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Attachment G:

ARD Program Pilot State Contact Letter
for states without legislative reporting
mandates



U. S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics

Washington, D.C. 20531

Dear [TITLE] [LAST NAME],

The Deaths in Custody Reporting Act (DICRA) of 2013 (P.L. 113-242) encourages states to report information on a quarterly basis regarding the death of any person who is detained, under arrest, in the process of being arrested, en route to be incarcerated, or incarcerated. Because accurate and comprehensive accounting of deaths that occur during the process of arrest is critical for law enforcement agencies to demonstrate responsiveness to the citizens and communities they serve, transparency related to law enforcement tactics and approaches, and accountability for the actions of officers, the Bureau of Justice Statistics (BJS) has responded to the DICRA 2013 by developing new methodologies for collecting data on the arrest-related deaths covered by DICRA. 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 and the officer(s) involved. Such information could inform training and policies to support safe and accountable interactions between law enforcement and the communities that they serve.

Through its current effort, the Arrest-Related Deaths (ARD) Program pilot study, BJS will use open source data, such as news outlets, official agency documents and other publicly-available information to identify potential arrest-related deaths. It will compile these lists of potential arrest-related deaths from the open source review on a quarterly basis and then survey law enforcement agencies and medical examiner/coroner's offices with jurisdiction over these compiled incidents to (1) confirm whether the incident meets inclusionary criteria, (2) identify any arrest additional arrest-related deaths that BJS did not identify during its open source review, and (3) for all identified arrest-related deaths, collect additional information about the decedent and the circumstances surrounding the incident.

This letter is to inform you that BJS plans to survey law enforcement agencies and medical examiner/ coroner's offices in your state about arrest-related deaths occurring from June 1, 2015 through August 31, 2015. BJS began the open source review in June 2015 and will survey agencies starting in the fall of 2015. BJS will use the findings from this pilot study to develop its approach to collecting nationwide data about arrest-related deaths.

I believe that the current efforts that BJS is undertaking will result in better coverage and more accurate data on arrest-related deaths than it obtained in the past and better than the open-source efforts that some news outlets currently maintain. In the past, BJS collected data on arrest related deaths from 2003 to 2011 under an earlier version of the ARD Program, and while that effort was designed to be a census of all deaths occurring in the process of arrest, it fell short. A BJS technical review of the ARD Program found, for example, that it captured only about half of the expected number of deaths in the process of arrest. For details on the technical review, see: <http://www.bjs.gov/content/pub/pdf/acardp.pdf>.

If you have any questions about BJS's efforts to respond to the DICRA 2013 please feel free to contact me directly at 202-514-1062. If you have questions about the ARD Program pilot study, please feel free to contact either Michael Planty, Victimization Statistics Unit Chief at BJS at 202-514-9746, or Michael.Planty@usdoj.gov, or Duren Banks, ARD Program Manager, RTI International, at 919-541-8026 or durenbanks@rti.org.

My regards,



William J. Sabol, Director
Bureau of Justice Statistics

[INSERT SIGNATURE
BLOCK 2]

[INSERT SIGNATURE
BLOCK 3]

Attachment H:

ARD Program Pilot State Contact Letter
for states with legislative reporting
mandates



U. S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics

Washington, D.C. 20531

{DATE}

«Name»

«Agency Name»

«Address»

«City», «State» «ZIP»

Dear «Name»:

The Death in Custody Reporting Act (DICRA) of 2013 (P.L. 113-242) encourages states to report information on a quarterly basis regarding the death of any person who is detained, under arrest, in the process of being arrested, en route to being incarcerated, or incarcerated. Accurate, comprehensive accounting of such deaths is critical for law enforcement agencies to demonstrate responsiveness to the citizens and communities they serve and to provide transparency in law enforcement procedures. The Bureau of Justice Statistics (BJS) has responded to the DICRA of 2013 by developing new methodologies for collecting data on deaths covered by it. BJS's focus is to understand the circumstances surrounding each arrest-related death and characteristics of the decedent and the officers involved. Such knowledge could inform training and policies to support safe, accountable interactions between law enforcement and the public.

Through its current effort, the Arrest-Related Deaths (ARD) Program pilot study, BJS will use open-source data—such as news outlets, official agency documents, and other publicly available information—to identify potential arrest-related deaths. Quarterly, BJS will compile lists of potential arrest-related deaths from the open-source review and then survey law enforcement agencies and medical examiner/coroner's offices to (1) confirm whether each incident meets inclusionary criteria, (2) collect additional information for all qualifying deaths about each decedent and the circumstances surrounding each incident, and (3) identify any additional arrest-related deaths not found in the open-source review.

