

2022

LAW ENFORCEMENT-RELATED DEATHS IN TENNESSEE

- *DEADLY USE OF FORCE*
- *ARREST RELATED NON-FORCIBLE DEATHS (ARNFD)*
- *DEATHS IN CUSTODY (DCRA)*



A PUBLICATION OF THE TENNESSEE BUREAU OF INVESTIGATION

STATISTICAL ANALYSIS CENTER | CRIME STATISTICS UNIT



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DAVID B. RAUSCH
Director

March 30, 2023

Ladies and Gentlemen:

The Tennessee Bureau of Investigation would like to present the 2022 Law Enforcement-Related Deaths report. This publication which satisfies the requirements set forth in Tennessee Code Annotated, § 38-10-102, has been produced by the Tennessee Bureau of Investigation’s CJIS Support Center, and provides information on qualifying incidents as submitted by the state’s law enforcement agencies to the TBI through the CrimeInsight Portal.

I am very proud of the efforts of all participating law enforcement agencies in the state to provide the data necessary to produce this report. Our combined efforts have resulted in a successful reporting program and the relationships necessary to produce a report of this nature.

Sincerely,

David B. Rausch
Director



INTERNATIONALLY ACCREDITED SINCE 1994

INTRODUCTION

Annually, the TBI's Criminal Justice Information Services (CJIS) Division collects crime data through the Tennessee Incident Based Reporting System (TIBRS). However, Law Enforcement-Related Deaths fall outside the scope of TIBRS and are therefore collected in the CrimeInsight portal using the appropriate web entry utility.

According to T.C.A. § 38-10-102, Law Enforcement related Death is defined as “the death of an individual in custody, whether in prison, in a jail, or otherwise in the custody of law enforcement pursuant to an arrest or a transfer between institutions of any kind; or the death of an individual potentially resulting from an interaction with law enforcement, while the law enforcement officer is on duty, or while the law enforcement officer is off duty but performing activities that are within the scope of the officer's law enforcement duties without regard to whether the individual was in custody or whether a weapon was involved.”

An Arrest Related Non-Forcible Death (ARNFD) is any death that is attributed to suicide, alcohol, drug intoxication, or medical conditions (e.g. cardiac arrest) that occurs during the process of arrest by, or in the custody of, state or local law enforcement personnel. Though ARNFDs are not common, they do fall within the scope of the “Law Enforcement Related Deaths” definition. However, these particular incidents are not reported in CrimeInsight, but are instead reported using a form found on the TBI website.

SCOPE OF STUDY

For the purpose of this study, the TBI's CJIS Division divided Law Enforcement Related Death data into three sections: Deadly Use of Force, Arrest-Related Non-Forcible Deaths, and Deaths in Custody – all of which meet the T.C.A. §38-10-102 definition.

Data presented in this study represents numbers for calendar year 2022 and only contains information pertaining to deaths which occurred in the presence of law enforcement or deaths that occurred while in custody, such as in a local jail or prison.

Data in this study does not include occurrences where an officer fired his/her weapon in a situation not resulting in a death or when a subject sustained a serious bodily injury directly related to use of force by a law enforcement officer. Additionally, this study does not include deaths occurring in non-residential community-based programs run by jails, such as house arrest, work programs, community service, day reporting, or electronic monitoring.

The data in this publication is based solely on the raw data provided to the TBI by law enforcement agencies. Any statistical analysis does not account for representational Tennessee demographics, and as such rates of occurrence may be different when those factors are taken into account.

METHODOLOGY

Each employing agency is responsible for submitting a report for its own officers connected to incidents meeting the criteria of the data collection. Jails and prisons are responsible for submitting a CJ-9 form to the TBI for deaths which occurred in their facility. The data in the publication is sent to us by their respective agencies, TBI does not edit or alter this data in any way, all data is presented as it was received.

LAW ENFORCEMENT-RELATED DEATHS BY AGENCY TYPE

In 2022, 69 agencies reported a Law Enforcement-Related Death. Some agencies reported multiple events during the reporting period, while no deaths were reported by college/university law enforcement agencies or drug task forces.

Reporting Agencies by Type:

41 Jails/Prisons

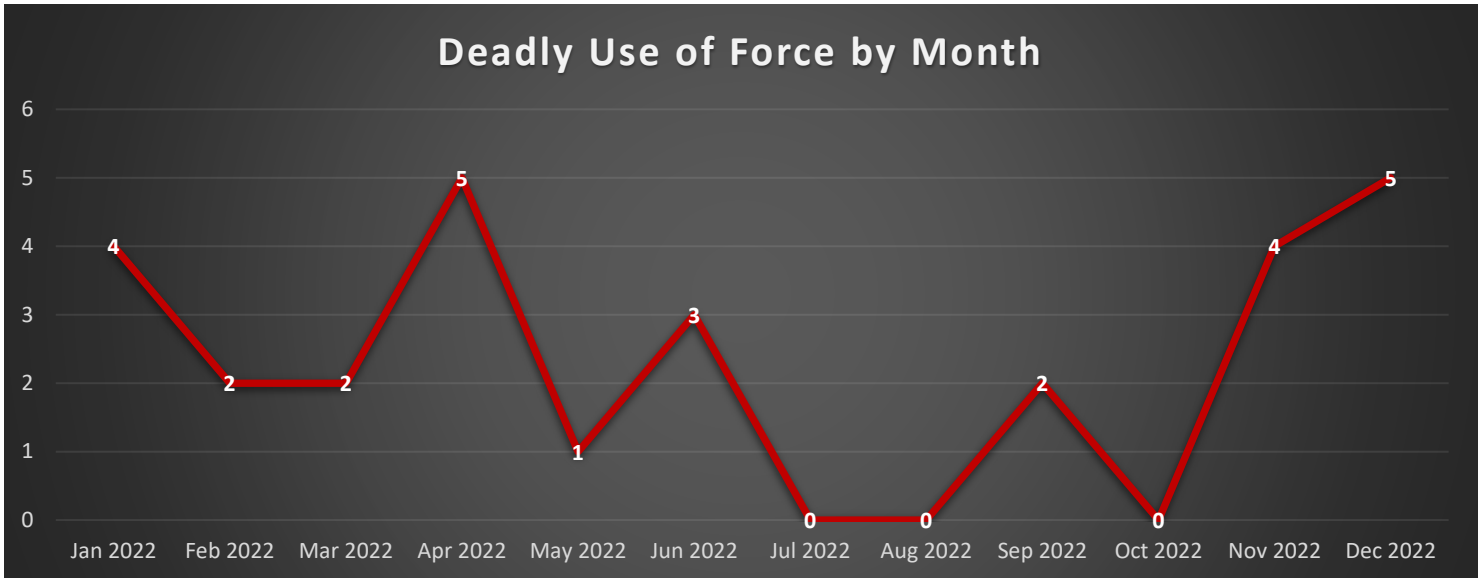
12 Police Departments

14 Sheriff's Offices

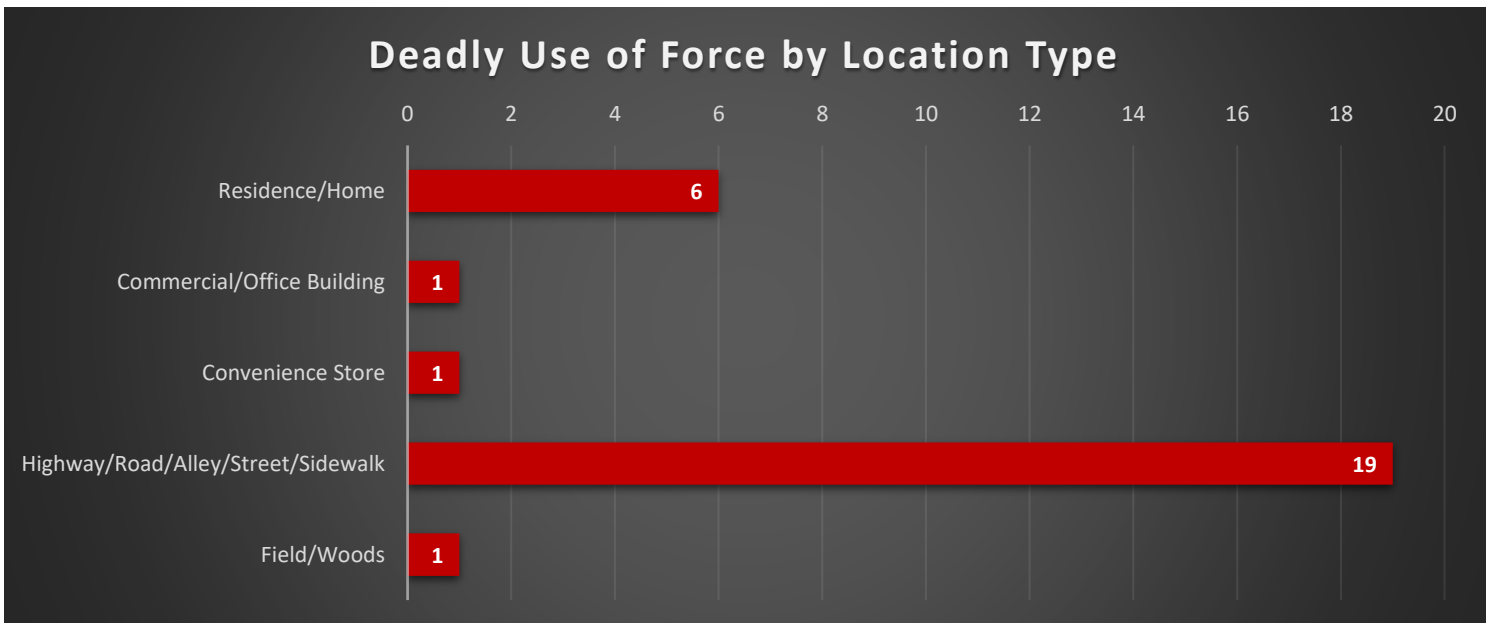
2 State Agencies

All data used in this publication was retrieved on 2/15/2022. As agencies continue to update their records, there is the possibility that numbers may change. Throughout the report several data points are categorized as “Pending Further Investigation.” At the time this data was retrieved these points were still under review by the relevant agency, and as those investigations are completed those agencies are able to amend their reports with more accurate information. Although the data may change, the report will not be updated.

