



2023

Idaho DCRA State Implementation Plan



Planning, Grants, and Research
IDAHO STATE POLICE

HISTORY OF DCRA IN IDAHO

The Idaho State Police (ISP) is the State Administering Agency (SAA) for Edward Byrne Memorial Justice Assistance Grant (JAG) funds in Idaho. The Grants Management Team in the Planning, Grants, and Research (PGR) Department of ISP manages JAG funds, along with a myriad of other Bureau of Justice Assistance (BJA) and Office on Violence Against Women (OVW) formula pass-through grants for the State of Idaho. PGR became aware of the Death in Custody Reporting Act (DCRA) requirements when the 2019 State JAG Solicitation was released in April 2019, as it contained information on SAAs' responsibilities to collect and report DCRA data. PGR participated in DCRA conference calls hosted by the National Criminal Justice Association (NCJA) and BJA, as well as attended the NCJA Grants Management training on September 15, 2019, in Arlington, VA. During the training, the DCRA reporting requirements were discussed, but there was still a great deal of unknowns, especially regarding what incidents would have to be reported.

In addition to the Grants Management Team, PGR also houses the Idaho Statistical Analysis Center (ISAC). The Grants Management Team teamed up with the ISAC Director to ensure Idaho was meeting DCRA reporting requirements. The ISAC Director created a fillable PDF DCRA form for Idaho containing all the required data collection elements from the Act. After discussions with the Director of the Idaho Department of Juvenile Corrections (IDJC), a second DCRA form was created for juvenile facilities, which does not require the name of juvenile decedents, only their first and last name initials. The first page of the DCRA forms contain instructions on how to complete the form, what incidents must be reported, who to contact with questions, and where to send completed forms. As more information became available and the PMT DCRA reports went live, the DCRA forms were tweaked as necessary to meet the exact reporting requirements (i.e., date formats, time of death format) and to ensure the information from the PDF forms transferred to the Excel spreadsheet for uploading into the PMT without errors.

PGR met with the Uniform Crime Reporting (UCR) Program Manager, housed in the ISP Bureau of Criminal Identification, on September 24, 2019, to discuss the possibility of adding a DCRA question to the monthly UCR reporting: *Has your agency had a reportable death this month? If so, please go to the PGR website to complete the required DCRA form.* The UCR Program Manager said she would check with the vendor about adding the question. At a follow-up meeting two (2) weeks later, she reported it was possible, but would likely not be implemented until July 2020. In the meantime, the UCR Program Manager would email a letter written by PGR to the UCR contacts at every law enforcement agency in Idaho in January 2020. The letter contained information from the 2019 State JAG solicitation on ISP's requirement, as the JAG SAA, to collect and report deaths in custody from law enforcement in Idaho; what constitutes a reportable death; what data is required for a reportable death; what to do to confirm no deaths; and who to contact with questions. The letter also included the DCRA Form Law Enforcement – Corrections. Similar letters were also sent via email from the ISAC Director to the Idaho Department of Correction (IDOC), IDJC, and juvenile detention agencies around the state.

After PGR found out the question regarding DCRA was never added to the UCR reporting tool, the ISAC Director sent the quarterly DCRA letter to the UCR Program Manager to email to the UCR contacts. If the UCR Program Manager was unavailable to send the email, the ISAC Director would send the quarterly DCRA reporting email.

After the first reporting quarter of federal fiscal year (FFY) 2020 (October through December 2019), the ISAC Director created FAQs based on the questions received by agencies in Idaho regarding reportable deaths or what agency should report a death in cases where multiple agencies were on scene, or the

investigation was being conducted by a multi-jurisdictional task force. The DICRA Guidelines and FAQs is a living document that is updated by the ISAC Director as new questions or situations arise.

