



# DEATHS IN CUSTODY REPORTING ACT 2022 ANNUAL REPORT



## 2022 Illinois Deaths in Custody Annual Report

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This project was supported in part by Grant #2018-DJ-BX-0761, awarded to the Illinois Criminal Justice Information Authority by the U.S. Department of Justice Office of Justice Programs' Bureau of Justice Assistance. The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice or grant-making component, or the Illinois Criminal Justice Information Authority.

Suggested citation: Otto, H. D., Lavery, T., & Gruschow, K. (2023). *2022 Illinois deaths in custody annual report*. Illinois Criminal Justice Information Authority.

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## Executive Summary

The Illinois Criminal Justice Information Authority is required by both Illinois state legislation (730 ILCS 210/) and federal legislation (34 U.S.C. § 60105) to collect, report, and publish specific data on deaths that occur among individuals in custody of Illinois local and state law enforcement agencies or as a result of an officer's use of force.

ICJIA collects death in custody data from three sources: Illinois Department of Corrections (IDOC) Planning & Research Unit, IDOC Jail Detention Standards Unit (JDSU), and the Illinois State Police (ISP). Additionally, law enforcement agencies may report deaths in custody via ICJIA's online reporting tool. ICJIA has collaborated with the aforementioned state agencies to modify pre-existing death in custody reporting procedures to collect all data pursuant to state and federal legislation.

In addition to data collection, management, reporting, and publishing requirements for deaths in custody, ICJIA is statutorily required to publish an annual report detailing Illinois deaths in custody.

Key findings from the analysis of death in custody data collected in calendar years 2019-2022 include:

- Agencies reported 546 deaths in custody.
- State prisons accounted for nearly 80% of all deaths in custody (444).
- Just over half of all decedents were between the ages of 56 and 79 at the time of death.
- Nearly half of all decedents were identified as Black.
- Roughly 400 deaths were declared as a result of natural causes (79%).
- Monthly deaths in custody typically totaled between 10 and 12; however, notable spikes occurred in the spring and fall of 2020 as a result of COVID-19-related deaths.

ICJIA is following a multipart strategy to improve data collection according to standards and requirements stated in the Illinois SAFE-T Act (730 ILCS 210/). This strategy includes:

1. Improving record quality and completeness.
2. Identifying missing records.
3. Eliciting stakeholder feedback and recommendations.

## Section 1: Introduction

Under the Illinois Reporting of Deaths in Custody Act (730 ILCS 210/; SAFE-T Act) and the federal Death in Custody Reporting Act (34 U.S.C. § 60105; DCRA), the State of Illinois is required to collect information on death in custody incidents. In both Acts, reportable deaths include those occurring while:

- In custody of a law enforcement agency.
- Detained in a local or state correctional facility.
- As a result of a peace officer's use of force.

The Illinois Criminal Justice Information Authority (ICJIA) is responsible for ensuring compliance with these Acts. Accordingly, DCRA requires ICJIA to collect and report deaths in custody on a quarterly basis through the U.S Bureau of Justice Assistance Performance Management Tool. Passed in 2021, the Illinois SAFE-T Act requires ICJIA to collect and publish deaths in custody information on ICJIA's website for public access.

Every Illinois law enforcement agency, Illinois Department of Corrections facility, Illinois Department of Juvenile Justice youth center, and county juvenile detention center must document deaths in custody. A separate report is completed for each decedent. Centralized entities send the reports collected from the facilities and centers to ICJIA. ICJIA receives data from:

- Illinois State Police (law enforcement agency reports)
- Illinois Department of Corrections Planning and Research (adult correctional facility reports)
- Illinois Department of Corrections Jail and Detention Standards Unit (county and municipal jail reports)
- Illinois Department of Juvenile Justice (state youth center reports)

Additionally, law enforcement agencies may report deaths in custody via ICJIA's online reporting tool. However, this reporting procedure is not required of agencies complying with internal reporting procedures.

