

**CUSTODIAL OR  
ARREST-RELATED DEATHS**

**VI**



## Custodial or Arrest - Related Deaths

Chapter 50 of the Illinois Compiled Statutes, 709/5, mandates the collection of information regarding a custodial or arrest-related death. The reporting guidelines mirror many of the concepts employed by the United States Department of Justice in collecting data mandated by the Death in Custody Reporting Act of 2013. The Act requires states that receive certain Federal criminal justice assistance grants to report information regarding the death of any person who is detained, arrested, enroute to incarceration, or incarcerated.

Custodial or arrest-related deaths are defined as homicides, suicides, accidental deaths, and deaths due to intoxication or medical conditions that occur during one of the four categories of civilian interactions with a law enforcement officer, on or off duty. The four categories are:

- While a person is detained or shortly after a person's freedom to leave is restricted.
  - All deaths that occur while a person is being detained must be reported. Although a majority of the deaths reported involve criminal suspects, individuals not considered subjects of arrest can be detained by law enforcement. Examples include pedestrian and vehicle stops.
  - All deaths that occur shortly after a person's freedom to leave is restricted must be reported if the circumstances causing the death occur during the interaction with the officer. If a person detained sustains an injury during interaction with an officer, and later died as a result of those injuries, the death must be reported.
  - Law enforcement oftentimes assists in the transportation of an individual requiring medical or mental health assistance. The death of a non-criminal person that occurs in the custody of law enforcement personnel in these circumstances is not reported.
- During an attempted arrest or in the process of arrest.
  - All deaths that occur during an interaction with an officer in the process of arrest or attempted arrest must be reported. This includes those that occur during foot pursuits, or standoff and barricaded situations. Deaths that are the result of a vehicular pursuit are only reported if there was direct police action (road blocks, spike strips, or ramming of the offender's vehicle) that contributed to the fatal crash.
  - Deaths that occur during interviews and interrogations, or while a person is detained for questioning must be reported. These deaths may have taken place at a law enforcement facility or in the field and include those attributed to alcohol and drug intoxication, sudden fatal medical conditions, choking on ingested objects, and suicides.
  - Deaths caused by an officer's use of restraint tactics must be reported. These include fatal injuries caused by: physical fighting or struggle with the officer; positional asphyxia or restraint in a prone position; use of control holds or neck restraint; and complications due to body compression.

- While a person is in custody (before incarceration).
  - Deaths that occur after a law enforcement officer has established physical custody of an arrestee must be reported.
  - In-custody deaths are those that have occurred at the scene of an incident; during transport of a criminal suspect; or while a suspect is being held at a booking facility or temporary detention/lockup center.
- While a person is incarcerated.
  - Deaths that occur when an offender has been incarcerated in a municipal or county jail must be reported by the agency responsible for administering the jail. Included are deaths that occur in juvenile facilities.
  - Deaths that occur when an incarcerated offender is outside of the jail parameters must be reported. In most circumstances, the death of the offender is reported by the agency responsible for the administration of the jail. This includes deaths that occur when an offender is being transported to or appears in court; and transported to, seeking treatment at, or admitted to a medical facility. An exception would be when the actions of a law enforcement officer from another agency are responsible for the offender's death.

**Data elements collected in Custodial or Arrest-Related Deaths include:**

- Age, sex, race, and ethnicity of the deceased.
- Age, sex, race, and ethnicity of the officer(s) involved unless the death is due to a medical condition, suicide, or caused by someone other than an officer.
- Manner of death: homicide by officer (justifiable homicide, criminal homicide, or not able to determine until investigation has been completed which can take up to a year), justifiable homicide or criminal homicide by another, suicide, accidental injury resulting in death caused by self or another, accidental alcohol poisoning or drug overdose, or medical condition.
- Charges against the deceased: pre-existing, intended, probation or parole violation, or none when the incident involved a medical or mental health call for assistance.
- Cause of death: medical condition, injuries sustained during the incident, or both medical condition and injury sustained during the incident.
- Used by officer(s) during arrest process: handcuffs, leg shackles, pepper spray or mace, nightstick or baton, stun-gun or Taser, other device, or none.
- Characteristics of deceased: exhibit mental health illness, under the influence of drugs, intoxicated, verbally threaten officer(s), resist being handcuffed or arrested, attempt to flee or escape from custody, attempt to disarm officer(s), and assault or batter the officer(s).
- Weapon associated with the deceased: weapon possession, use of a weapon to threaten officer(s) or other persons, use of a weapon to injure officer(s) or other persons, and intelligence information (i.e. deceased known to carry weapon).
- Location: at the incident/crime/arrest scene, enroute to or at a booking center or police lockup, temporary holding facility, city or county jail, or medical facility.