DATA COLLECTION INFRASTRUCTURE

State Death-in-Custody Law

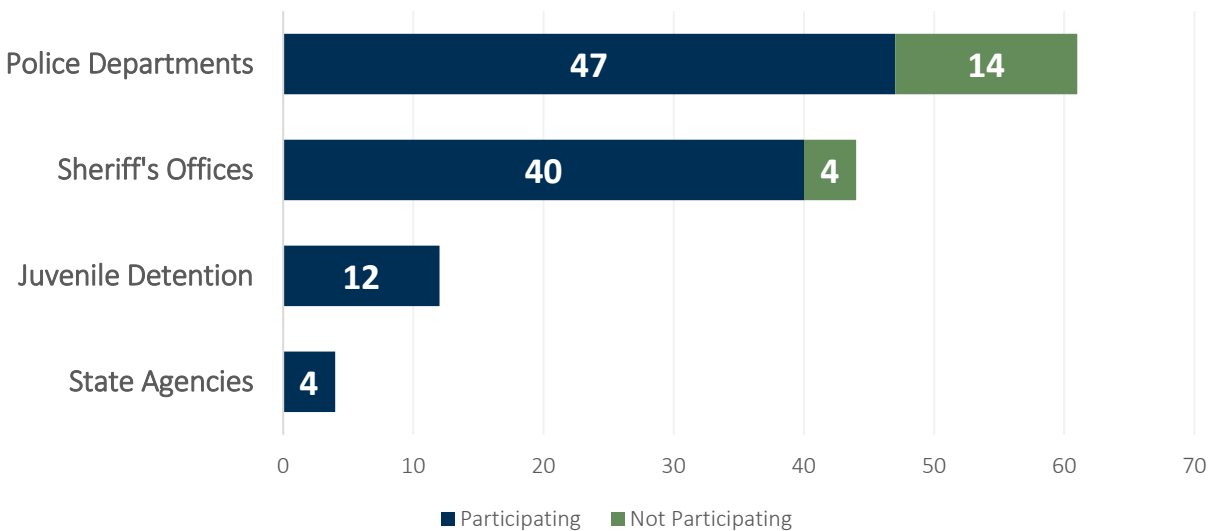
Idaho does not have a death-in-custody law.

Reporting Universe

ISAC has identified 121 non-federal law enforcement and correctional agencies in Idaho. Those include 61 local police departments, 44 county sheriff's offices (36 of which also operate jails), 12 juvenile detention agencies (including one unified state agency with three (3) facilities), and four (4) state agencies (including one unified state prison system with 15 in-state facilities and one out-of-state contract facility).

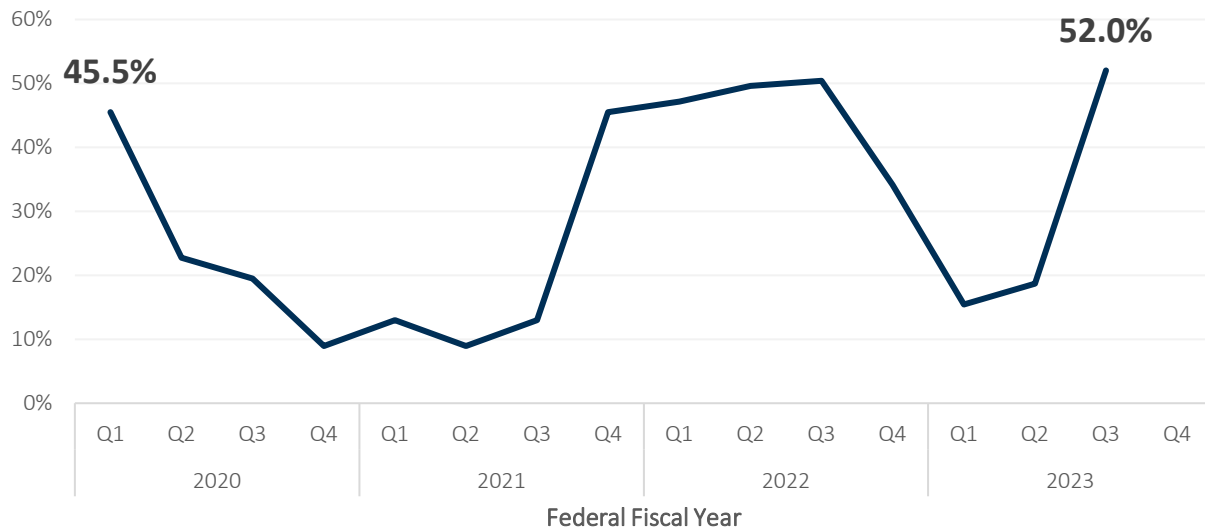
Since PGR began collecting DCRA data in FFY 2020, 104 (84%) of the 121 agencies have submitted at least one DCRA quarterly report to PGR. This includes 100% of juvenile detention and state agencies, 91% of county sheriff's offices, and 77% of local police departments (see Figure 1).