Reporting is required when a person dies while in the custody of a law enforcement or correctional agency or when a law enforcement officer is making an arrest. ICJIA is required to report and publish all cases where a person dies while in the custody of a law enforcement agency, local or state correctional agency, or a peace officer, or as a result of a peace officer's use of force. DCRA reporting requirements specify that reportable deaths include those that occur while an individual is in the process of being arrested or incarcerated or due to injuries sustained during a police chase.

*Table 1* includes all information which is to be collected for each death in custody incident, as well as which legislation requires the information to be collected.

**Table 1**  
*Required Deaths In Custody Data Collection*

<b>Field</b>	<b>Legislation</b>
Decedent name	DCRA
Decedent race	DCRA, SAFE-T
Decedent age/birth year	DCRA, SAFE-T
Decedent gender	DCRA, SAFE-T
Decedent sexual orientation	SAFE-T
Decedent gender identity	SAFE-T
Date of death	DCRA
Time of death	DCRA
Location of death	DCRA
Type of location where event causing death occurred	DCRA
Manner of death	DCRA, SAFE-T
Responsible agency/jurisdiction	DCRA, SAFE-T
Investigating agency and approximate investigation end date	DCRA, * SAFE-T
Circumstances of death	DCRA, SAFE-T
Emergency care details	SAFE-T

\*Required in instances where the manner of death is reported pending investigation.

The SAFE-T Act also requires ICJIA to publish an annual report that includes an evaluation of trends, other information on deaths in custody, and current efforts and recommendations to reduce deaths in custody.

## Section 2: Data Summary

Between 2019, when DCRA data collection became a requirement, and 2022, agencies in Illinois reported 564 deaths in custody. *Table 2* lists data collected on these deaths.

**Table 2**  
*Illinois Deaths in Custody Reported to ICJIA, 2019-2022*

Variable	n	%
Year of death (N = 564)		
2019	115	20.3
2020	223	39.5
2021	138	24.5
2022	88	15.6
Decedent age (N = 558)		
20 or younger	5	1.0
21-25	15	2.7
26-35	54	9.7
36-45	62	11.1
46-55	101	18.1
56-65	144	25.8
66-79	144	25.8
80 or older	33	6.0
Decedent gender (N = 564)		
Male	540	96.4
Female	20	3.6
Decedent race/ethnicity (N = 544)		
Asian	8	1.5
Black	263	48.3
Hispanic	49	1.0
White	224	41.2
Type of location where event causing death occurred (N = 562)		
At arrest scene/while affecting an arrest	26	4.6
Booking center	1	0.2
Municipal or county jail	71	12.6
State prison	444	79.0
Temporary holding facility	1	0.2
Other	19	3.4
Manner of death (N = 549)		
Accident	15	2.7
Accidental overdose	3	0.5
Death attributed to use of force by a peace officer	21	3.8
Homicide	4	0.7
Natural causes	398	72.5
Suicide	39	7.1
Unavailable, investigation pending	55	10.0
Other	14	2.5
Responsible agency type (N = 562)		
Police department	42	7.5
Sheriff's office	76	13.5
State prison	444	79.0

