.

Due to concerns about variations in data collection methodology and coverage, BJS recently conducted an assessment of its ARD program (see http://www.bjs.gov/content/pub/pdf/ardpatr.pdf). That assessment analyzed the coverage of ARD law enforcement homicide data and the justifiable homicide incidents from the Supplementary Homicide Reports (SHR) collected by the Federal Bureau of Investigation (FBI). The analysis found that the ARD program captured approximately half of the estimated number of law enforcement homicides in the US since the program’s inception in 2003. ARD program coverage was more complete in recent years, including as much as 69% of the estimated law enforcement homicides in 2011.

3. What methods does BJS use to identify and collect information about arrest-related deaths?

The redesigned ARD program methodology relies on a hybrid, two-step process to identify and collect information about arrest-related deaths.

First, BJS identifies potential arrest-related deaths through review of open sources, including news outlets, official agency documents, and other publicly available information.

Second, BJS conducts a survey of law enforcement agencies and medical examiner/coroner’s offices to review the potential deaths identified through open source review and collect more information about confirmed deaths. The agency survey collects identifying information about the decedent, the law enforcement agency involved, and the event itself, including the reason for the interaction between the decedent and the law enforcement agency, decedent actions during the event, law enforcement actions during the event, and the cause and manner of the arrest-related death.

Findings from the ARD program 2015 pilot study will be used to develop recommendations for the most efficient and comprehensive methods of continuing to enumerate and collect information about arrest-related deaths in the US.

4. What agencies participate in the ARD program?

All agencies with an arrest-related death since June 1 are invited to participate in the ARD program data collection. BJS will contact all agencies with a potential arrest-related death identified by BJS through open source review and provide a login and password to participate in the data collection. If your law enforcement agency has an arrest-related death to report and has not received an invitation to participate, please contact ardhelpest@rti.org.
BJS also conducted a pilot study of the ARD program redesign in early 2016 to identify and collect information about deaths that occurred in June, July and August 2015. Agencies selected to participate in the pilot study received an invitation in January 2016.

5. What Is an Arrest-Related Death?

For the purposes of the ARD program, a death is “arrest-related” when the event causing the death (e.g., gunshot wound, self-inflicted injury, cardiac arrest, fall from a height, drowning, etc.) occurs during an interaction with law enforcement personnel acting in an official capacity. The term “arrest-related” encompasses a range of circumstances pertaining to an arrest, including those occurring from the process of apprehension to detention. Therefore, the event causing the death can occur before, during, or after the arrest of a criminal suspect. Deaths of non-criminal suspects occurring during an interaction with law enforcement personnel acting in an official capacity are also reportable to the ARD program.

For the purposes of the ARD program, reportable civilian deaths include:

- All deaths attributed to any use of force by law enforcement personnel (e.g., officer-involved shootings, accidental deaths caused by weapons or tactics)
- Any death that occurs while the decedent’s freedom to leave is restricted by law enforcement prior to, during, or following an arrest:
  - While detained for questioning or investigation (i.e., Terry stop)
  - During the process of apprehension (i.e., pursuit of criminal suspect, standoff with law enforcement)
  - While in the custody of, or shortly after restraint by, law enforcement (even if the decedent was not formally under arrest)
  - During transport to or from law enforcement or medical facilities
- While confined in lockups or booking centers (i.e., facilities from which arrestees are usually transferred within 72 hours and not held beyond arraignment)
- Any death that occurs during an interaction with law enforcement personnel during response to medical or mental health assistance (e.g., response to suicidal persons).

6. Why Is Collecting Data About Arrest-Related Deaths Important?

BJS’s focus in collecting these data is to understand the circumstances surrounding arrest-related deaths, including the nature of the interaction between the decedent and law enforcement, as well as characteristics of the decedent. Such information could inform training and policies to support safe and accountable interactions between law enforcement and the communities that they serve. Complete and accurate information about arrest-related deaths is critical, given recent events related to police shooting and the response of the President’s Task Force on 21st Century Policing, which also calls for law enforcement agencies to submit data on deaths in custody to the Department of Justice as part of the process of building trust and enhancing legitimacy between the police and the public by increasing transparency about deaths that occur in police custody.

7. What Deaths Should Be Reported to the ARD Program?

Reportable deaths include:

- All deaths resulting from any use of force by law enforcement personnel acting in an official capacity (e.g., officer-involved shootings, accidental deaths caused by less-than-lethal weapons or tactics)
- Suicides that occur during the process of apprehension or welfare assistance (including those that occur before physical custody is established), as well as those that occur at short-term lockups or booking centers
- Fatal alcohol and drug overdoses that occur during the process of arrest or while in the custody of law enforcement personnel
- Accidental injuries sustained while attempting to elude law enforcement personnel or those incurred after custody has been established. Deaths resulting from vehicular accidents that take place during law enforcement pursuits of an individual are included in the ARD program. For example, if law enforcement personnel engage in a pursuit after an attempted traffic stop and the person runs off the road and dies, this case should be reported to ARD. Law enforcement pursuit cases that result in traffic accident-related deaths should be reported to ARD regardless of whether law enforcement took direct action against the decedent or the decedent’s vehicle during the process of apprehension.
8. Should I Report Juvenile Deaths?