SECTION 1: DEADLY USE OF FORCE

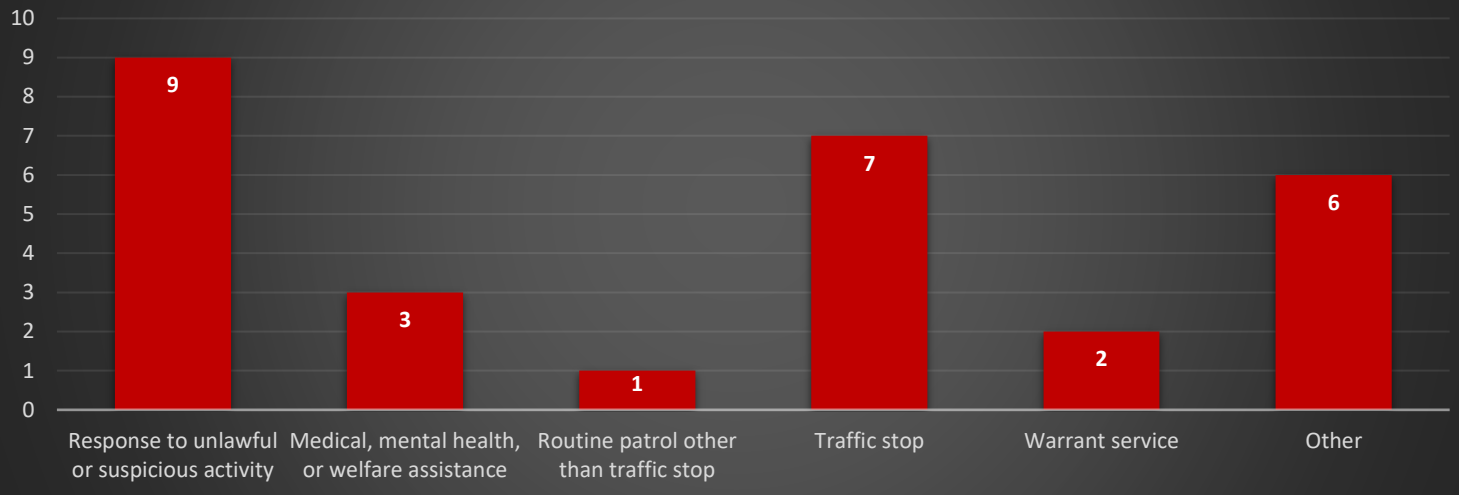


In 2022, 28 incidents involving a deadly use of force. Examining this by incidents per month, reveals that the two most common months for deadly use of force to occur were April and December, accounting for 17.86% of incidents each. Conversely, the months of July, August, and October had no deadly use of force incidents reported. The average number of incidents reported was slightly higher than 2 per month (2.33).



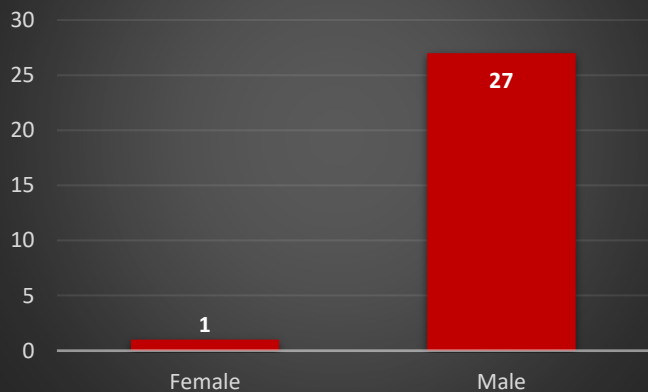
An aspect of the deadly use of force data collection process is determining the type of location an incident occurred at. In 2022, the vast majority of deadly use of force incidents were reported to have occurred at Highway/Road/Alley/Street/Sidewalk at 67.86% of incidents. The only other location reported more than once was Residence/Home, comprising 21.43% of incidents.

Deadly Use of Force by Initial Contact Type

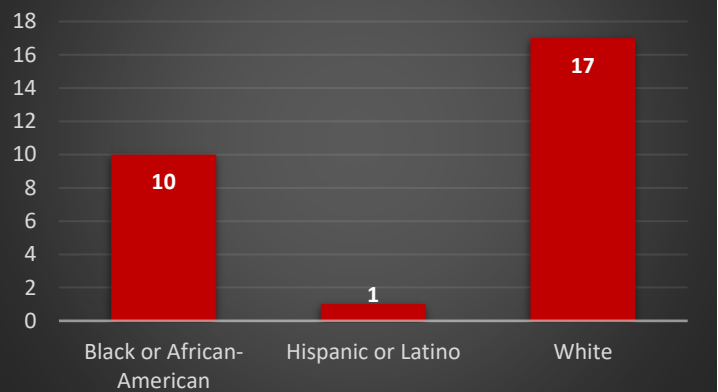


Another facet of data collected about deadly use of force incidents are the circumstances in which contact is made with the decedent. In 2022, the most commonly reported initial contact type was Response to unlawful or suspicious activity, comprising 32.14% of reported initial contact types. After that, the most common type was Traffic Stop comprising 25.00%, followed by Other, at 21.43% of reported incidents respectively.

