



Bill Haslam
Governor

TENNESSEE BUREAU OF INVESTIGATION

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Mark Gwyn
Director

MEMORANDUM

TO: Tennessee Law Enforcement Agency Administrators

FROM: Mark Gwyn, Director

DATE: October 21, 2016

SUBJECT: Mandatory Custody and Arrest Deaths Reporting

The Tennessee Bureau of Investigation is mandated under state and federal law to collect information on Arrest Related Deaths and Deaths in Custody. This data collection will include any person who is detained, under arrest, in process of being arrested, en route to being incarcerated or incarcerated. The incarceration location can be at a municipal or county jail, State prison, State-run boot camp, boot camp prison that is contracted out by the State, any State or local contract facility, or other local or State correctional facility including juvenile facilities.

Failure to comply with the federal reporting act will cause the reduction of federal funds that would normally be allocated to Tennessee under title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.S 3750 et seq.) which can be characterized under 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.

All deaths will need to be reported to TBI regardless of the circumstances of the death. Beginning January 1, 2017, TBI will be utilizing the forms developed by the Bureau of Justice Statistics for the purpose of the data collection for custody deaths TBI developed a form for collecting Arrest Related Deaths. We will post the forms and instructions on the TBI web site by December 1, 2016. These forms may be completed using Adobe Acrobat.

All forms should be emailed to Yeselin.Melendrez@tn.gov within 30 days of the occurrence. Your agency will have the capability to update the report if information changes. TBI will be reviewing open source information such as news stories and websites but we ask that your agencies identify and report these events to us within the time frame requested.

The TBI is mandated by state law to produce an annual report of these events as well by March of each year. The first report will be completed in March 2018.

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The TBI is developing a mechanism to capture this information electronically. This system will collect the information through the TIBRS program but will have the capability to accept incidents that do not involve a crime such as deaths by natural causes, suicide, etc. Additionally a web entry capability will be available. We hope to be testing that system in early fall of 2017. We will utilize the pdf forms until the electronic capability is in place.

Please contact Jackie Vandercook at (615) 744-4014 or email at jackie.vandercook@tn.gov if you have questions. We appreciate your cooperation and compliance with the state and federal reporting requirements.

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