**Figure 1**  
*Deaths in Custody by Month, 2019-2022*

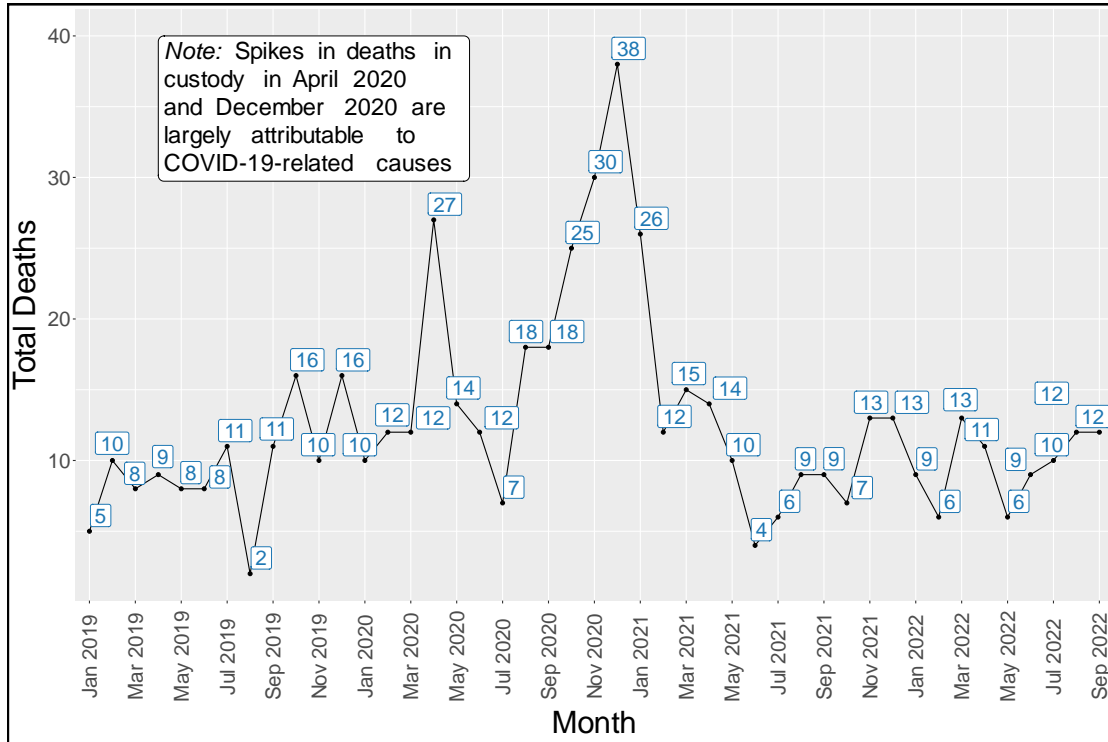
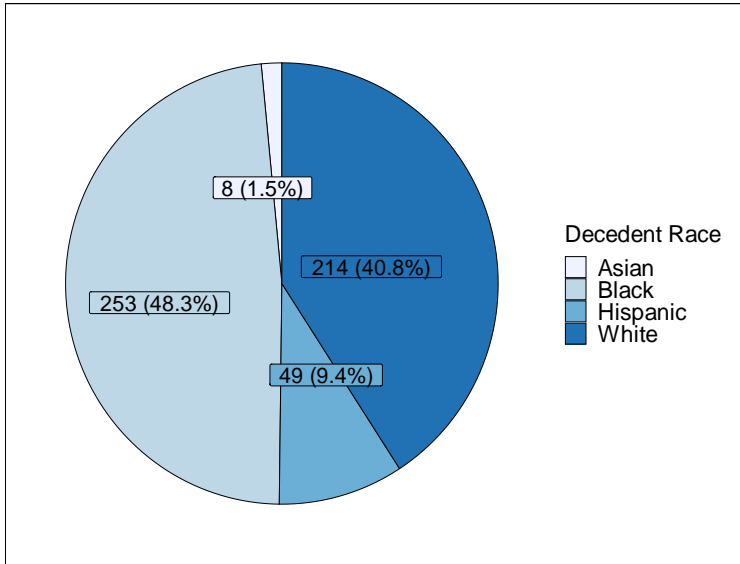


Figure 1 shows monthly deaths in custody trends from January 2019 through September 2022. For the most part, the data (which includes medical-related deaths of people serving long-term prison sentences) shows that deaths in custody have remained stable at around 10 per month. However, large spikes in deaths in custody were reported for April 2020 and October 2020 through January 2021. These spikes are largely attributable to COVID-19. In April 2020, 16 of the 27 reported deaths in custody were attributed to COVID-19 complications. Sixty-seven of the 116 reported deaths (58%) between October 2020 and January 2021 also were attributed to COVID-19 complications.