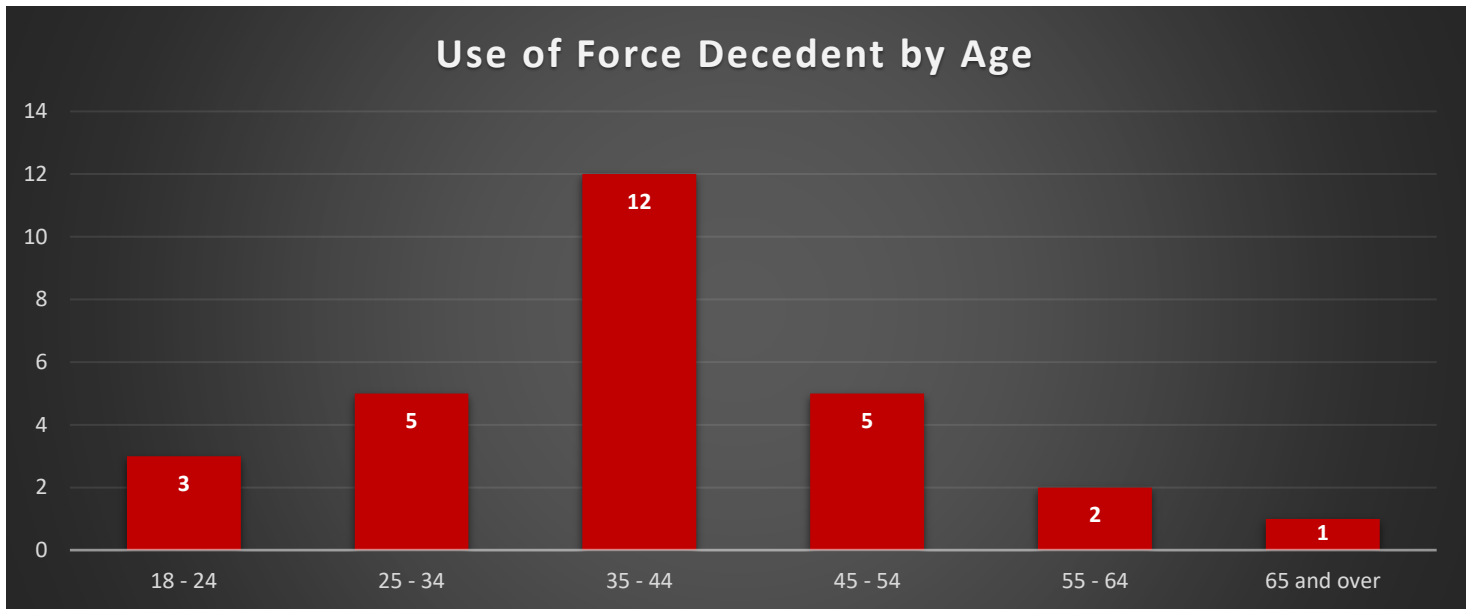
Use of Force Decedent by Sex



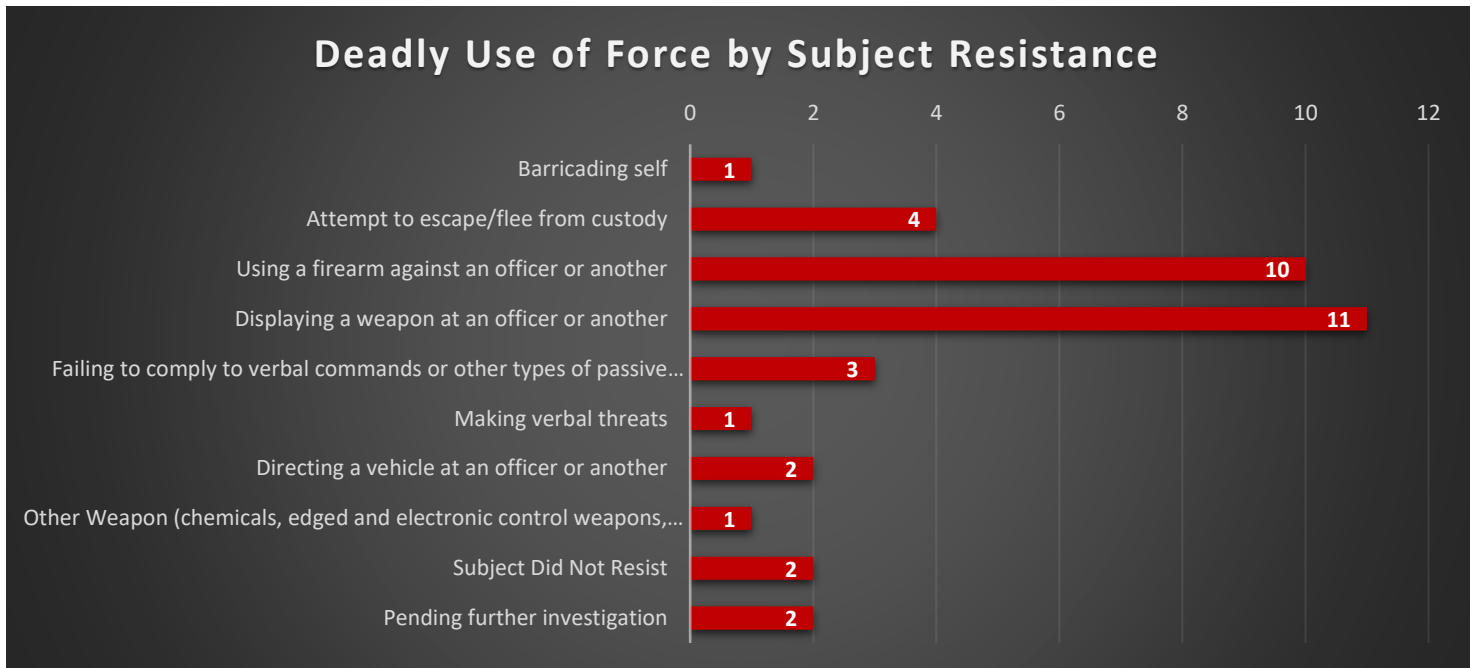
Use of Force Decedent by Race/Ethnicity



When looking at the decedents of deadly use of force incidents in 2022, nearly all of them were reported as being male, or 96.43% of decedents. When examining the race and ethnicity of deadly use of force decedents, those categorized as White make up the majority of those reported, at 60.71%. Those categorized as Black or African-American comprised the other large portion of reported decedents, or 35.71% of those reported.

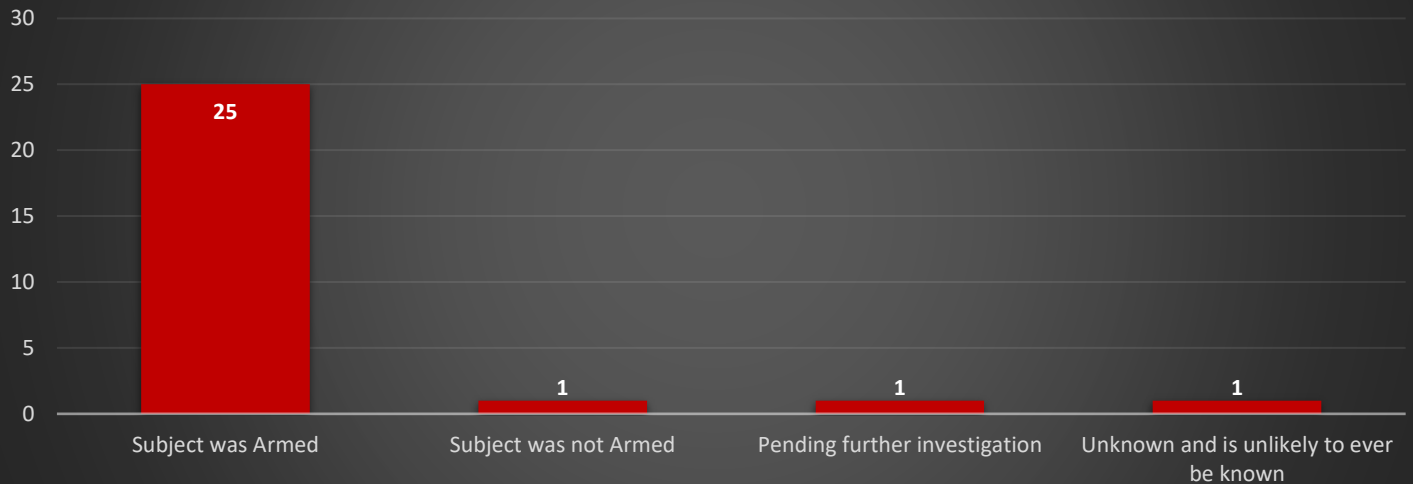


Examining 2022 use of force decedents by age reveals that the largest reported age group is that of 35-44, comprising 42.86% of decedents. This more than doubles the rate of the next two most commonly reported age groups, 25-34 and 45-54, which comprised 17.86% of reported decedent ages each.