BJS requests that you, as the state coordinator for legislatively mandated reporting of arrest-related deaths, complete the forms that otherwise would have been distributed to law enforcement agencies and medical examiner/coroner's offices in your state. BJS will distribute these forms to you very soon. BJS will use the findings from this pilot study to develop its approach to collecting nationwide data about arrest-related deaths.

I believe that the current efforts that BJS is undertaking will improve the coverage and accuracy of data on arrest-related deaths. An earlier version of the ARD Program, designed to be a census

of all deaths occurring in the process of arrest, fell short; a BJS technical review found that it captured about half of the expected number of deaths. (For details on the technical review, see <http://www.bjs.gov/content/pub/pdf/acardp.pdf>.)

If you have any questions about BJS's efforts to respond to the DICRA of 2013, please feel free to contact me directly at (202) 514-1062. Questions about the ARD Program pilot study may be directed to Duren Banks, ARD Program Manager, RTI International, at (919) 541-8026 or durenbanks@rti.org.

Regards,



William J. Sabol, Director
Bureau of Justice Statistics

[INSERT SIGNATURE
BLOCK 2]

[INSERT SIGNATURE
BLOCK 3]

Attachment I:

ARD Program Pilot study lead letter



U. S. Department of Justice
Office of Justice Programs
Bureau of Justice Statistics

Washington, D.C. 20531

{DATE}

«Name»
«Agency Name»
«Address»
«City», «State» «ZIP»

Dear «Name»:

The Death in Custody Reporting Act (DICRA) of 2013 (P.L. 113-242) encourages states to report information on a quarterly basis regarding the death of any person who is detained, under arrest, in the process of being arrested, en route to being incarcerated, or incarcerated. In response to this legislation, BJS is conducting a pilot study to determine the most efficient and comprehensive means of identifying such deaths and collecting information about each incident and the individuals involved. RTI International is under contract to carry out this pilot study for BJS, which will run from {DATE} to {DATE}.

We believe that these efforts will improve the coverage and accuracy of data on arrest-related deaths. BJS's focus is to understand the circumstances surrounding each arrest-related death and characteristics of the decedent and the officers involved. Such knowledge could inform training and policies to support safe, accountable interactions between law enforcement and the communities that they serve.

Your agency was selected to participate in this pilot study because an arrest-related death may have occurred in your jurisdiction from June 1 through August 31, 2015. On {DATE}, you will receive a request via e-mail at {e-mail address} to fill out a brief Web questionnaire. The questionnaire asks you to confirm or identify any arrest-related deaths that occurred in your jurisdiction in the study period and to supply additional information about decedent characteristics and the circumstances surrounding the death. We would greatly appreciate your taking the time to complete this questionnaire.

In accordance with 42 USC §3735, Arrest-Related Deaths (ARD) Program data shall be gathered in a manner that precludes their use for law enforcement or any purpose relating to a

private person or public agency other than statistical or research purposes. BJS will not report or disclose any data at the facility or jurisdiction level.

Questions about the ARD program pilot study or need to update your contact information (including e-mail address), please contact Duren Banks, the ARD program manager, via telephone or e-mail at (919) 541-8026 or ard@rti.org.

Thank you for your time and consideration. We look forward to our continued work together.

Sincerely,



William J. Sabol, Director
Bureau of Justice Statistics

[INSERT SIGNATURE
BLOCK 2]

[INSERT SIGNATURE
BLOCK 3]

Attachment J:

ARD Program Pilot Study Agency Questionnaire Invitation

To be sent on (calendar) day 1.

Version 1: Known email address

Version 2: No known email address

SUBJECT: ARD Program Pilot Study Questionnaire | «Case ID»

Dear «Salutation» «ContactLastName»:

Enclosed is a link to a brief web questionnaire about arrest-related deaths that may have occurred in your jurisdiction from June 1, 2015 through August 31, 2015. Your law enforcement agency (LEA) recently received advance notice of this via a letter from Michael Planty, the Bureau of Justice Statistics (BJS) Program Manager for the Arrest-Related Deaths Program Pilot Study.

The Death in Custody Reporting Act (DICRA) of 2013 (P.L. 113-242) encourages states to report information on a quarterly basis regarding the death of any person who is detained, under arrest, or in the process of being arrested, en route to be incarcerated, or incarcerated. In response to this legislation, BJS is conducting a pilot study to determine the most efficient and comprehensive means of identifying arrest-related deaths and collecting information about individuals who die in the custody of law enforcement and the circumstances surrounding those deaths.

Please complete the questionnaire by using the following link: «URL» and entering your survey access code «PIN».