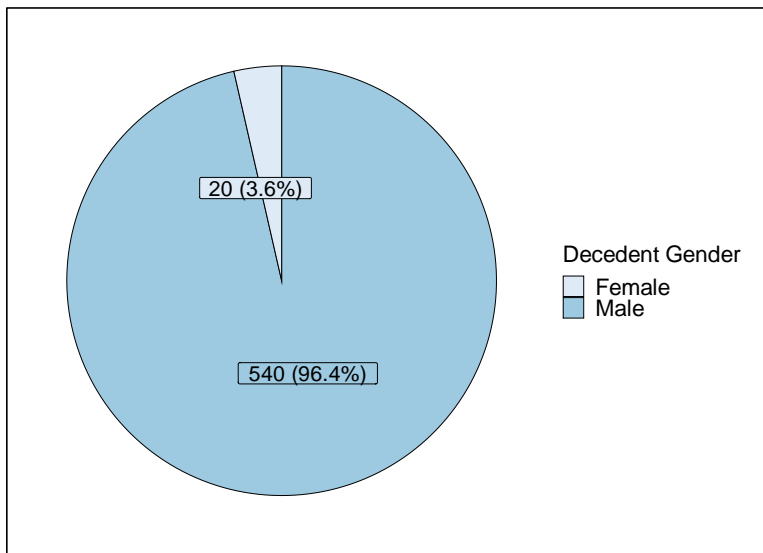


**Figure 2**  
*Decedent Race, 2019-2022*



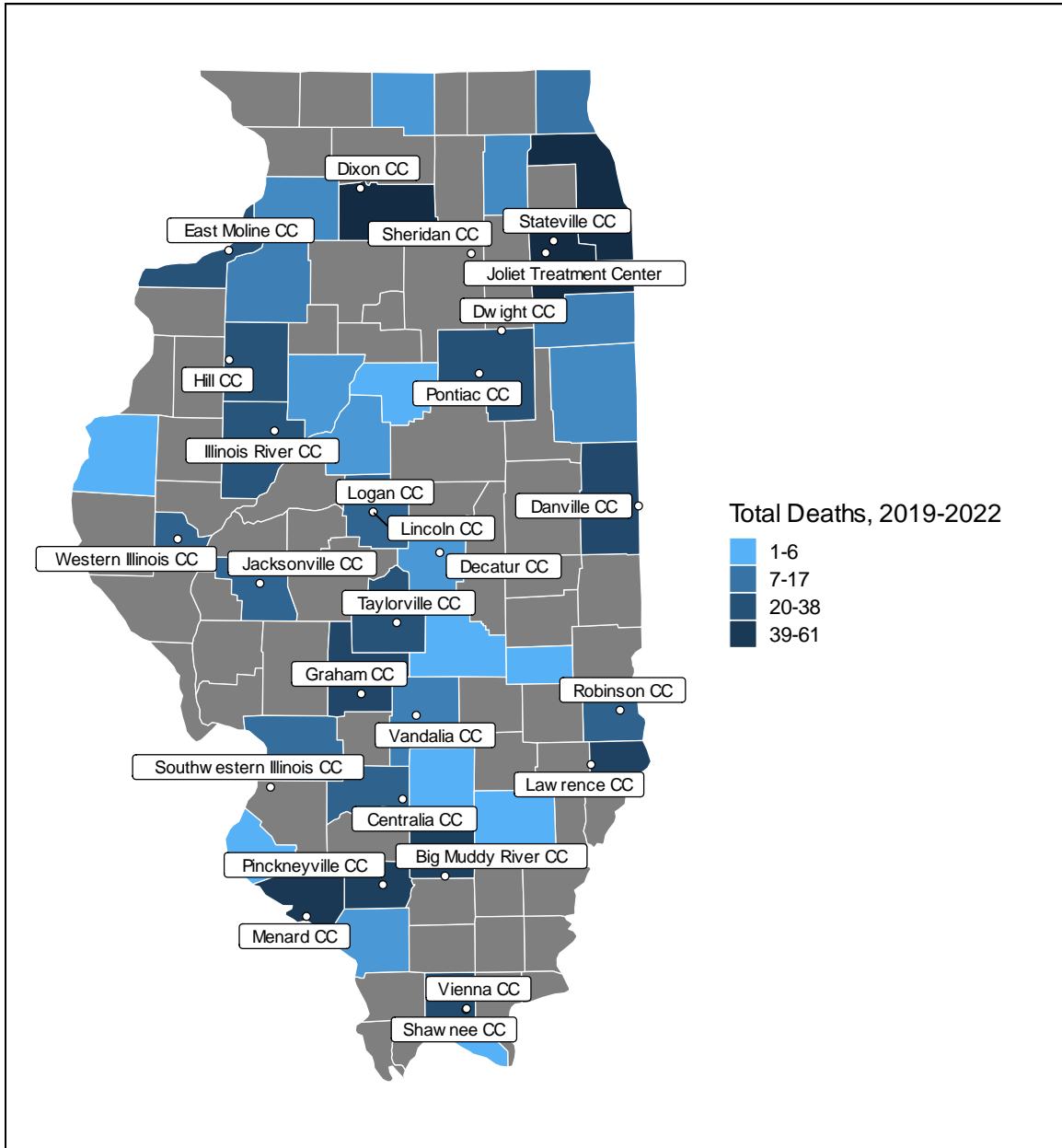
*Figure 2* shows deaths in custody by decedents' race over the period studied. Just under half of all decedents identified as Black, while about 40% identified as White.