When reporting a deadly use of force of incident, law enforcement agencies are able to input what type of resistance if any the subject showed during the event. In 2022, the most commonly reported type of resistance was Displaying a Weapon at an Officer or Another, followed closely by Using a Firearm Against an Officer or Another, comprising 29.73% and 27.03% of reported resistance types respectively. Please note, multiple resistance types may be flagged for any given incident resulting in a higher total than deadly use of force incidents.

Deadly Use of Force Subject Armed



Relating to subject resistance, law enforcement agencies also report on whether or not the subject in a deadly use of force incident was armed at the time. In 2022, nearly all use of force decedents were reported as being armed with 89.29% decedents being reported as such. Of the remainder, only one, or 3.57% of decedents were definitively reported as being unarmed.

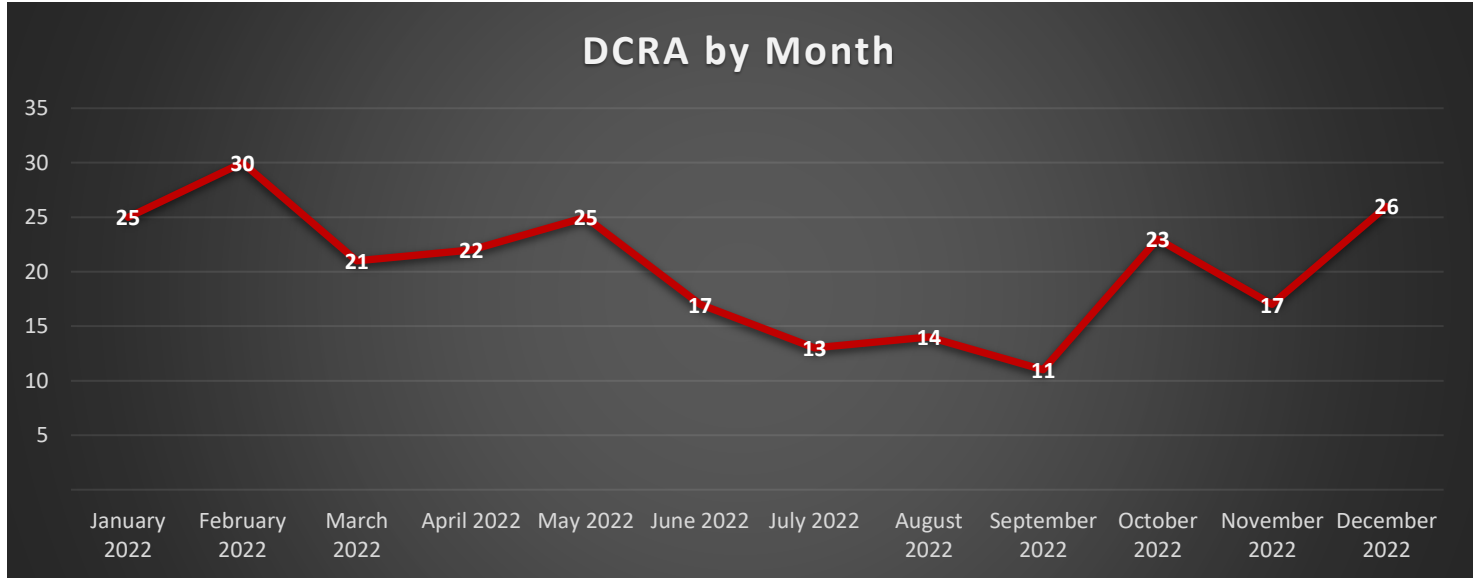
SECTION 2: ARREST RELATED NON-FORCIBLE DEATHS (ARNFD)

This section analyzes deaths which occurred in the presence of police but were not directly related to the use of force by a law enforcement official. As mentioned in the introduction, an Arrest Related Non-Forcible Death (ARNFD) is any death attributed to suicide, alcohol, drug intoxication, or medical conditions (e.g. cardiac arrest, etc.) occurring during the process of an arrest by, or in the custody of, state or local law enforcement personnel.

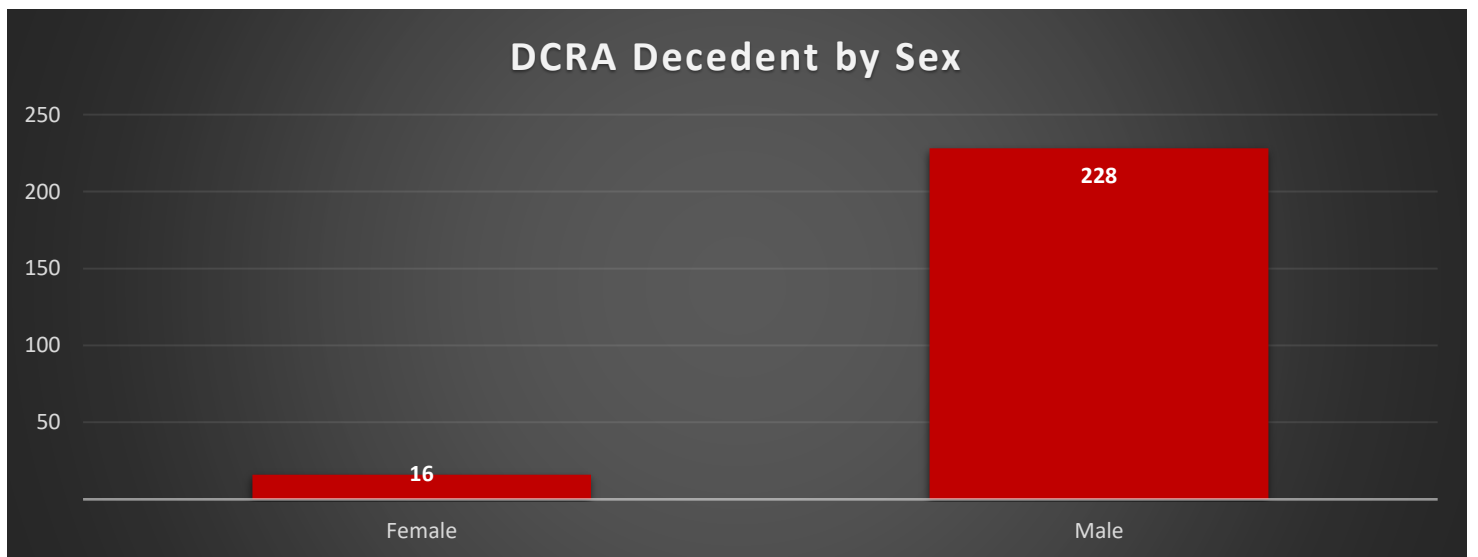
Of the Law Enforcement-Related Deaths reported in 2022, one death met the Arrest Related Non-Forcible Death (ARNFD) reporting criteria. The agency's initial contact with the subject was reported as a "Traffic/Vehicle Stop". The subject was reported as a 41 year-old Black or African American Male. The cause of death was reported as suffering from an overdose after the ingestion of narcotics while in police custody. The subject was reported as being unarmed and showing no resistance to arrest/detainment.

