



# OHIO DEATHS IN CUSTODY – 2020

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## Ohio Deaths in Custody – 2020

### Background

A death in custody is defined as the death of any person who is detained, under arrest, or is in the process of being arrested, is en route to be incarcerated, or is incarcerated at a municipal or county jail, state prison, state-run boot camp prison, boot camp prison that is contracted out by the state, any state or local contract facility, or other local or state correctional facility (including any juvenile facility).

For the purposes of this report, deaths that occur during an interaction with state or local law enforcement, also known as an arrest-related death (ARD), will be reported separately from the deaths of persons who are incarcerated in correctional facilities.<sup>1</sup>

### History and Methodology

In 2003, the Bureau of Justice Statistics (BJS) implemented the Arrest-Related Death program as part of the Deaths in Custody Reporting Program, which was initiated to fulfill the data collection requirement act of the Deaths in Custody Reporting Act of 2000 (DICRA, P.L. 106-247). Arrest-related deaths, or ARDs, are deaths that occur in the process of arrest. In 2006, the DICRA reporting requirements expired; however, BJS continued to

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<sup>1</sup> Correctional facilities include Ohio municipal or county jail, state prison, state-run boot camp prison, boot camp prison that is contracted out by the state, any state or local contract facility, or other local or state correctional facility.

## Highlights

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*In 2020, the Office of Criminal Justice Services collected reports for 40 confirmed arrest-related deaths in Ohio. Homicide by law enforcement personnel accounted for 55% of those reported incidents.*

*Ninety-five percent of arrest-related death subjects were male. White males account for fifty percent of the total and Black males account for forty-five percent of total deaths.*

*Seventy percent of arrest-related incidents were initiated based on a civilian's request for response to criminal or suspicious activity.*

*Seventy-six percent of incarceration deaths were identified as a death by natural causes.*

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collect, analyze, and report on deaths in custody, including ARDs. In December 2014, the Death in Custody Reporting Act (DICRA) of 2013 was signed into law (P.L. 113-242), requiring states to submit quarterly data on deaths that occur in the process of arrest. BJS created an incident form (CJ-11A) to capture information on ARDs. In 2014, due to issues with variability and general data quality of the ARD program, the ARD data collection program was discontinued. However, Ohio continued to collect ARD data using the BJS incident form and ARD definition to track such incidents.

In 2019, the Bureau of Justice Assistance (BJA) received approval to begin collecting death in custody (DIC) data from states using a new data collection tool. In addition, DIC data was expanded beyond ARDs to include the collecting and reporting on deaths of any persons who are incarcerated at a municipal or county jail, state prison, state-run boot camp prison, boot camp prison that is contracted out by the state, any state or local contract facility, or other local or state correctional facility (including any juvenile facility). This report highlights reporting requirements set by BJA for 2020 all DIC incidents.

The data collection cycle begins January 1<sup>st</sup> and ends December 31<sup>st</sup>. Office of Criminal Justice Services (OCJS) researchers rely on multiple sources to collect DIC data; however, because there is no central repository to report ARDs, media reports are often used for initial identification of such deaths. Official autopsy reports are then requested from the appropriate county coroner or medical examiner. Once these reports are received, final incident reports are completed.<sup>2</sup> When necessary, OCJS researchers may also submit a request for an investigative summary from the appropriate law enforcement agency for additional details surrounding an arrest-related death incident. Deaths of any persons who are incarcerated at correctional facilities are collected quarterly from the appropriate state agencies responsible for these data collections.

For further details and definitions on the Deaths in Custody Program, please visit <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/DCRA-Factsheet.pdf>

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<sup>2</sup> A copy of the BJA Arrest-Related Death Report form can be found at the conclusion of this document.



