

OHIO DEATHS IN CUSTODY – 2021

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Ohio Deaths in Custody – 2021

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 (ARDs), will be reported separately from the deaths of persons who are incarcerated in correctional facilities.[1]

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 (DCRA, P.L. 106-247). In 2006, the DICRA reporting requirements expired; however, BJS continued to collect, analyze, and report on deaths in custody, including ARDs. In 2014, the Death

Highlights

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In 2021, the Office of Criminal Justice Services collected reports for 44 confirmed arrest–related deaths in Ohio. Homicide by law enforcement personnel accounted for 64% of those reported deaths.

Most arrest-related decedents were male (98%). Black males accounted for 52% of the total deaths and White males accounted for 45%.

Of the 44 arrest-related death incidents, 61% were initiated based on a civilian's request for response to criminal or suspicious activity.

When looking at incarceration deaths, 48% were identified as death by natural causes.

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[1] 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.

in Custody Reporting Act of 2013 (DCRA, P.L. 113-242) was reauthorized, requiring states to submit quarterly data on deaths that occur in the process of arrest, and language was added to include deaths that occur when a person is detained, arrested, or was in the process of being arrested. 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).

In 2020, BJA began collecting DIC data from State Administering Agencies (SAAs) through the BJA Performance Measurement Tool (PMT). SAAs are responsible for compiling data on all DICs that occur throughout their state including ARDs and deaths within correctional facilities. The data collection cycle begins January 1st and ends December 31st and must be submitted quarterly. Office of Criminal Justice Services (OCJS) researchers are responsible for collecting and reporting to BJA all DIC that occur in the state of Ohio. 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[2]. When necessary, OCJS researchers may also submit a request for an investigative summary from the appropriate law enforcement agency for additional details surrounding an ARD incident. Deaths of any persons who are incarcerated at correctional facilities are collected quarterly from the appropriate state agencies responsible for these data collections.

The collection of individual-level data allows the Department of Justice and OCJS researchers to perform an analyses of comparative death rates across demographic categories and offense types and facility and agency characteristics. Non-compliance with reporting requirements by states can result in the Department of Justice applying a penalty on future federal grant funding.

For further details and definitions on the Deaths in Custody Program, please visit Death in Custody Reporting Act (ojp.gov).

[2] A copy of the BJA Arrest-Related Death Report form can be found at the conclusion of this document.



Ohio Arrest-Related Deaths – 2021

For the purposes of the Deaths in Custody Reporting Act, an ARD is defined as any death that occurs in the process of an arrest by a state and local law enforcement agency (e.g., gunshot wound, cardiac arrest, or drowning) that occurs during an interaction with state or local law enforcement personnel, including those that occur:

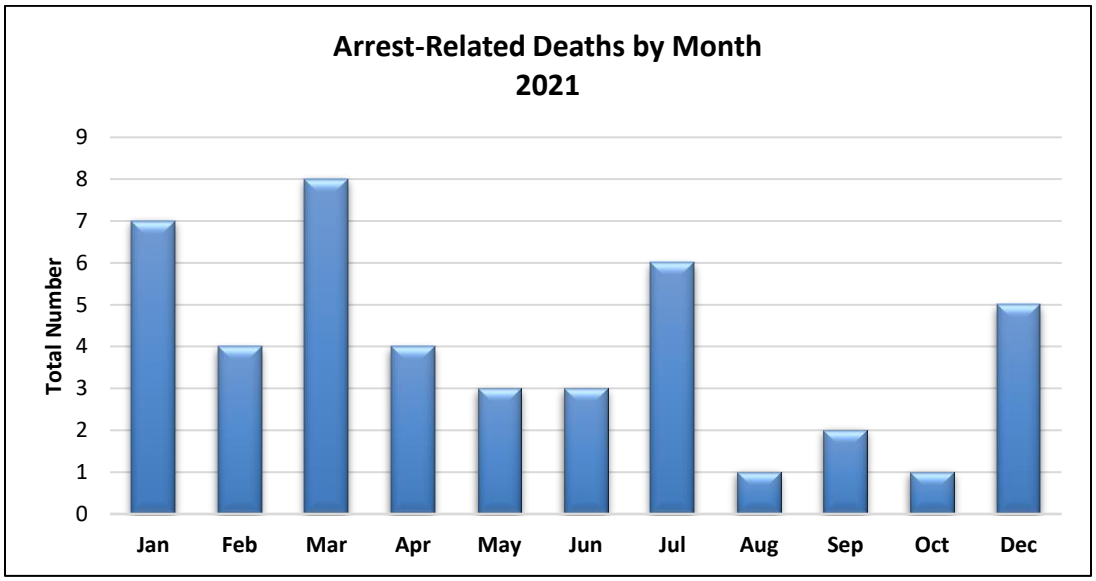
- Shortly after freedom to leave is restricted, all deaths that occur shortly after a person's freedom to leave is restricted by state or local law enforcement personnel.
- During an attempt to arrest or in the process of arrest.
- Without any direct action by law enforcement. This would include deaths attributed to suicide, intoxication, accidental injury, medical emergencies, or other health complications.
- All deaths that occur after law enforcement have established physical custody of an arrestee.

