



New Data Collection Efforts on Police Use-of-Force and Deaths in Custody from the Federal Government

In compliance with the FBI Use of Force Reporting and Bureau of Justice Assistance (BJA) Arrest-Related Death Reporting, the Wisconsin Uniform Crime Reporting (UCR) Program, through the Bureau of Justice Information and Analysis (BJIA) at DOJ, will be coordinating the following national collection efforts at the state level in collaboration with local agencies. The BJIA will integrate both efforts through one statewide collection program to decrease the burden on local agencies, while collecting information that will both meet federal reporting requirements and provide useful information to local law enforcement agencies in Wisconsin.

(1) National Use-of-Force Data Collection – FBI

What is reported?

- Any incident where force is used by an officer that results in:
 - The death of a person
 - The serious bodily injury of a person
 - An officer discharges their firearm at or in the direction of a person

What information is collected?

- Specific details will be collected in three main categories
 - Incident – i.e. Date, time, location, number of officers, etc.
 - Subject – i.e. Age/sex/race, reason for contact, type of force used, etc.
 - Officer – i.e. Age/sex/race, years of service, readily identifiable, officer injury, etc.

How will information be reported?

- Agencies in Wisconsin will report Use-of-Force incidents on a monthly basis via the “UFAD Form” in the TraCS software.

When does collection start?

- The FBI is currently in a pilot phase for this project through their online Law Enforcement Employee Portal (LEEP). The FBI is working on piloting the program with select law enforcement agencies. Federal law enforcement agencies will also be participating in the in FBI’s pilot program.
- Wisconsin agencies can choose to participate in the FBI’s pilot project or wait to submit data through the TraCS software in 2020.

Why is this being collected?

- The FBI determined a need to establish a national standardized system that collects this information, along with the demand for greater transparency in the United States regarding use of force. The FBI is aiming to provide law enforcement with a place to report use of force incidents through a uniform system and to create a mechanism to make data available nationally.

Where can I find additional information?

- The Wisconsin DOJ established a work group to identify the implementation process for the state. The work group has identified additional data elements that are needed to ensure data captured in these incidents provides enough contextual information to be useful in understanding the circumstances of each incident and provide value for law enforcement training purposes.
- Additional information about the national program, including a full list of data elements, can be found on the FBI’s Use of Force Website: <https://ucr.fbi.gov/use-of-force>



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(2) Arrest Related Deaths – Bureau of Justice Assistance (BJA)

What is reported?

- Any death that occurs
 - Due to use of force by law enforcement
 - While the decedent's freedom to leave was restricted by law enforcement prior to, during, or following an arrest
 - During interaction with law enforcement responding to medical or mental health assistance
 - While decedent was confined in correctional or detention facility

What information is collected?

- Decedent's name, date of birth, gender, and other demographic information
- Date, time, location of death
- Precipitating events, reason for law enforcement's initial contact with decedent (whether decedent committed any crimes, etc.)
- Decedent's behavior during incident (exhibited mental health or substance abuse issues, possessed weapon, threatened others, etc.)
- Law enforcement action during incident (pursuit, use of force, shots fired, restraint tactics, etc.)
- Manner of death

How will information be reported?

- Agencies in Wisconsin will report arrest related death incidents on a monthly basis along with their Use-of-Force submissions via the "UFAD Form" in the TraCS software.

When does collection start?

- Collection of this data is expected to begin in 2020.
- The WI UCR program will roll this collection effort into the Use of Force data collection program.

Why is this being collected?

- The federal government is reinitiating data collection for the Arrest-Related Death (ARD) portion of the Death in Custody Reporting Act (DCRA).
- The DCRA is was enacted by congress in 2004 and requires states and federal agencies to report this information to the Attorney General.
- The Bureau of Justice Assistance (BJA) will be taking over the data collection, in part because non-compliance carries penalties to Byrne Justice Assistance Grant (JAG) grant funds.

Where can I find additional information?

- The data collection proposal and compliance scheme received comment through the federal register, but additional direction has not yet been provided at the federal level on the timing or approach for restarting data collection. Additional information on the previous arrest-related death program can be found at <https://www.bjs.gov/index.cfm?ty=dcdetail&iid=243>.

Additional information on these programs will be sent to all Wisconsin law enforcement agency heads in 2020. In the meantime, you are welcome to send comments or questions to the Director of the BJIA, Derek Veitenheimer, at: veitenheimerdj@doj.state.wi.us or 608-266-7185.