Figure 1. Idaho DCRA Reporting Universe by Agency Type and Participation Status



The average quarterly response rate has been 30%, much lower than the 84% participation noted above based on submission of at least one DCRA report over the last four (4) years. However, participation rates have fluctuated substantially over time. Figure 2 shows that total quarterly DCRA participation rates have ranged from a low of 9% (twice) to a high of 52% (FFY 2023 Q3). Response rates by agency type have seen similar swings (not shown).

Figure 2. Idaho DCRA Participation Rates by Quarter



Non-Participating Agencies

A full list of non-participating agencies for the most recent quarter (3rd quarter of FFY 2023), as well as a list of agencies that have never submitted DCRA reports to PGR, is available in the Appendix.

Engagement

ISAC has noted that when emails regarding the quarterly DCRA reports are sent directly from the ISAC Director to law enforcement agencies (LEAs), participation significantly increases, as noted in Figure 2. The ISAC Director sent the DCRA email to LEAs for the third quarter of FFY 2023 when PGR had the highest response rate (52%). Going forward, the ISAC Director will send emails to all LEAs (36 of which operate jails), in addition to those sent to IDOC, IDJC, and juvenile detention agencies. The ISAC Director has a database of email addresses from agencies who have submitted DCRA reports, as well as email addresses for all non-participating agencies.

PGR will also provide DCRA information to Idaho Sheriff’s Association (ISA) and Idaho Chiefs of Police Association (ICOPA) leadership and ask them to pass on the information to their members and encourage participation.

TTA Provision

PGR does not plan on providing training to state and local reporting agencies, however technical assistance is provided to agencies when needed. PGR has created several documents containing details about DCRA that are updated frequently to ensure they are current, so agencies receive the most up-to-date information regarding DCRA reporting.

A letter is attached to each quarterly DCRA email sent to LEAs, IDOC, IDJC, and juvenile detention agencies and currently addresses the following.

- ISP PGR’s role as the JAG SAA and the DCRA reporting requirement.
- The penalty that may be imposed on states that don’t comply with DCRA and the penalty amount for Idaho based on the 2022 state JAG award.

- What constitutes a reportable death and what data elements are required for each reportable death.
- How DCRA differs from the FBI's Use of Force data collection program.
- Instructions for completing the DCRA forms and where to send them, including those confirming no reportable deaths.
- Information on media searches and PGR's procedure if an agency with a reportable death does not submit a DCRA form.
- Where to find the DCRA form and the DICRA Guidelines and FAQs.
- PGR's contact information in the event there are any question.

Prior letters contained information regarding how to report overdose and COVID-19 deaths. This letter is updated quarterly.

Idaho has two (2) versions of DCRA forms: Law Enforcement – Corrections and Juvenile Facilities. Each of these forms provides details on what deaths should be reported and provides examples of arrest-related deaths and deaths that occur in custody at a jail, detention, or correctional facility. The forms contain all the required reporting elements per the Act and provide examples of date and time formats to ensure the data exports properly into the Excel spreadsheet, which is uploaded into the PMT.

