DEATH IN CUSTODY REPORTING ACT OF 2013
Public Law 113–242  
113th Congress  
An Act  
To encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,  

SECTION 1. SHORT TITLE.  
This Act may be cited as the “Death in Custody Reporting Act of 2013”.

SEC. 2. STATE INFORMATION REGARDING INDIVIDUALS WHO DIE IN THE CUSTODY OF LAW ENFORCEMENT.  
(a) IN GENERAL.—For each fiscal year after the expiration of the period specified in subsection (c)(1) in which a State receives funds for a program referred to in subsection (c)(2), the State shall report to the Attorney General, on a quarterly basis and pursuant to guidelines established by the Attorney General, information regarding the death of any person who is detained, under arrest, or is in the process of being arrested, is en route to be incarcerated, or is incarcerated at a municipal or county jail, State prison, State-run boot camp prison, boot camp prison that is contracted out by the State, any State or local contract facility, or other local or State correctional facility (including any juvenile facility).

(b) INFORMATION REQUIRED.—The report required by this section shall contain information that, at a minimum, includes—

(1) the name, gender, race, ethnicity, and age of the deceased;
(2) the date, time, and location of death;
(3) the law enforcement agency that detained, arrested, or was in the process of arresting the deceased; and
(4) a brief description of the circumstances surrounding the death.

(c) COMPLIANCE AND INELIGIBILITY.—

(1) COMPLIANCE DATE.—Each State shall have not more than 120 days from the date of enactment of this Act to comply with subsection (a), except that—

(A) the Attorney General may grant an additional 120 days to a State that is making good faith efforts to comply with such subsection; and

(B) the Attorney General shall waive the requirements of subsection (a) if compliance with such subsection by a State would be unconstitutional under the constitution of such State.
(2) **INELIGIBILITY FOR FUNDS.**—For any fiscal year after
the expiration of the period specified in paragraph (1), a State
that fails to comply with subsection (a), shall, at the discretion
of the Attorney General, be subject to not more than a 10-
percent reduction of the funds that would otherwise be allocated
for that fiscal year to the State under subpart 1 of part E
of title I of the Omnibus Crime Control and Safe Streets Act
of 1968 (42 U.S.C. 3750 et seq.), whether characterized as
the Edward Byrne Memorial State and Local Law Enforcement
Assistance Programs, the Local Government Law Enforcement
Block Grants Program, the Edward Byrne Memorial Justice
Assistance Grant Program, or otherwise.

(d) **REALLOCATION.**—Amounts not allocated under a program
referred to in subsection (c)(2) to a State for failure to fully comply
with subsection (a) shall be reallocated under that program to
States that have not failed to comply with such subsection.

(e) **DEFINITIONS.**—In this section the terms “boot camp prison”
and “State” have the meaning given those terms, respectively, in
section 901(a) of the Omnibus Crime Control and Safe Streets
Act of 1968 (42 U.S.C. 3791(a)).

(f) **STUDY AND REPORT OF INFORMATION RELATING TO DEATHS
IN CUSTODY.**—

(1) **STUDY REQUIRED.**—The Attorney General shall carry
out a study of the information reported under subsection (b)
and section 3(a) to—

(A) determine means by which such information can
be used to reduce the number of such deaths; and

(B) examine the relationship, if any, between the
number of such deaths and the actions of management
of such jails, prisons, and other specified facilities relating
to such deaths.

(2) **REPORT.**—Not later than 2 years after the date of the
enactment of this Act, the Attorney General shall prepare and
submit to Congress a report that contains the findings of the
study required by paragraph (1).

**SEC. 3. FEDERAL LAW ENFORCEMENT DEATH IN CUSTODY REPORTING
REQUIREMENT.**

(a) **IN GENERAL.**—For each fiscal year (beginning after the
date that is 120 days after the date of the enactment of this
Act), the head of each Federal law enforcement agency shall submit
to the Attorney General a report (in such form and manner specified
by the Attorney General) that contains information regarding the
death of any person who is—

(1) detained, under arrest, or is in the process of being
arrested by any officer of such Federal law enforcement agency
(or by any State or local law enforcement officer while partici-
$pating$ in and for purposes of a Federal law enforcement oper-
ation, task force, or any other Federal law enforcement capacity
carried out by such Federal law enforcement agency); or

(2) en route to be incarcerated or detained, or is incarce-
rated or detained at—

(A) any facility (including any immigration or juvenile
facility) pursuant to a contract with such Federal law
enforcement agency;

(B) any State or local government facility used by
such Federal law enforcement agency; or
(C) any Federal correctional facility or Federal pre-trial detention facility located within the United States.

(b) INFORMATION REQUIRED.—Each report required by this section shall include, at a minimum, the information required by section 2(b).

(c) STUDY AND REPORT.—Information reported under subsection (a) shall be analyzed and included in the study and report required by section 2(f).

Approved December 18, 2014.