Custodial/Arrest-Related Death data has been divided in to two sections: incarceration deaths and deaths prior to incarceration.

### **Incarceration Deaths**

There are five subcategories of incarceration deaths: death occurring in the jail due to illness, homicide committed by another detainee, suicide, death due to drug overdose, and death occurring in a hospital after a detainee was transported due to illness. There were no homicides committed by another detainee reported.

- Death occurring in the jail due to illness.
  - Average age of detainee was 42 years of age.
  - One American Indian or Alaska Native male, one white male, two black males, and one white female died due to illness.
  - Two detainees died within 24 hours of incarceration, two detainees died eleven and fourteen days after incarceration, and one detainee died after being incarcerated for 19 months.
- Death occurring in the jail due to drug overdose.
  - Average age of detainee was 39 years of age.
  - Two white males died due to a drug overdose.
  - Both detainees died of a drug overdoses after four to five months of incarceration.
- Death occurring in the jail due to detainee suicide.
  - Average age of detainee was 30 years of age.
  - Three white males and two black males committed suicide while incarcerated.
  - The cause of death in the suicides was strangulation due to hanging.
  - Two detainees committed suicide five to nine days after incarceration, two detainees committed suicide five months after incarceration, and one detainee committed suicide after being incarcerated for 20 months.
- Death occurring in a hospital due to illness after detainee was transported from the jail.
  - Average age of detainee was 50 years of age.
  - Two white males, three black males, and one white female detainee died due to illness after being transported from a jail to a medical facility or hospital.

### Deaths Prior to Incarceration

A majority of the reported deaths prior to incarceration occurred at the scene of the incident, crime, or arrest. Other circumstances included while enroute to or at a medical facility.

### Officer Information

The average age of officers involved in the death of an offender prior to incarceration is 35 years of age, with an average of 9 years experience as a law enforcement officer. Of those officers, 96.3% are male and 3.7% are female, 88.9% are white, and 11.1% are black. Hispanic is the ethnicity of 3.7% of these officers.

### Deceased Information

Fifteen white males, eleven black males, one white female, and one black female died prior to incarceration. Three of the deceased were of Hispanic ethnicity. The average age of the deceased was 36 years of age.

Age of Deceased	
Less than 20 years of age	4
20-29 years of age	5
30-39 years of age	9
40-49 years of age	7
50-59 years of age	3

Characteristics or Actions of Deceased	
Appear Under the Influence of Drugs	3
Appear Intoxicated	5
Exhibit Signs of Mental Disability	7
Verbally Threaten Officers	6
Resist Handcuffs or Arrest	8
Attempt to Flee or Escape	12
Attempt to Batter or Batter Officer	9
Assault Officer	8
Carry Possess Weapon	23
Use Weapon to Threaten Officer(s)	16
Use Weapon to Threaten Other(s)	6
Injure Officer(s) with Weapon	9
Injure Other(s) with Weapon	3
No Weapon	2
Intelligence 'known to carry firearm'	2

## Charges

All of the deceased had intended criminal charges resulting from the offenses identified in the table below that occurred during the incident. Five of the deceased had pre-existing charges as well as additional intended charges.

Offenses	
Homicide	2
Kidnapping	1
Robbery	3
Aggravated Battery	8
Aggravated Assault	14
Battery	1
Criminal Damage/Trespass to Property	1
Motor Vehicle Theft	2
Theft	1
Resisting, Obstructing, Disarming Officer	9
Other Weapon Offense	8
Other Felony	7
Other Misdemeanor	3
Traffic Offense	6
Drug Offense	4
Wanted on Warrant	2

### Cause of Death

Injuries inflicted by an officer's use of a firearm at the scene were responsible for twenty-one deaths. One death was the result of an accidental, self-inflicted injury, and one death was attributed to a medical condition. Suicide accounted for five deaths.

Used by Officer(s) at the Incident Scene	
Handcuffs	2
Electronic Control Weapon (Stun Gun/Taser)	2
None - Does Not Apply	24

Manner of Death	
Justifiable Homicide by Officer	15
Homicide by Officer	0
Homicide by Officer Not Yet Determined if Justifiable	6
Homicide by Other	0
Suicide	5
Accidental Injury to Self	1
Medical Condition	1

Location of Death	
At Incident/Crime/Arrest Scene	24
Enroute Medical Facility	1
Medical Facility	3