## Ohio Arrest-Related Deaths– 2020

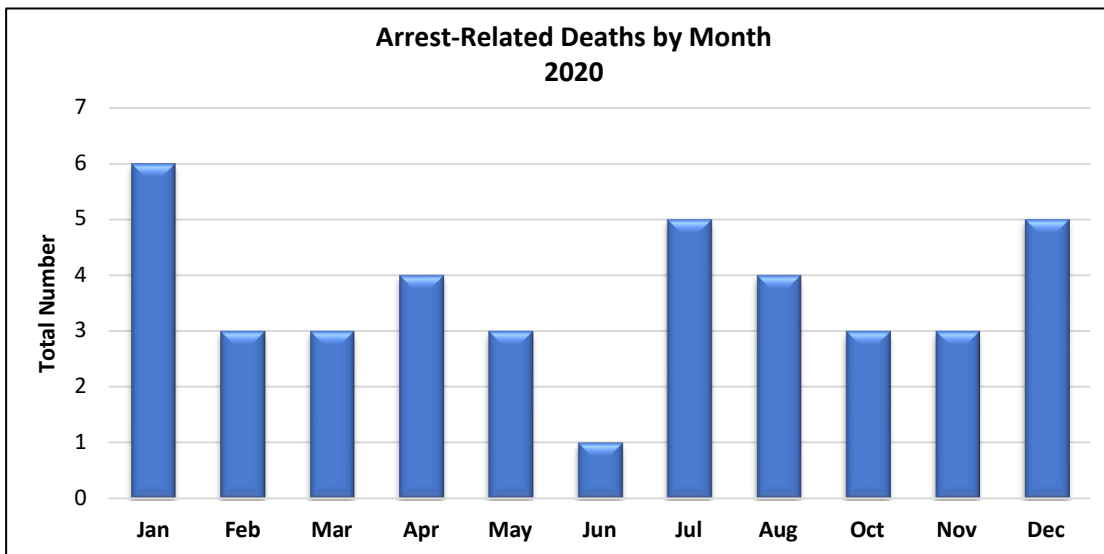
An arrest-related death (ARD) is defined as any death (e.g., gunshot wound, cardiac arrest, or drowning) of a person who is detained, under arrest, in the process of being arrested, or is en route to be incarcerated that occurs during an interaction with state or local law enforcement personnel.

It should be noted that not all deaths that occur during an interaction with state or local law enforcement personnel are reported to the Deaths in Custody Reporting Program, and they include:

- Deaths of bystanders, hostages and law enforcement personnel.
- Deaths by federal law enforcement. However, fatal incidents that include interactions between federal law enforcement, along with state or local law enforcement are reportable to the DIC program.<sup>3</sup>
- Deaths of wanted criminal suspects before police contact. If a death of a wanted criminal suspect occurred before law enforcement interaction, it is not within the scope of the DIC program.

### Characteristics of Ohio Arrest-Related Deaths

In 2020, OCJS collected reports for 40 arrest-related deaths in Ohio. There were no patterns found when looking at the number of incidents based on the month of occurrence.



<sup>3</sup> Current Death in Custody Reporting Act of 2013 (P.L. 113-242) includes federal law enforcement within scope.

Nineteen counties reported to have at least one arrest-related death, with Franklin County accounting for 15 percent of the incidents (comprising all cases of ARDs in the Central region). Regionally, Northeast Ohio saw the highest percent of ARDs, accounting for 40 percent of arrest-related death incidents.

Region of Ohio	Total	Percent <sup>4</sup>
Central	6	15%
Southeast	3	8%
Northeast	16	40%
Northwest	5	13%
Southwest	10	25%

### Incident Circumstances

Of the 40 arrest-related deaths identified, 70 percent of incidents were initiated based on a civilian’s request for response to criminal or suspicious activity.

Reason for initial contact	Total	Percent
Civilian request for medical, mental health or welfare assistance	2	5%
Civilian request for response to criminal/suspicious activity	28	70%
Routine patrol/on-view (other than traffic stop)	4	10%
Traffic/vehicle stop	2	5%
Warrant services	2	5%
Other	2	5%

When circumstances were known, 27 incidents involved the decedent attempting to injure or injuring others. Of those incidents, the following were reported:

- Six incidents included an attempt to injure or injuring of civilian(s)
- Three incidents included an attempt to injure or injuring of civilian(s) & law enforcement officer(s)
- Eighteen incidents included an attempt to injure or injuring of law enforcement officer(s)

There were 32 decedents who either displayed or used a weapon during an arrest-related incident. Of the 27 incidents that involved a decedent attempting to injure or injuring others, all decedents displayed or used a weapon.

<sup>4</sup> Percent will exceed 100 percent due to rounding

Of the 40 ARD incidents, 25 involved the decedent engaging in at least one of the following behaviors: 68 percent barricaded themselves or initiated a standoff, 16 percent attempted to escape/flee from custody or made suicidal statements. Additionally, there were three incidents where it was unknown whether the decedent engaged in any of these activities.