**Figure 3**  
*Decedent Gender, 2019-2022*



Males accounted for the vast majority of deaths in custody (*Figure 3*).

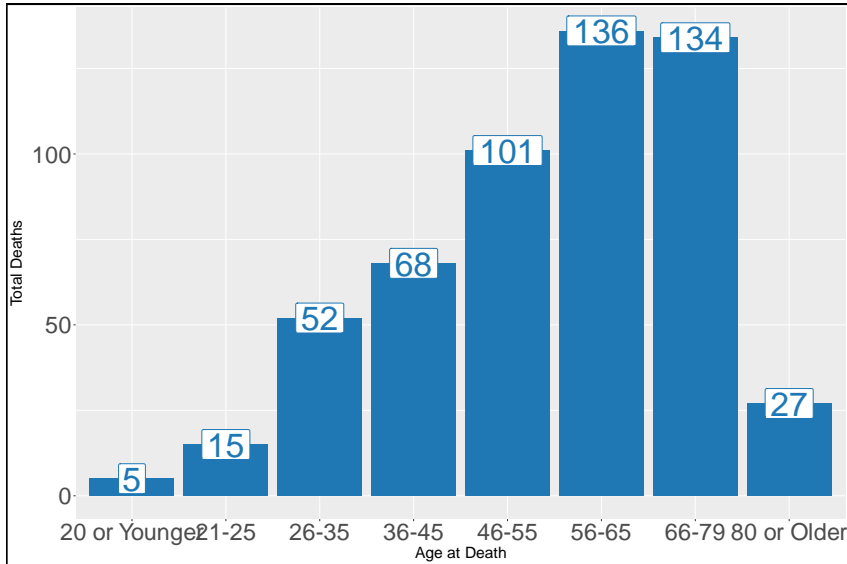
**Figure 4**  
*Deaths in Custody by County, 2019-2022*



Grey counties reported no deaths in custody during that period. IDOC facilities were located in counties that reported the most deaths in custody (20 or more), with the exception of Cook. Deaths that occurred in prison settings accounted for nearly 80% of all deaths in custody (*Table 2*).