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:

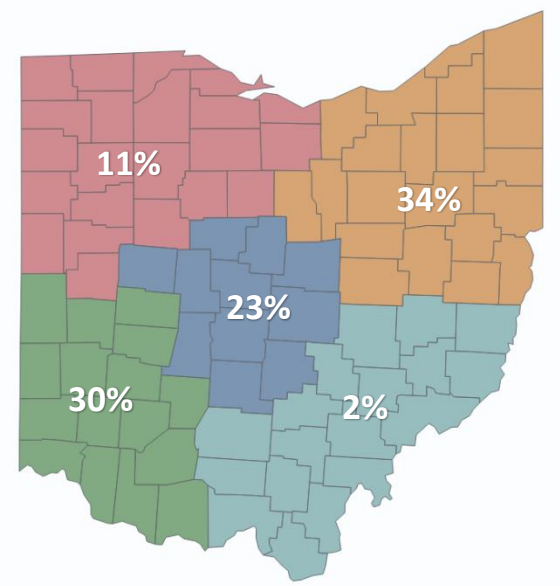
- Deaths of bystanders, hostages, and law enforcement personnel.
- Deaths of wanted criminal suspects before police contact.
- Deaths by vehicular pursuits without any direct police action.
- Deaths of individuals who are detained, under arrest, or are in the process of being arrested by a federal law enforcement officer.

Characteristics of Ohio Arrest-Related Deaths

In 2021, OCJS collected reports for 44 ARDs in Ohio. There were no patterns found when looking at the number of incidents based on the month of occurrence.



Fifteen counties reported to have at least one ARD, with Franklin County accounting for 20% of the incidents. Regionally, Northeast Ohio saw the highest percent of ARDs, accounting for 34% of ARDs.



Region of Ohio	Total	Percent
Central	10	23%
Southeast	1	2%
Northeast	15	34%
Northwest	5	11%
Southwest	13	30%

Incident Circumstances

Of the 44 ARDs identified, 61% of incidents were initiated based on a civilian's request for response to criminal or suspicious activity.

Reason for initial contact	Total	Percent[3]
Civilian request for medical, mental health or welfare assistance	2	5%
Civilian request for response to criminal/suspicious activity	27	61%
Routine patrol/on-view (other than traffic stop)	2	5%
Traffic/vehicle stop	3	7%
Warrant services	10	23%

When circumstances were known, 34 incidents involved the decedent attempting to injure or injuring others. Of those incidents, the following were reported:

- Thirteen incidents included an attempt to injure or injuring of civilian(s)
- Five incidents included an attempt to injure or injuring of civilian(s) & law enforcement officer(s)
- Sixteen incidents included an attempt to injure or injuring of law enforcement officer(s)

There were 40 decedents who either displayed or used a weapon during an arrest-related incident. Of the 34 incidents that involved a decedent attempting to injure or injuring others, 33 decedents displayed or used a weapon.

Of the 44 ARD incidents, 35 involved the decedent engaging in at least one of the following behaviors: 49% attempted to escape/flee from custody, 34% barricaded themselves or initiated a standoff, and 14% resisted being handcuffed or arrested.

At any time during the incident, did the decedent…	Total[4]	Percent[5]
Attempt to escape/flee from custody	17	49%
Barricade self or initiate standoff	12	34%
Gain possession of officer's weapon	1	3%
Attempt to grab, hit or kick officer(s)	2	6%
Resist being handcuffed or arrested	5	14%
Make suicidal statements	2	6%
Verbally threaten other(s)	4	11%

[3] Percent will exceed 100 percent due to rounding.
[4] Total will not equal 35 incidents, as some incidents reported a decedent engaging in more than one of the listed behaviors.
[5] Percent may exceed 100 percent, due to a decedent engaging in more than one behavior during an incident.