At any time during the incident, did the decedent...	Total <sup>5</sup>	Percent <sup>6</sup>
Attempt to escape/flee from custody	4	16%
Barricade self or initiate standoff	17	68%
Gain possession of officer's weapon	1	4%
Attempt to grab, hit or kick officer(s)	3	12%
Resist being handcuffed or arrested	1	4%
Make suicidal statements	4	16%
Verbally threaten other(s)	3	4%

Of the 40 ARD incidents, there were 8 incidents in which law enforcement personnel reported any of the following types of engagement with the decedent.

At any time during the incident, did law enforcement...	Total <sup>7</sup>	Percent <sup>8</sup>
Engage in foot pursuit	2	25%
Fight or struggle with decedent	4	50%
Engage in motor vehicle pursuit	4	50%

There were 26 incidents in which law enforcement reported the use of any of weapons. Of these, 92 percent involved firearm discharge.

At any time during the incident, did law enforcement use these weapons?	Total <sup>9</sup>	Percent <sup>10</sup>
Conducted energy device (taser) contact	3	12%
Non-lethal bean bag gun	1	4%
Deployed stop sticks	1	4%
Firearm discharge	24	92%
Tear gas	3	12%

<sup>5</sup> Total will not equal 28 incidents, as some incidents reported a decedent engaging in more than one of the listed behaviors.

<sup>6</sup> Percent will may exceed 100 percent, due to a decedents engaging in more than one behavior during an incident

<sup>7</sup> Total will be greater than 8 incidents, due to some incidents in which law enforcement personnel engaged in more than one behavior.

<sup>8</sup> Percent total will exceed 100 percent due to some incidents having law enforcement engaging in more than one behavior.

<sup>9</sup> Total will be greater than 30 incidents, due to some incidents in which law enforcement personnel engaged in more than one behavior.

<sup>10</sup> Percent total will exceed 100 percent due to some incidents having more than one law enforcement use of a weapon.

Of the incidents where manner of death could be determined, 55 percent of the deaths were ruled a homicide by law enforcement, 43 percent were the result of a suicide, and three percent ruled an accident. A firearm caused the death of 95 percent of the decedents.<sup>11</sup>

### Location

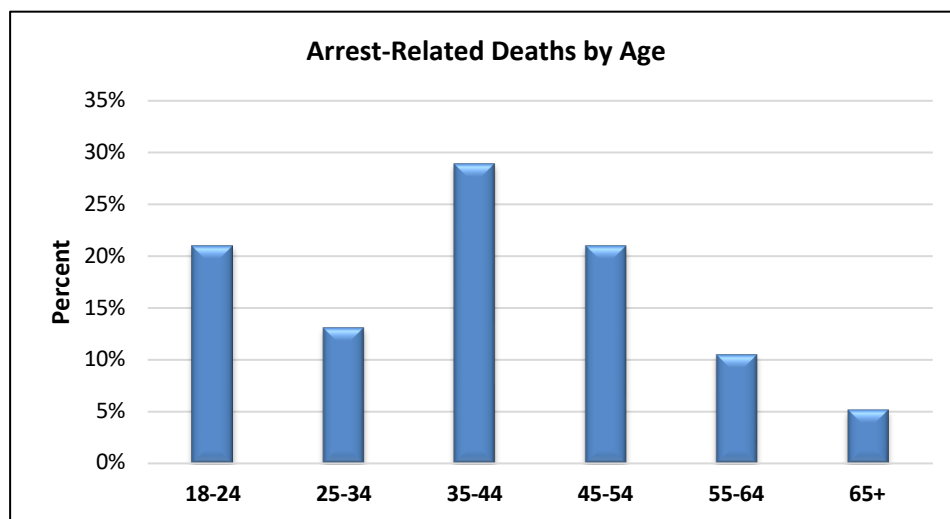
Sixty percent of ARD incidents occurred at a residence, and 23 percent occurred on a roadway/highway/street/sidewalk.

### Decedent Characteristics

Ninety-five percent of ARDs were identified as male. When race and ethnicity were known, White males made up 50 percent of the deaths, with Black males accounting for 45 percent.

Race	Total	Percentage
Black/African American	18	45%
White	20	50%
Biracial	1	2.5%
Unknown	1	2.5%
Total	40	

The average age of a decedent was 37.8 years and 29 percent of decedents were between the ages of 35 and 44 years.



<sup>11</sup> This percentage includes both decedent and law enforcement use of firearms.