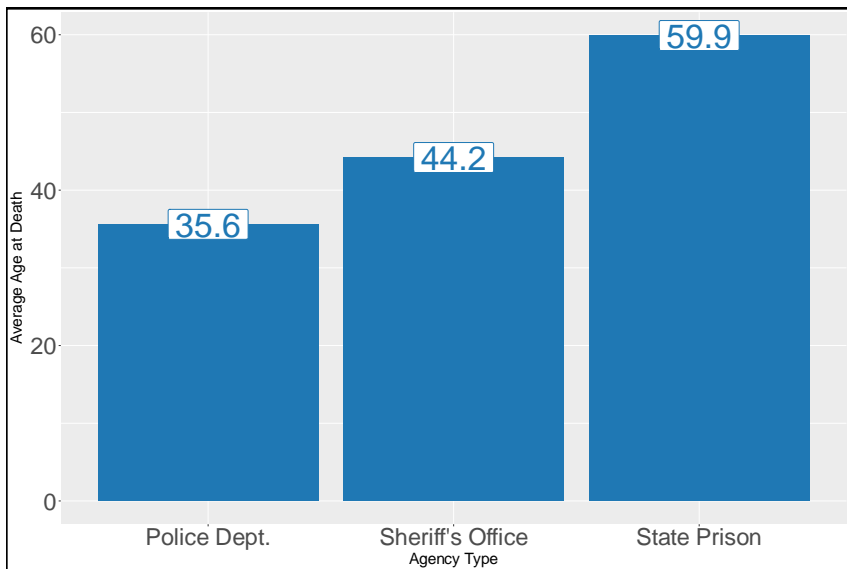
*Figure 4* shows Illinois in-custody deaths by county of the involved agency between 2019 and 2022. Grey counties reported no deaths in custody during that period. IDOC facilities were located in counties that reported the most deaths in custody (20 or more), with the exception of Cook. Deaths that occurred in prison settings accounted for nearly 80% of all deaths (*Table 2*).

**Figure 5**  
*Deaths in Custody, by Age at Death, 2019-2022*



Over half of the decedents were over the age of 55 (*Figure 5*). Individuals between the ages of 56 and 79 accounted for the most deaths in custody.

**Figure 6**  
*Average Age at Death, by Agency Type, 2019-2022*



*Figure 6* shows the average decedent age at death by agency type. The youngest decedents were in police department custody at the time of death, while the oldest were in the custody of a state prison.

**Figure 7**  
*Deaths in Custody by Agency Type, 2019-2022*

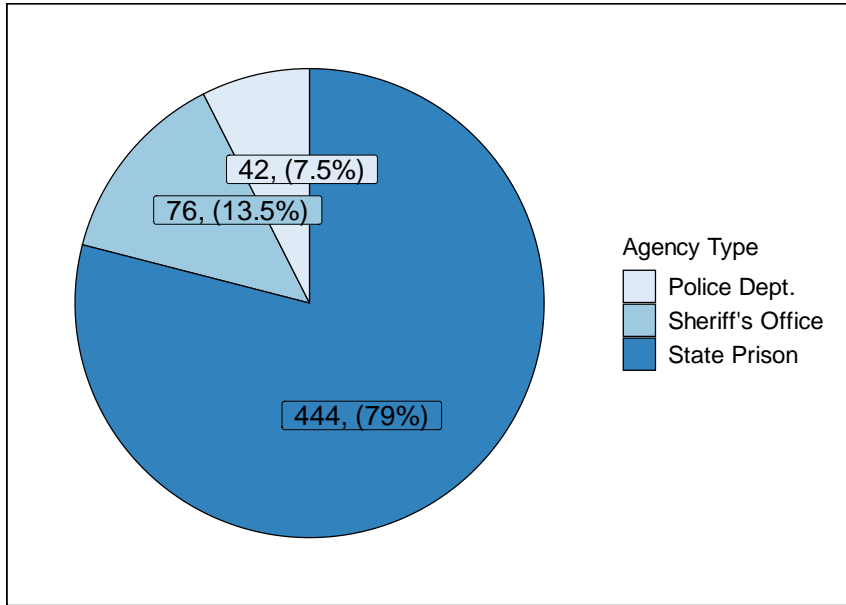


Figure 7 shows the percentages of all deaths in custody by involved agency type between 2019 and 2022. State prisons accounted for nearly 80% of all deaths in custody, while police departments accounted for less than 10%.

Table 3 lists common manners of deaths in custody as reported by agency types. The manner of death is often determined by either the county coroner or county medical examiner, depending on the county in which the person was declared deceased. However, for the purposes of reporting death in custody incidents, manner of death may also be determined by other staff such as correctional officers, police officers, medical staff, or other staff responsible for reporting. The manner of death is considered pending if a determination has not been made at the time of reporting. Nearly all deaths caused by an officer's use of force involved municipal police departments (95%), while roughly 5% of those deaths involved sheriff's offices. Nearly all deaths attributed to natural causes occurred among those under Illinois state prison jurisdiction. The majority of deaths caused by suicide occurred while the individuals were in custody of state prisons or sheriff's offices.