Of the 44 ARD incidents, there were 31 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[6]	Percent[7]
Engage in foot pursuit	4	13%
Arrest the decedent	2	6%
Fight or struggle with decedent	3	10%
Engage in motor vehicle pursuit	10	32%
Physically restrain decedent	2	6%
Restrain decedent with equipment	1	3%
Other	14	45%

There were 30 ARD incidents in which law enforcement reported the use of any weapons (by law enforcement). Of these, 93% involved firearm discharge.

At any time during the incident, did law enforcement use these weapons?	Total[8]	Percent[9]
Conducted energy device (taser) contact	6	20%
Non-lethal bean bag gun	1	3%
Deployed stop sticks	2	7%
Firearm discharge	28	93%
Tear gas	4	13%
Baton/blunt instrument impact	1	3%
Pepper/OC spray, mace dispersion	1	3%
Other use of weapon	2	7%

Of the incidents where manner of death could be determined, 64% were ruled a homicide by law enforcement, 27% were the result of a suicide, and 9% ruled an accident. A firearm caused the death of 86% of the decedents.[10]

Location

When looking at location of an incident, 54% of ARDs occurred at a residence, and 34% occurred on a roadway, highway, street, or sidewalk.

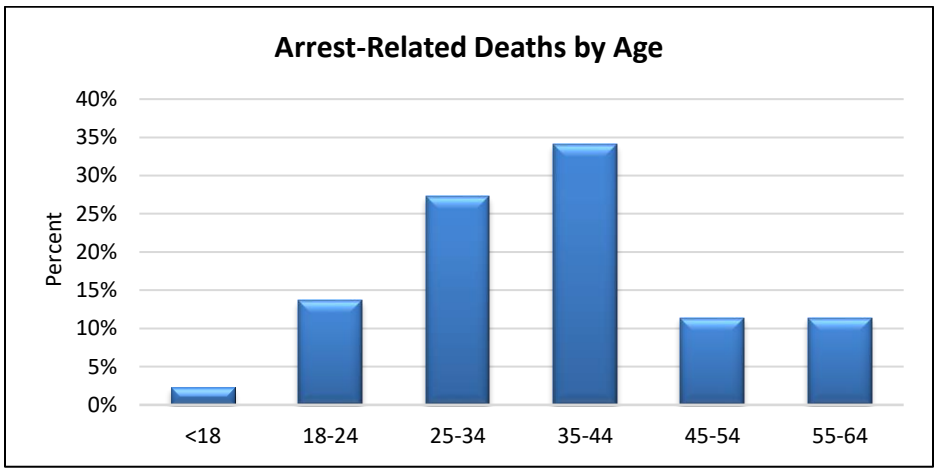
[6] Total will be greater than 31 incidents, due to some incidents in which law enforcement personnel engaged in more than one behavior.
[7] Percent total will exceed 100 percent due to some incidents having law enforcement engaging in more than one behavior.
[8] Total will be greater than 30 incidents, due to some incidents in which law enforcement personnel engaged in more than one behavior.
[9] Percent total will exceed 100 percent due to some incidents having more than one law enforcement use of a weapon.
[10] This percentage includes both decedent and law enforcement use of firearms.

Decedent Characteristics

Of the 44 deaths, 98% of ARDs were identified as male. When race and ethnicity were known, Black males made up 52% of the deaths, with White males accounting for 45%.

Race	Total	Percentage
Black/African American	24	55%
White	20	45%
Total	44	

The average age of a decedent was 36.7 years and 34% of decedents were between the ages of 35 and 44 years.



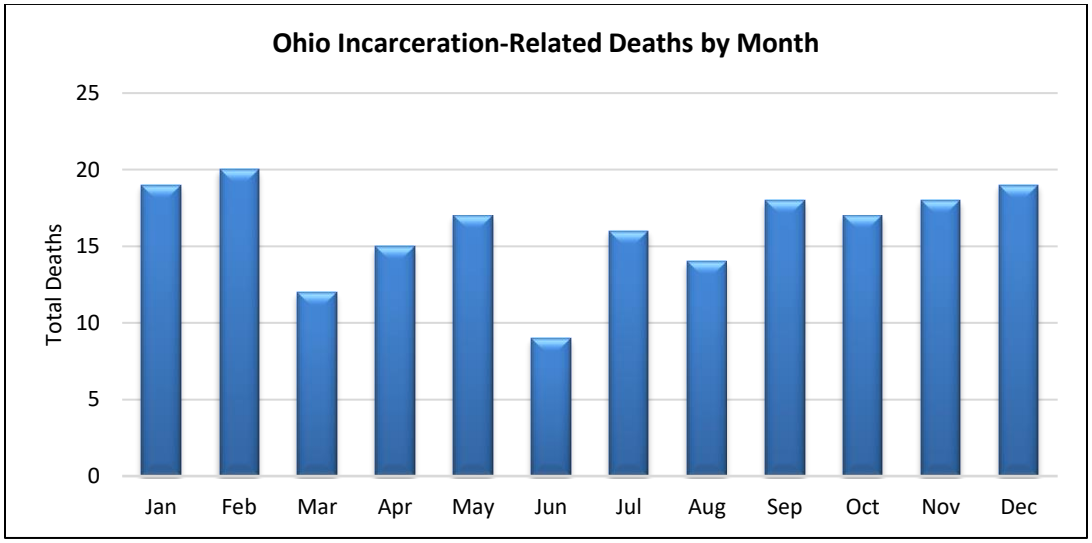
DIC data also contains information on the death of any person who was incarcerated at a municipal county jail, state prison, state-run boot camp prison, boot camp prison that is contracted out by the state, any state or local contract facility, or other local or state correctional facility, including those that occur:

- When an incarcerated individual, 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.

Ohio Incarceration Deaths – 2021

Characteristics of Ohio Incarceration Deaths

In 2021, OCJS collected reports for 194 incarceration-related deaths. Most of these deaths were due to natural causes. There were no patterns found when looking at the number of deaths reported based on the month of occurrence.

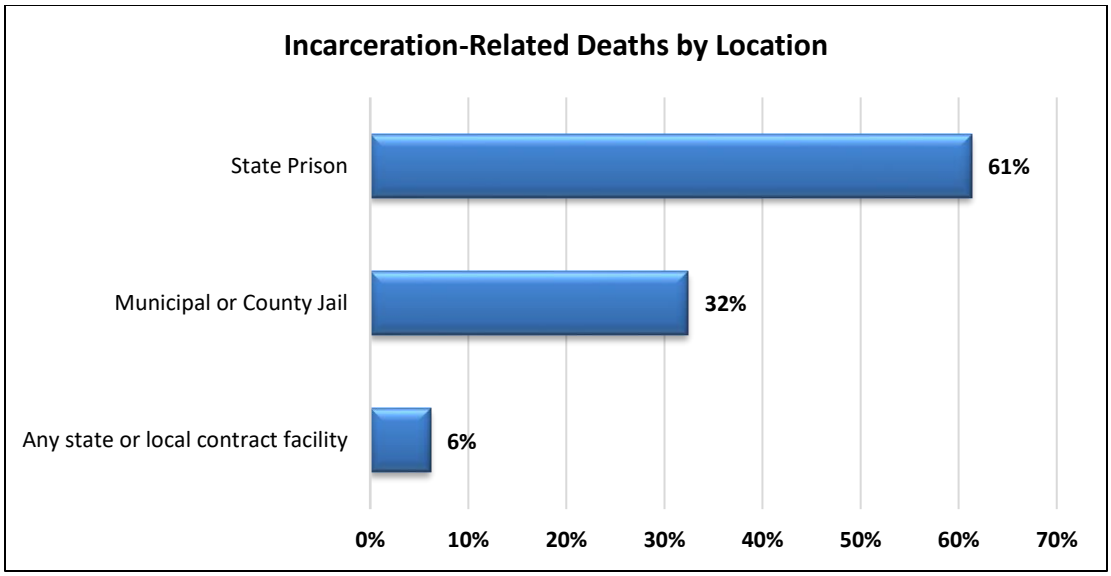


Out of the 194 deaths, 183 were male, accounting for 94% of all incarceration-related deaths. Ten individuals who died were female, making up 5%of all deaths. There was one death where the sex was not identified. When race was known, 128 individuals were White and 59 were Black/African American. When ethnicity was known, 190, or 98% of individuals, were not Hispanic, Latino, or Spanish origin with four individuals of Hispanic, Latino, or Spanish origin.

Race	Total	Percentage
White	128	66%
Black/African American	59	30%
Hispanic, Latino, or Spanish origin	4	2%
Unknown	3	2%

Incarceration Death Location

A total of 119 Individuals died while in the custody of state prisons, making up 61% of incarceration deaths. Sixty-three deaths occurred in county jails, and twelve in a state or local contract (community correctional) facility. In 2021, there were no reported deaths in juvenile detention centers.



Manner of Death

Out of the 194 deaths, 94 (48%) occurred because of natural causes. Thirty-seven deaths, or 19% of all cases, occurred because of suicide. Additionally, the manner of death for fifty-five individuals were unavailable, pending investigation.

	Total	Percent
Natural causes	94	48%
Suicide	37	19%
Other	8	4%
Pending Investigation	55	28%

Appendix: BJA Arrest-Related Death Form

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.). _____