If you have questions about the ARD program pilot study or need to update your contact information (including e-mail address), please contact me via phone or e-mail at (919) 541-8026 or durenbanks@rti.org.

Thank you for your time and consideration.

Duren Banks, ARD Program Manager
RTI International



U. S. Department of Justice
Office of Justice Programs
Bureau of Justice Statistics

Washington, D.C. 20531

«Date»

«Salutation» «ContactFirstName» «ContactLastName»
«Agency Name»
«ContactAddress1» «ContactAddress2»
«ContactCity», «ContactState» «ContactZip»

Dear «Salutation» «ContactLastName»:

Enclosed is a link to a brief web questionnaire about arrest-related deaths that may have occurred in your jurisdiction from June 1, 2015 through August 31, 2015. Your law enforcement agency (LEA) recently received advance notice of this via a letter.

The Death in Custody Reporting Act (DICRA) of 2013 (P.L. 113-242) encourages states to report information on a quarterly basis regarding the death of any person who is detained, under arrest, or in the process of being arrested, en route to be incarcerated, or incarcerated. In response to this legislation, BJS is conducting a pilot study to determine the most efficient and comprehensive means of identifying arrest-related deaths and collecting information about individuals who die in the custody of law enforcement and the circumstances surrounding those deaths.

Please complete the questionnaire by using the following link: «URL» and entering your survey access code «PIN».

If you have questions about the ARD program pilot study or have difficulty accessing the Web site, please contact Duren Banks, the ARD program manager, via phone or e-mail at (919) 541-8026 or durenbanks@rti.org.

Thank you for your time and attention.

Sincerely,

Michael Planty, Victimization Unit Chief
Bureau of Justice Statistics
(202) 541-9746
Michael.Planty@usdoj.gov

Attachment K:

ARD Program Pilot Study Reminder

To be sent on (calendar) day 16.

Version 1: Known email address

Version 2: No known email address

SUBJECT: Arrest-Related Deaths Program Pilot Questionnaire Reminder | «Case ID»

Dear «Salutation» «ContactLastName»:

Recently, we e-mailed a link to a web questionnaire seeking information about arrest-related deaths that may have occurred in your jurisdiction from June 1, 2015 through August 31, 2015.

If you have already completed the questionnaire, please accept our sincere thanks. If not, please do so today. On behalf of the Bureau of Justice Statistics, we are grateful for your participation as we test the utility and feasibility of the ARD program pilot study

Please complete the questionnaire by using the following link: «URL» and entering your survey access code «PIN».

If you have questions about the ARD program pilot study or have difficulty accessing the Web site, please contact me via phone or e-mail at (919) 541-8026 or durenbanks@rti.org.

Thank you for your time and attention.

Duren Banks, ARD Program Manager



U. S. Department of Justice
Office of Justice Programs
Bureau of Justice Statistics

Washington, D.C. 20531

«Date»

«Salutation» «ContactFirstName» «ContactLastName»
«Agency Name»
«ContactAddress1» «ContactAddress2»
«ContactCity», «ContactState» «ContactZip»

Dear «Salutation» «ContactLastName»:

Recently, we mailed a link to a web questionnaire seeking information about arrest-related deaths that may have occurred in your jurisdiction from June 1, 2015 through August 31, 2015.

If you have already completed the questionnaire, please accept our sincere thanks. If not, please do so today. On behalf of the Bureau of Justice Statistics, we are grateful for your participation as we test the utility and feasibility of the ARD program pilot study

Please complete the questionnaire by using the following link: «URL» and entering your survey access code «PIN».

If you have questions about the ARD program pilot study or have difficulty accessing the Web site, please contact Duren Banks, the ARD program manager, via phone or e-mail at (919) 541-8026 or durenbanks@rti.org.

Thank you for your time and attention.

Sincerely,

Michael Planty, Victimization Unit Chief
Bureau of Justice Statistics
(202) 541-9746
Michael.Planty@usdoj.gov

Attachment L:

ARD Program Pilot Study First Nonresponse Message

To be sent on (calendar) day 31.

Version 1: Known email address

Version 2: No known email address



U. S. Department of Justice
Office of Justice Programs
Bureau of Justice Statistics

Washington, D.C. 20531

«Date»

«Salutation» «ContactFirstName» «ContactLastName»
«Agency Name»
«ContactAddress1» «ContactAddress2»
«ContactCity», «ContactState» «ContactZip»

Dear «Salutation» «ContactLastName»:

A few weeks ago, a link was e-mailed to you at «email» to a web questionnaire seeking information about arrest-related deaths that may have occurred in your jurisdiction from June 1, 2015 through August 31, 2015. Your agency is among approximately 1,000 selected to participate in the Arrest-Related Deaths Program pilot study for the Bureau of Justice Statistics (BJS).