SECTION 3: DEATHS IN CUSTODY REPORTING ACT (DCRA)

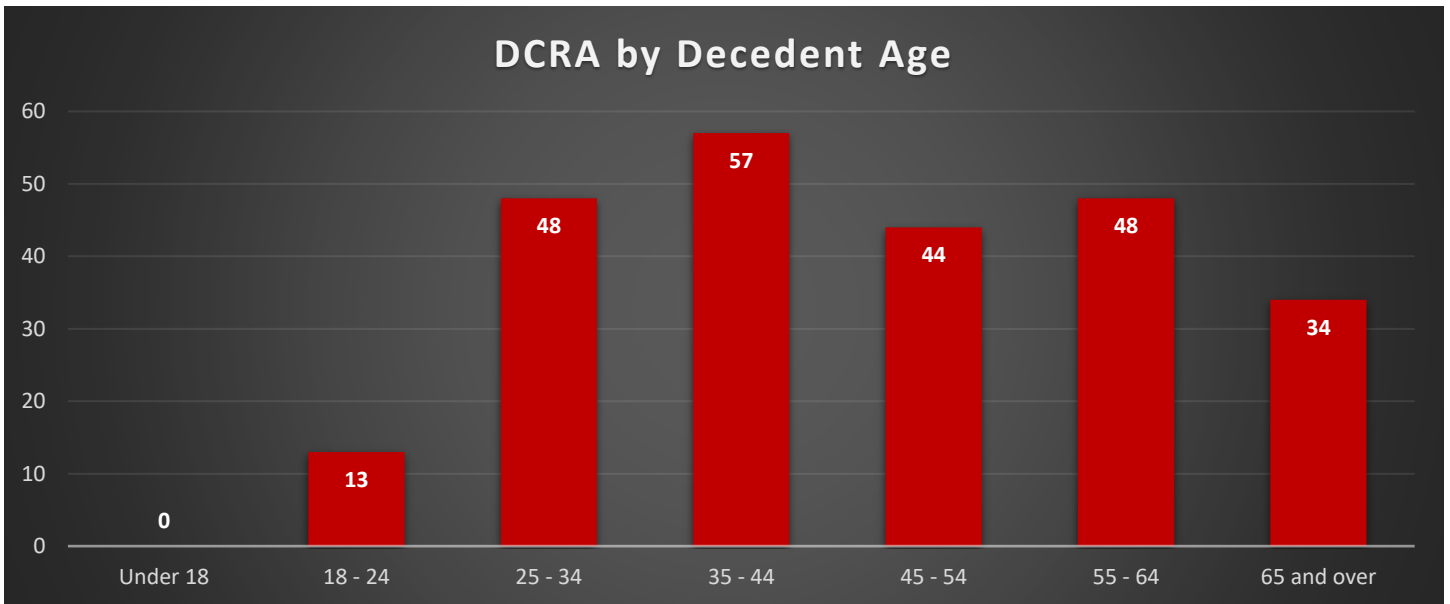
The Deaths in Custody Reporting Act collects data on deaths occurring in jails or state prisons. Please note, private prison companies are under no obligation to submit data, and as such their data may not be reflected.



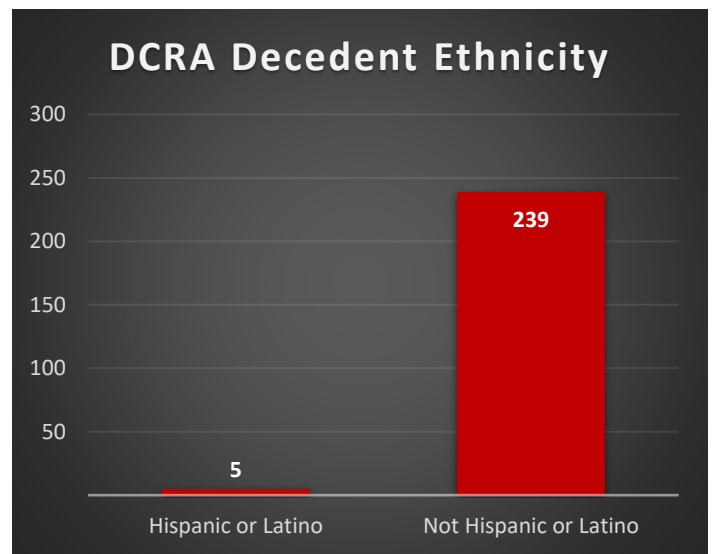
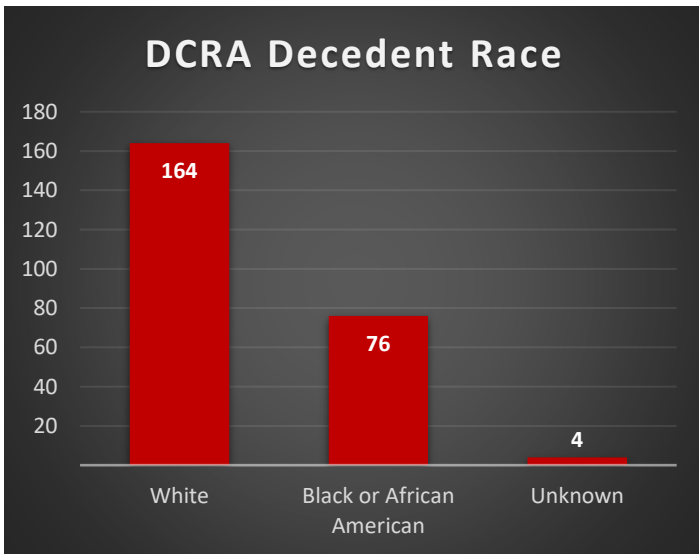
In 2022, 244 deaths were reported across 41 correctional facilities. The highest number of deaths in custody occurred in February at 30 deaths, or 12.30% of deaths, followed by December at 26 or 10.66%. The month with the fewest number of reported deaths in custody was September with 11, or 4.51%.



