

SUPPORTING STATEMENT
Death in Custody Reporting Act
August 2018

A. Justification

1. The Department of Justice (DOJ), Bureau of Justice Assistance will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

The Death in Custody Reporting Act (DCRA) requires states and federal law enforcement agencies to report certain information to the Attorney General regarding the death of any person occurring during interactions with law enforcement officers or while in custody. See 34 U.S.C. § 60105(a) & (b). It further requires the Attorney General and the Department of Justice (Department) to collect the information, establish guidelines on how it should be reported, annually determine whether each state has complied with the reporting requirements, and address any state's noncompliance.

This collection is necessitated under the Death in Custody Reporting Act of 2013 (H.R. 1447).

2. The Bureau of Justice Assistance will collect this information from states and U.S. territories in order to assess compliance with the Death in Custody Reporting Act of 2013 and provide compliance information to the Attorney General as required by law.
3. The Bureau of Justice Assistance (BJA) will collect all information electronically, and will do so in existing reporting systems. BJA is authorized to collect this information under the Death in Custody Reporting Act. No additional systems will be implemented.
4. There is currently no single collection repository for the information to be collected as required in the law.
5. The collection of information does not have a significant impact on businesses or other small entities.
6. If the information from the agencies is not collected, the government would not be able to adequately assess if the states and territories covered by the law are complying. Without the ability to assess compliance, the Attorney General would not be able to determine if steps would need to be taken to assure compliance.
7. There are no special circumstances identified at this time.
8. The public comment requirement of the Paperwork Reduction Act will be satisfied when the rule is published in the *Federal Register*. Ongoing consultation with the appropriate

SUPPORTING STATEMENT CONTINUED

representatives will occur at least once every three years as required by PRA.

9. No gifts or remunerations are provided to respondents.
10. The system used for submitting information is only accessible to the respondent and the Federal Government.
11. There are no questions on the application which could be considered by the applicant to be of a sensitive nature.
12. Estimated burden hours: A total of 13,756 hours are expected total across all parties that contribute to the data that is submitted to the government. State Corrections Incident Reports would take a total of 4,640.49 hours quarterly, State Law Enforcement Agency Incident Reports would take a total of 1,900 hours and the State Quarterly Summary would take approximately 7,216 quarterly across 56 states and territories.
13. There are no additional costs to the respondents, as they are already reporting quarterly to BJA on their grant awards.
14. There are no additional costs to the Federal government, as the collection will be managed by internal staff in a pre-existing system.
15. This new information collection is a program change resulting from agency action pursuant to the Death in Custody Reporting Act of 2013 (H.R. 1447)
16. At this time, it is not envisioned that this information will be published. However, the aggregate program numbers and compliance will be provided to the Attorney General.
17. OJP will display the OMB Control Number and expiration date on the application/collection form.
18. There are no exceptions identified in Item 19, Certification for Paperwork Reduction Act Submissions, of OMB Form 83-I.

B. Collections of Information Employing Statistical Methods

This item does not employ statistical methods.