We appreciate that your time is limited and understand that this may have escaped your attention or other priorities may have distracted you from our request. Alternatively, agency firewalls or junk mail filters may have prohibited this e-mail from reaching you, its intended recipient. However, your participation is very important and your agency cannot be replaced.

Please complete the questionnaire by using the following link: «URL» and entering your survey access code «PIN».

Please submit your questionnaire by «Date». If you have questions about the ARD program pilot study or have difficulty accessing the Web site, please contact Duren Banks, the ARD program manager, via phone or e-mail at (919) 541-8026 or durenbanks@rti.org.

Sincerely,

Michael Planty, Victimization Unit Chief
Bureau of Justice Statistics
(202) 541-9746
Michael.Planty@usdoj.gov



U. S. Department of Justice
Office of Justice Programs
Bureau of Justice Statistics

Washington, D.C. 20531

«Date»

«Salutation» «ContactFirstName» «ContactLastName»
«Agency Name»
«ContactAddress1» «ContactAddress2»
«ContactCity», «ContactState» «ContactZip»

Dear «Salutation» «ContactLastName»:

A few weeks ago, we mailed you a link to a web questionnaire seeking information about arrest-related deaths that may have occurred in your jurisdiction from June 1, 2015 through August 31, 2015. Your agency is among approximately 1,000 selected to participate in the Arrest-Related Deaths Program pilot study for the Bureau of Justice Statistics (BJS).

We appreciate that your time is limited and understand that this may have escaped your attention or other priorities may have distracted you from our request. Alternatively, agency firewalls or junk mail filters may have prohibited this e-mail from reaching you, its intended recipient. However, your participation is very important and your agency cannot be replaced.

Please complete the questionnaire by using the following link: «URL» and entering your survey access code «PIN».

Please submit your questionnaire by «Date». If you have questions about the ARD program pilot study or have difficulty accessing the Web site, please contact Duren Banks, the ARD program manager, via phone or e-mail at (919) 541-8026 or durenbanks@rti.org.

Sincerely,

Michael Planty, Victimization Unit Chief
Bureau of Justice Statistics
(202) 541-9746
Michael.Planty@usdoj.gov

Attachment M:

ARD Program Pilot Study Second Nonresponse Message

To be sent on (calendar) day 46.

Version 1: Known email address

Version 2: No known email address



U. S. Department of Justice
Office of Justice Programs
Bureau of Justice Statistics

Washington, D.C. 20531

«Date»

«Salutation» «ContactFirstName» «ContactLastName»
«Agency Name»
«ContactAddress1» «ContactAddress2»
«ContactCity», «ContactState» «ContactZip»

Dear «Salutation» «ContactLastName»:

A few weeks ago, a link was e-mailed to you at «email» to a web questionnaire seeking information about arrest-related deaths that may have occurred in your jurisdiction from June 1, 2015 through August 31, 2015. Your agency is among approximately 1,000 selected to participate in the Arrest-Related Deaths Program pilot study for the Bureau of Justice Statistics (BJS).

We appreciate that your time is limited and understand that this may have escaped your attention or other priorities may have distracted you from our request. Alternatively, agency firewalls or junk mail filters may have prohibited this e-mail from reaching you, its intended recipient. However, your participation is very important and your agency cannot be replaced.

Please complete the questionnaire by using the following link: «URL» and entering your survey access code «PIN».

Please submit your questionnaire by «Date». If you have questions about the ARD program pilot study or have difficulty accessing the Web site, please contact Duren Banks, the ARD program manager, via phone or e-mail at (919) 541-8026 or durenbanks@rti.org.

Sincerely,

Michael Planty, Victimization Unit Chief
Bureau of Justice Statistics
(202) 541-9746
Michael.Planty@usdoj.gov



U. S. Department of Justice
Office of Justice Programs
Bureau of Justice Statistics

Washington, D.C. 20531

«Date»

«Salutation» «ContactFirstName» «ContactLastName»
«Agency Name»
«ContactAddress1» «ContactAddress2»
«ContactCity», «ContactState» «ContactZip»

Dear «Salutation» «ContactLastName»:

A few weeks ago, a link was mailed to you to access a web questionnaire seeking information about arrest-related deaths that may have occurred in your jurisdiction from June 1, 2015 through August 31, 2015. Your agency is among approximately 1,000 selected to participate in the Arrest-Related Deaths Program pilot study for the Bureau of Justice Statistics (BJS).