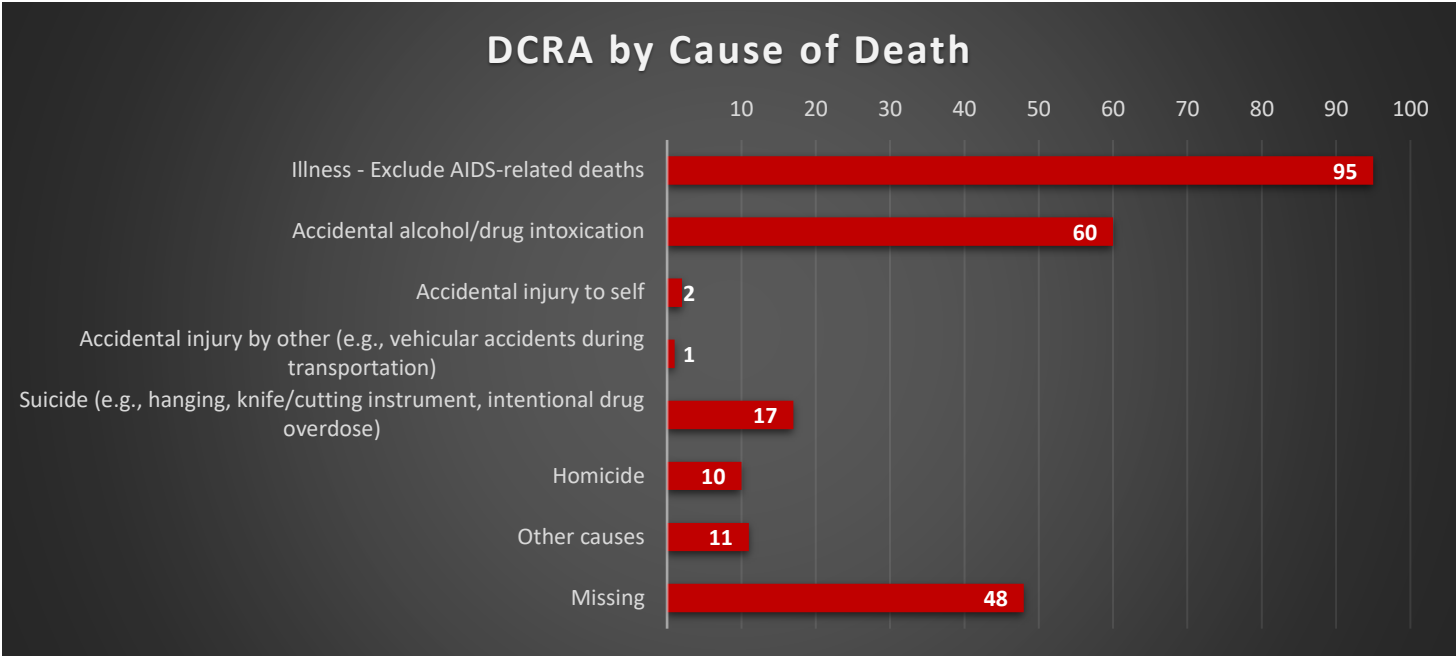
Of 2022 DCRA decedents, 228 were reported as having a sex of Male, or 93.44% of the total reported, with the remaining 6.56% reported as Female. This means that in 2022, over 14 times as many Males were reported as having died in custody than Females.