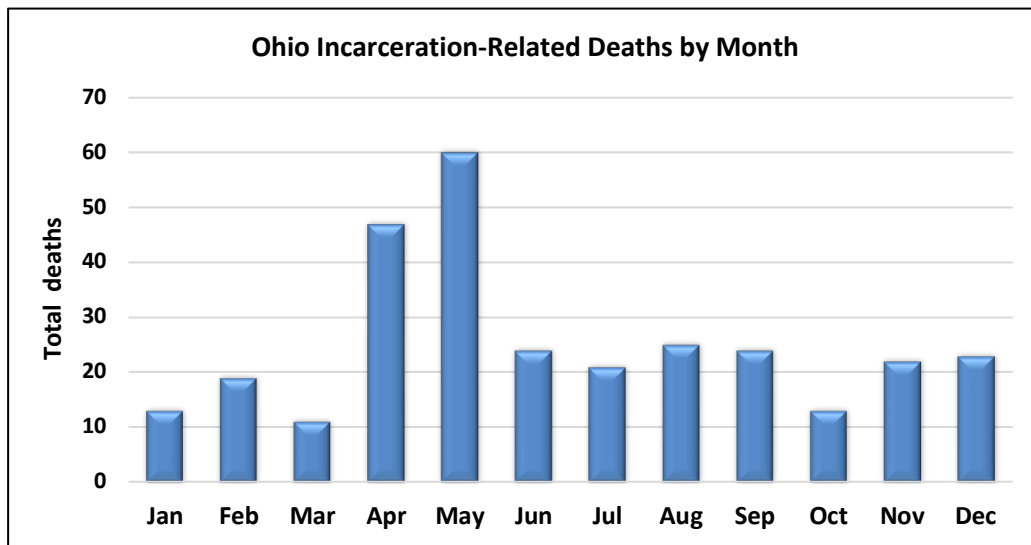
## Ohio Incarceration Deaths– 2020

The following briefly details the death of any person who was incarcerated at a municipal or county jail, state prison, state-run boot camp prison, boot camp prison that is contracted out by the state, any state or local contract facility, or other local or state correctional facility, including those that occur:

- When an inmate, who is in legal custody at the time, is transferred to a medical facility and dies there.
- Deaths occurring in a halfway house, if the halfway house is under contract by the state or local government.

### Characteristics of Ohio Incarceration Deaths

In 2020, OCJS collected reports for 302 incarceration-related deaths. Beginning in the first few months of 2020, the COVID-19 pandemic was identified within Ohio prisons. In April and May alone, incarceration deaths increased from 10 in March to 47 in April and 60 in May. The large majority of these were deaths due to natural causes. COVID-19 increasingly became identified in death certificates as a cause of death, often in conjunction with other illnesses. As preventative strategies against the virus were employed, the level of incarcerated deaths decreased by more than half from the high of 60 in May.



Out of the 302 deaths, 288 were male, accounting for 95 percent of all incarceration-related deaths. Fourteen individuals who died were female, making up five percent of all deaths. When race was known, 192 individuals were White and 105 were Black/African American. When ethnicity was known, 297, or 98

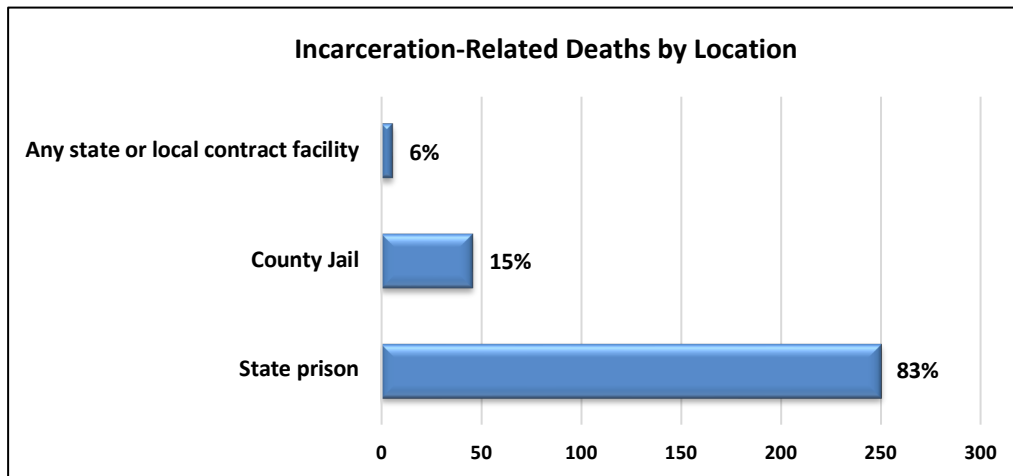


percent of individuals, were not Hispanic, Latino, or Spanish origin with five individuals of Hispanic, Latino, or Spanish origin.