We appreciate that your time is limited and understand that this may have escaped your attention or other priorities may have distracted you from our request. Alternatively, agency firewalls or junk mail filters may have prohibited this e-mail from reaching you, its intended recipient. However, your participation is very important and your agency cannot be replaced.

Please complete the questionnaire by using the following link: «URL» and entering your survey access code «PIN».

Please submit your questionnaire by «Date». If you have questions about the ARD program pilot study or have difficulty accessing the Web site, please contact Duren Banks, the ARD program manager, via phone or e-mail at (919) 541-8026 or durenbanks@rti.org.

Sincerely,

Michael Planty, Victimization Unit Chief
Bureau of Justice Statistics
(202) 541-9746
Michael.Planty@usdoj.gov

Attachment N:

ARD Program Pilot Study End-of-study Message

To be sent on (calendar) day 83.

Version 1: Known email address

Version 2: No known email address

SUBJECT: Arrest-Related Deaths Program Pilot: Questionnaire Reminder | «Case ID»

Dear «Salutation» «ContactLastName»:

We have made several attempts to contact you over the past few weeks regarding your participation in the Arrest-Related Deaths program pilot study for the Bureau of Justice Statistics (BJS)

We are writing today to notify you that there is only one week remaining to complete the ARD program pilot questionnaire. As a reminder, your participation is vital to the success of the ARD program pilot study and we cannot substitute any other agency for yours.

Please complete the questionnaire by using the following link: «URL» and entering your survey access code «PIN».

The questionnaire will remain open until «Date». If you have questions about the ARD program pilot study or have difficulty accessing the Web site, please contact me via phone or e-mail at (919) 541-8026 or durenbanks@rti.org.

Thank you for your time and attention.

Duren Banks, ARD Program Manager



U. S. Department of Justice
Office of Justice Programs
Bureau of Justice Statistics

Washington, D.C. 20531

«Date»

«Salutation» «ContactFirstName» «ContactLastName»
«Agency Name»
«ContactAddress1» «ContactAddress2»
«ContactCity», «ContactState» «ContactZip»

Dear «Salutation» «ContactLastName»:

We have made several attempts to contact you over the past few weeks regarding your participation in the Arrest-Related Deaths program pilot study for the Bureau of Justice Statistics (BJS)

We are writing today to notify you that there is only one week remaining to complete the ARD program pilot questionnaire. As a reminder, your participation is vital to the success of the ARD program pilot study and we cannot substitute any other agency for yours.

Please complete the questionnaire by using the following link: «URL» and entering your survey access code «PIN».

The questionnaire will remain open until «Date». If you have questions about the ARD program pilot study or have difficulty accessing the Web site, please contact Duren Banks, the ARD program manager, via phone or e-mail at (919) 541-8026 or durenbanks@rti.org.

Thank you for your time and attention.

Sincerely,

Michael Planty, Victimization Unit Chief
Bureau of Justice Statistics
(202) 541-9746
Michael.Planty@usdoj.gov

Appendix O.
Arrest-related Death (ARD) Program Pilot Study Staff
Confidentiality Pledge

**Arrest-related Death (ARD) Program Pilot Study
Staff Confidentiality Pledge**

Pursuant to Title 28 of the Code of Federal Regulations, Part 22, each project staff person has an obligation to those about whom we collect data to protect their identities and the information provided about them to the Arrest-related Death (ARD) Program Pilot Study. The identity of the law enforcement agencies, medical examiner/ coroner's offices, points of contact, and all related data are to remain confidential. Disclosure of identities and related information is strictly forbidden.

As a member of the ARD program pilot study project staff, I, _____, agree that I will protect the confidentiality of all information related to the agencies collected under the ARD program pilot study.

I agree that I shall not discuss any identifiable information that I may learn of during the course of my employment with anyone other than project staff members who need to know this information.

I agree to follow the procedures established by the project to prevent unauthorized access to information identifiable to persons outside the project staff and with BJS.

I certify that I have been informed that, the ARD program pilot study, which is being funded in whole by the Bureau of Justice Statistics, is governed by the Department of Justice Regulations in 28 CFR Part 22 & Part 46, which govern the use and revelation of research and statistical information identifiable to a person, and that I, as a member of the project's staff are governed by these regulations as well.

I understand that my signing this agreement is a condition of my employment as part of the ARD program pilot study team.

By signing this statement, I am acknowledging that I understand the rules surrounding the protection of confidential information and, if I am found to be in violation of these provisions, I can be fined not to exceed \$10,000 in addition to any other penalty imposed by law.

Full Legal Name (please print): _____

Signature

Date