Yes. If a juvenile death results from an event that occurs during an interaction with law enforcement personnel acting in an official capacity, that death should be reported to the ARD program.

9. Are Deaths That Occur While the Arrest Subject Was in the Custody of Federal Law Enforcement Personnel Included in the ARD Program?

Yes. Deaths that result from an event occurring during an interaction with officers from federal law enforcement agencies (e.g., FBI, DEA, Marshals Service), including joint responses by state and local agencies with federal law enforcement personnel, are reportable to the ARD program.

If you are unsure whether a death is reportable to the ARD program, please contact the ARD Helpdesk (1-877-475-7039; ardhelpldesk@rti.org).

10. What Is The Purpose of the ARD Data Collection Forms?

**CJ-11: Arrest-related Deaths Summary for Law Enforcement Agencies** - Lists the potential arrest-related deaths identified from open source review occurring in each law enforcement agency jurisdiction during the current study period. Law enforcement agencies are asked to (1) confirm whether each death occurred in their jurisdiction and meets the scope of the ARD program and (2) list any other arrest-related deaths occurring during the study period that were not identified through open source review.

**CJ-11A: Arrest-related Death Incident Report for Law Enforcement Agencies** - For each confirmed arrest related-death, law enforcement agencies provide information on decedent characteristics and circumstances surrounding the death for each arrest-related death.

**CJ-12: Arrest-related Deaths Summary for Medical Examiner/Coroner’s Offices** - Lists the potential arrest-related deaths identified from open source review occurring in each medical examiner/coroner’s office jurisdiction during the current study period. Medical examiner/coroner’s offices are asked to (1) confirm whether each death occurred in their jurisdiction and meets the scope of the ARD program and (2) list any other arrest-related deaths occurring during the study period that were not identified through open source review.

**CJ-12A: Arrest-related Death Incident Report for Medical Examiner/Coroner’s Offices** - For each confirmed arrest related-death, medical examiner/coroner’s offices provide information on decedent characteristics, manner of death, and cause of death.

**CJ-13: Arrest-related Deaths Summary for Federal Law Enforcement Agencies** – Requests federal law enforcement agencies to identify all deaths meeting the ARD program scope and occurring from October 1, 2015 through September 30, 2016.

**CJ-13A: Arrest-related Death Incident Report for Federal Law Enforcement Agencies** - For each identified arrest related-death, federal law enforcement agencies provide information on decedent characteristics and circumstances surrounding the death for each arrest-related death.

11. How Do I Report Data to the ARD Program?

Data may be entered directly into the online forms, which are available through the ARD website, [www.bjsard.org](http://www.bjsard.org). You may also download fillable-PDF forms from the website, and then submit the completed forms via electronic file transfer.

All access to the reporting section of the ARD website requires a secure login and password. Each data provider will receive instructions to set up a website user account. If you are having difficulty establishing or accessing your account, please call the ARD Helpdesk at (877) 262-7654 or send an e-mail to ardhelpldesk@rti.org.
12. Are there any other ways to report data to the ARD program?

All forms may be downloaded in hard copy format from the ARD website (www.bjsard.org). Hard copy forms can be submitted via mail or password-protected/encrypted email. If you have any questions about how to submit the forms securely, please send an e-mail to ardhelpdesk@rti.org.

How do I submit data by mail?
Please mail your completed forms to:

RTI International
c/o Duren Banks, ARD Program Director
3040 Cornwallis Road, P.O. Box 12194
Research Triangle Park, NC 27709-2194

How do I submit scanned data by e-mail?
If you prefer to scan your paper forms and send them via e-mail, you may send the images in a password-protected/encrypted email to ardhelpdesk@rti.org. Please note that because of the large size of these messages, this is the least preferred mode of submission.

13. My Agency Has No Deaths To Report. Do I Have to Fill Anything Out?

Yes. If your agency has no deaths to report during the study period, you need to submit only the Arrest-Related Deaths Summary of Incidents form (CJ-11 for state and local law enforcement agencies, CJ-12 for medical examiner and coroner’s offices, and CJ-13 for federal law enforcement agencies). Completing this form will take about 5 minutes. The information collected is necessary to calculate a true count of arrest-related deaths in your jurisdiction.

14. How Secure Are the Data?

In accordance with BJS’s authorizing statute, all information collected is held in strict confidence according to law [Section 308(d) of the Public Health Service Act (42 U.S.C. 242m(d) and the Confidential Information Protection and Statistical Efficiency Act (PL 107-347)]. All data you provide are confidential and will be handled and stored in a confidential manner. We have developed safeguards for the transfer of electronic data. Data retrieved using paper documents will be secured at RTI for a specified amount of time.

15. Will the Information I Report Be Made Public?

BJS disseminates ARD program data as summary statistics aggregated to national and state levels. No case-level or agency-specific information will be released by BJS. Public disclosure of that information would violate both the confidentiality agreement BJS has in place for this collection and its stated use, which is solely for statistical purposes.

16. Who Is RTI?

RTI International is a nonprofit research institute that works as the data collection agent for BJS’ ARD program. RTI has been supporting BJS’s efforts with the ARD program since 2011. For more information about RTI, visit www.rti.org.