The ISAC Director created the DICRA Guidelines and FAQs after the first reporting quarter of FFY 2020 and includes the following.

- Definition of detained.
- Example provided by BJA for what information should be included in the brief description of circumstances surrounding a death.
- How to report a death still being investigated.
- Examples of which agency should report a death if more than one agency was present at the time of death.
- Examples of reportable and non-reportable scenarios.

TTA Needs

Idaho does not need TTA from BJA.

DCRA Website

While Idaho does not have a DCRA website, the DCRA Guidelines and FAQs, along with the DCRA Form Law Enforcement – Corrections and DCRA Form – Juvenile Facilities are on the main page of the PGR website: www.isp.idaho.gov/pgr.

DATA COLLECTION METHODS

Data Collection Responsibility

ISAC has been tasked with collecting and compiling DCRA data for PGR. The ISAC Director is in charge of sending quarterly reporting reminders to the 121 agencies identified in the previous section, compiling reported data, and providing technical assistance as needed.

Data Collection Procedure

On the first business day of each quarter (January, April, July, October), the ISAC Director sends an email to all known points of contact at reporting agencies notifying them that ISAC is accepting quarterly reports for the previous quarter. Our state reporting form is attached to the email, as well as a cover

letter explaining the DCRA program and a Frequently Asked Questions document. Previously, this email was also sent out through the Idaho UCR Program's mailing list to ensure every agency, even non-participating agencies, receives it. However, as noted in the previous section, ISAC has discovered that response rates are typically higher when the ISAC Director sends out the email to our known contacts directly. As such, PGR is planning to only use this method going forward and will work with ISA and ICOPA to obtain contact information for non-participating agencies and bring those agencies on board.

Agencies are typically given two (2) to three (3) weeks to submit reports to ISAC. At the end of that period, the ISAC Director cross-references reports received with local media reports and the Mapping Police Violence database to identify any potentially unreported incidents. If any such incidents are identified, the ISAC Director follows up directly with our point of contact at the relevant agency (or the agency's director/chief/sheriff or administrative head if we do not have a point of contact). At this point, agencies typically have one week to respond. If the agency remains non-responsive, ISAC gathers as much information as possible from public sources and the incident is added to the state report.

At the close of the reporting period established by ISAC in the quarterly email, the ISAC Director compiles all submitted forms for PGR and prepares the data for bulk submission in the PMT.

Data Collection Tools

ISAC uses a fillable PDF form to collect data from state and local agencies. Those agencies complete the form and email it back to PGR. After the quarterly reporting deadline established by ISAC has passed, the ISAC Director exports the contents of the PDF forms to Excel, where the data is cleaned and verified before being given to PGR for bulk upload into the PMT.

Defining Challenges

While most agencies submit DCRA forms when a reportable death has occurred, many do not submit forms confirming their agency hasn't had a reportable death during the quarter.

PGR has also encountered challenges getting more details concerning the circumstances surrounding deaths from a state agency.

Overcoming Challenges

As discussed in the Engagement section, the ISAC Director will send the quarterly emails to LEAs with the hopes that more of them will submit quarterly DCRA forms confirming zero deaths.

PGR will also add DCRA reporting as a special condition for new JAG subgrantees awarded in December 2023. The special condition will state that draws will be held until quarterly DCRA forms are submitted, whether or not a reportable death has occurred. The condition will make it clear that reports confirming zero deaths are required and that the subgrantee must provide additional details as requested by PGR for submitted DCRA forms.

On numerous occasions, the ISAC Director has requested more information from the state agency that provides little detail regarding the circumstance surrounding a death and will continue to ask for more detailed information.

In the future, PGR plans on discussing the possibility of our in-house ISP programmers building a web-based platform, so DCRA forms could be completed and submitted through a secure website. ISP's in-

house programmers have created numerous web-based programs for both internal and external use, such as the Planning, Grants, and Research Grants Management System; Alcohol Beverage Control Reporting; and Idaho Sexual Assault Kit Tracking.