Race	Total	Percentage
White	192	64%
Black/African American	105	35%
Asian	1	<1%
Other	4	1%

### Incarceration Death Location

A total of 250 Individuals died while in the custody of state prisons, making up 83 percent of incarceration deaths. Forty-six deaths occurred in county jails, and six in a state or local contract (community correctional) facility. In 2020, there were no reported deaths in juvenile detention centers.



### Manner of Death

Out of the 302 deaths, 231 (76 percent) occurred as a result of natural causes. Thirty-three deaths, or 11 percent of all cases, occurred as a result of suicide. Additionally, the manner of death for thirty individuals were unavailable, pending investigation. Of the state prison deaths, 127 (52 percent) were identified as being COVID-19 related deaths.

	Total	Percent
Natural causes	231	76%
Homicide	3	1%
Suicide	33	11%
Accident	5	2%
Pending Investigation	30	10%

## DEATH IN CUSTODY REPORTING ACT

The Death in Custody Reporting Act of 2013 requires states that receive allocations under specified provisions of the Omnibus Crime Control and Safe Streets Act of 1968 to report certain information regarding the death of any person in law enforcement custody. This may include individuals who are detained, arrested, en route to incarceration, or incarcerated in state or local facilities or a boot camp prison.

1. Was there at least one reportable death in your state during the reporting period? A reportable death refers to the death of an individual who was detained, arrested, en route to incarceration, or incarcerated in state or local facilities or a boot camp prison.
  - A. Yes
  - B. No (If No, this marks the conclusion of the module)
  - C. If yes, please provide the number of reportable deaths in your state during the reporting period \_\_\_\_
2. Please provide the following decedent information. If you have multiple deaths in custody, you will report one at a time.
  - A. Name: \_\_\_\_\_
  - B. SSN (if known) \_\_\_\_\_
  - C. Gender
    1. Male
    2. Female
    3. Other gender identity: \_\_\_\_\_
  - D. Race (Select all that apply)
    1. American Indian or Alaska Native
    2. Asian
    3. Black or African American
    4. Native Hawaiian or Other Pacific Islander
    5. White
    6. Unknown
  - E. Ethnicity
    1. Hispanic, Latino, or Spanish origin
    2. Not of Hispanic, Latino, or Spanish origin
    3. Unknown
  - F. Birth Year (YYYY). If unknown, please enter "9999": \_\_\_\_\_
3. Please list the following information regarding the decedent's death.
  - A. Date of Facility Admission/Arrest (MM-DD-YYYY): \_\_\_\_\_
  - B. Date of Death (MM-DD-YYYY): \_\_\_\_\_
  - C. Time of Death (24-hour clock): \_\_\_\_\_
  - D. Location of Death
    1. Location Name (if applicable). This could be the name of a facility, place of business, or other designation for the location of death: \_\_\_\_\_
    2. Street Address: \_\_\_\_\_
    3. City: \_\_\_\_\_

4. State (postal abbreviation): \_\_\_\_\_
5. Zip: \_\_\_\_\_
- E. If the event causing the death occurred in any of the following facilities, please indicate the appropriate facility below. If the event causing the death did not occur in one of the facilities listed below, please use the "None of the above" answer choice.
  1. Municipal or county jail
  2. State prison
  3. State-run boot camp prison
  4. Contracted boot camp prison
  5. Any state or local contract facility
  6. Other local or state correctional facility (to include any juvenile facilities)
  7. None of the above
4. Please list the name of the department or agency that detained, arrested, or was in the process of arresting the deceased.
  - A. Agency Name: \_\_\_\_\_
5. Please indicate the manner of death (Mark only one).
  - A. Accident
  - B. Death attributed to use of force by a law enforcement or corrections officer
  - C. Homicide (e.g., an incident between two or more incarcerated individuals resulting in a death)
  - D. Natural causes
  - E. Suicide
  - F. Unavailable, investigation pending
    1. If yes, please report the agency conducting the investigation and an approximate end date. When the investigation has concluded, please contact the PMT Help Desk to update this report: \_\_\_\_\_
  - G. Other
    1. If other, please explain: \_\_\_\_\_
6. Please provide a brief description of the circumstances leading to the death (e.g., details surrounding an event that may have led to the death, the number and affiliation of any parties involved in an incident, the location and characteristics of an incident, other context related to the death, etc.). \_\_\_\_\_