**Table 3**  
*Determined Manners of Death by Agency Type, 2019-2022*

Agency Type	Manner of Death					
	Natural Causes		Officer Use of Force		Suicide	
	n	%	n	%	n	%
Police Department	5	1.3	20	95.2	5	13.2
Sheriff's Office	17	4.5	1	4.8	15	39.4
State Prison	356	94.2	0	0.0	18	47.4

### **Section 3: Data Collection Plan**

In 2023, ICJIA will improve compliance with the statutory requirements of the Illinois SAFE-T Act. Strategies to improve compliance include:

1. Improving record quality and completeness
2. Identifying missing records.
3. Eliciting stakeholder feedback and recommendations.

#### **Improving Record Quality and Completeness**

ICJIA collected most data required by DCRA and the SAFE-T Act. However, some data fields were not utilized by agencies prior to the SAFE-T Act's passage in 2021. To address this, ICJIA worked closely with the IDOC's Planning and Research and Jail Detention Standards units and the Illinois State Police to implement reporting procedures that align with SAFE-T Act requirements. All required data fields will be utilized by reporting agencies in 2023.

To address the gaps in data, ICJIA has been working closely with several agencies (IDOC Planning and Research, IDOC Jail Detention Standards Unit, and Illinois State Police) to implement changes to their current reporting procedures in order to comply with SAFE-T Act requirements. ISP and IDOC have implemented changes to their reporting tools to collect and report information required by the SAFE-T Act, primarily by including the aforementioned fields in their existing reporting forms. As a result, ICJIA will begin adding more data fields to the publicly reported dataset in 2023 as the data for these fields become more sufficient for publication.

#### **Identifying Missing Records**

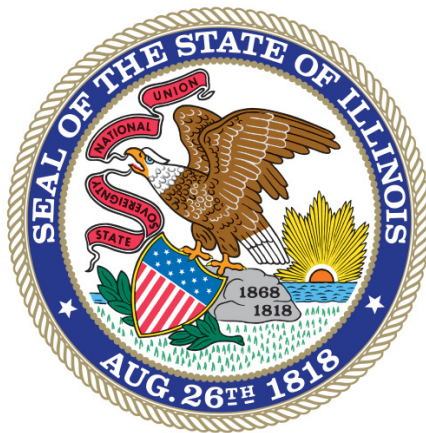
ICJIA will audit death in custody data to identify missing records. The audit will include scanning media reports for deaths that do not appear in official reports and cross-referencing with other official data sources. For example, statewide use of force data may include deaths resulting from officer use of force that agencies did not report to ICJIA. Illinois Violent Death Reporting System (IVDRS) data also may be useful for identifying deaths in custody. While IVDRS data does not include the number of deaths as a result of natural causes, ICJIA will use internal data on other types of deaths in custody to examine completeness and accuracy. National Incident Based Reporting System data may also be useful. Cross-checking with other data sources will help ensure greater data quality and identify potential lapses or shortcomings in the current and planned data collection processes.

#### **Eliciting Stakeholder Feedback and Recommendations**

ICJIA is statutorily required to collect information on state and local efforts to reduce and prevent deaths in custody (730 ILCS 210/3-5). ICJIA will interview, survey, and make other inquiries of law enforcement agencies for information on their procedures and/or death reduction and prevention strategies. Procedures and policies of interest may involve use of force, suicide prevention, and emergency care and other medical services, among others under way or in

development. Finally, ICJIA will seek feedback from criminal justice practitioners on death prevention policy improvements.

Improved data collection standards, a better understanding of death in custody patterns, stakeholder feedback, and a review of current and planned policies for reducing deaths in custody will inform future recommendations and create a more accurate baseline from which to research and identify best practices.



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