REPORTING TO BJA

Reporting Data

Idaho DCRA data is imported into the PMT with manual updates made to previous quarterly data, as needed. The data uploads and updates are done by the PGR Grants/Contracts Management Supervisor after receiving notification from the ISAC Director that the quarterly DCRA data is ready to upload or that updates have been made to prior quarters.

Quality Assurance

Idaho is a small state with very few reportable deaths each quarter, typically 10 or fewer. This allows ISAC to manually verify that all DCRA reports are complete, and that the data has exported from PDF to Excel correctly.

Quality assurance begins with our data collection form. It is a three-page PDF form that is mostly comprised of check boxes, negating the need for agencies to manually enter information. When numeric data like dates are needed, the form specifies the format in which the data should be entered. All free text fields are reviewed by ISAC to ensure that data has been entered in the correct place and is formatted correctly.

After the PDF forms are verified and the data is exported to Excel, the Excel file is checked for errors such as bad formatting and failed PDF exports. All necessary adjustments are handled manually by entering the correct data into Excel.

If PGR encounters errors in using the bulk upload feature in the PMT, the errors are logged for ISAC to investigate and correct.

Records Pending Investigation

ISAC maintains a list of incidents that are under investigation at the time they were reported. Each quarter, at the same time that new submissions are being accepted, ISAC also solicits updates to previous reports. Similar to our procedure for new incidents, if an agency is non-responsive at first, the ISAC Director will follow up with our point of contact directly. When an update is received, the Excel file used for bulk upload that contains the record in question is updated and PGR uploads the new data into the PMT.

APPENDIX

List of Agencies Not Participating in DCRA Reporting – FFY 2023 3rd Quarter

Number of Non-participating Agencies = 57 (48% of total agencies)

Police Departments (35, 57% of police departments)

- American Falls PD
- Ashton PD
- Buhl PD
- Caldwell PD
- Challis PD
- Chubbuck PD
- Coeur d'Alene PD
- Emmett PD
- Fruitland PD
- Gooding PD
- Grangeville PD
- Hagerman PD
- Hailey PD
- Heyburn PD
- Homedale PD
- Idaho City PD
- Idaho Falls PD
- Kellogg PD
- Meridian PD
- Middleton PD
- Montpelier PD
- Moscow PD
- Orofino PD
- Osburn PD
- Parma PD
- Pinehurst PD
- Rexburg PD
- Rigby PD
- Salmon PD
- Shelley PD
- Soda Springs PD
- Spirit Lake PD
- St. Anthony PD
- Wendell PD
- Wilder PD

Sheriff's Offices (16, 36% of sheriff's offices)

- Boundary County

- Butte County
- Clark County
- Clearwater County
- Elmore County
- Franklin County
- Jefferson County
- Jerome County
- Kootenai County
- Madison County
- Minidoka County
- Oneida County
- Payette County
- Power County
- Shoshone County
- Washington County

Juvenile Detention (3, 25% of juvenile detention agencies)

- 5-C Juvenile Detention Center
- District 1 Juvenile Detention
- Mini-Cassia Juvenile Detention Center

State Agencies (3, 75% of state agencies)

- Idaho Lottery
- Idaho State Police
- Idaho Attorney General

List of Agencies Not Participating in DCRA Reporting – No Submissions Since Beginning of FFY 2020

Number of Non-participating Agencies = 18 (16% of total agencies)

Police Departments (14; 23% of police departments)

- Buhl PD
- Challis PD
- Emmett PD
- Hagerman PD
- Homedale PD
- Idaho City PD
- Idaho Falls PD
- Middleton PD
- Montpelier PD
- Orofino PD
- Osburn PD
- Pinehurst PD
- Rexburg PD

- Wendell PD

County Sheriffs (4; 9% of county sheriffs)

- Franklin County
- Lemhi County
- Payette County
- Washington County

Juvenile Detention

No non-participating agencies

State Agencies

No non-participating agencies