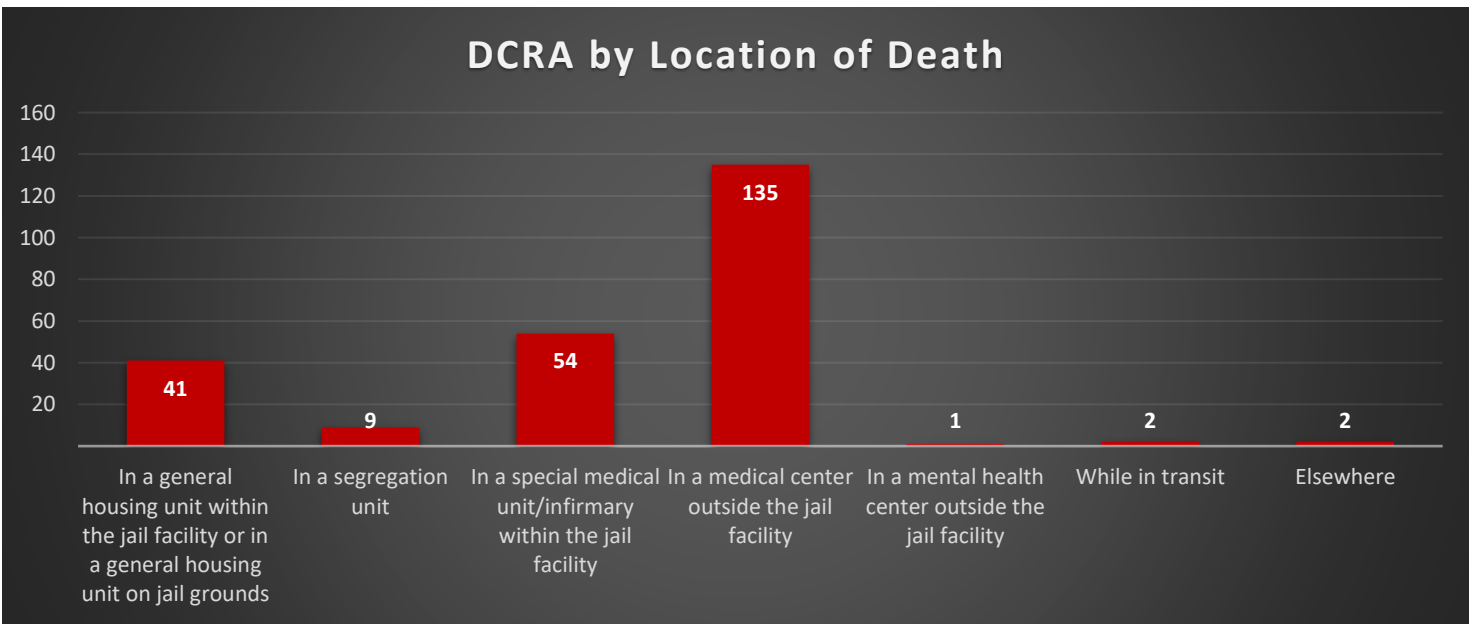
By reviewing data by decedent age in DCRA incidents in 2022, those in age groups over the age of 25 show relatively similar amounts of reported decedents with 35-44 showing the highest number at 23.36% of the total. Following this are both the groups of 25-34 and 55-64, accounting for 19.67% of incidents each.



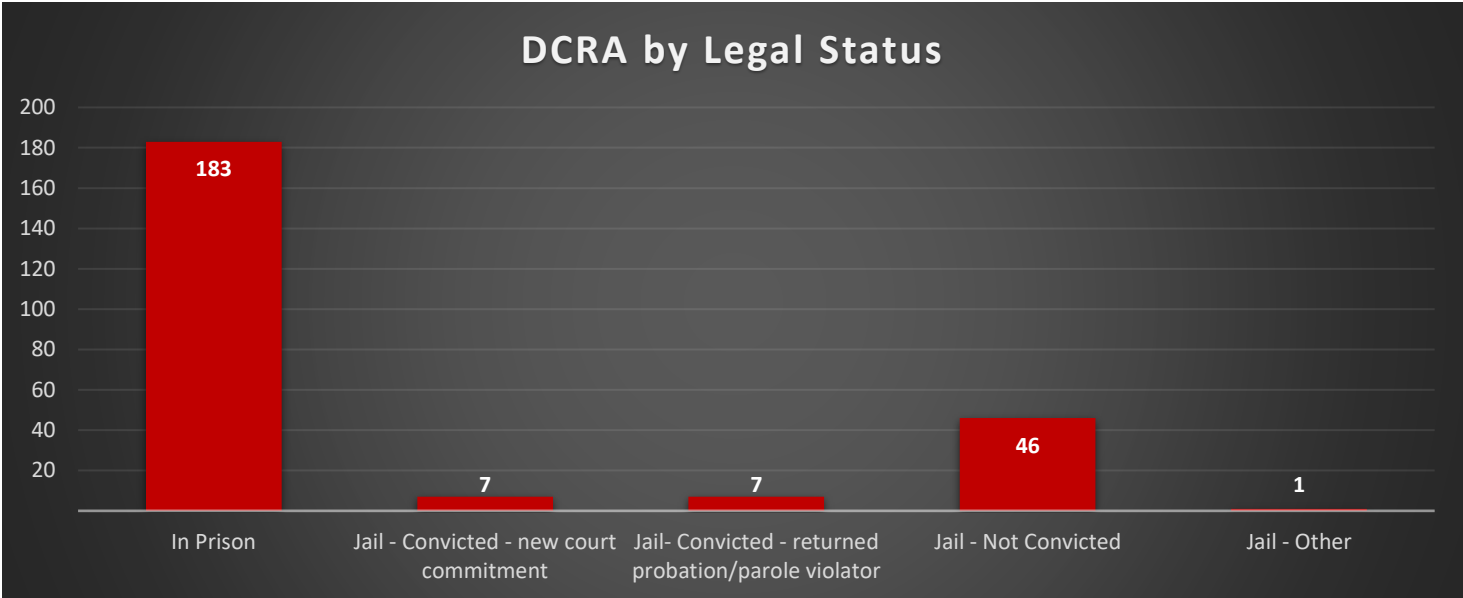
Breaking down DCRA decedents by race and ethnicity shows that the most commonly reported race is White, accounting for 67.21% of reported decedents. Those categorized as Black or African American comprised 31.15% of DCRA decedents, with the remaining 1.64% of decedents being categorized as Unknown. Examining the Ethnicity of DCRA decedents shows that nearly all of those reported, or 97.95%, were categorized as Not Hispanic or Latino.



When looking at DCRA incidents by Cause of Death, the most commonly reported cause in the 2022 year was Illness- Exclude AIDS-Related Deaths, accounting for 38.93% of deaths. The next most commonly reported cause was Accidental Alcohol/Drug Intoxication, at 24.59% of the total.



Relating to the fact that the most commonly reported cause of death under DCRA in 2022 was Illness- Exclude AIDS-Related Deaths, is the two most commonly reported locations of death being in a medical center outside the jail facility and in a special medical unit/infirmery within the jail facility, accounting for 55.33% and 22.13% of locations of death respectively. The other statistically significant location of death was in a general housing unit within the jail facility or in a general housing unit on jail grounds, making up 16.80% of reported death locations.



The last data element regarding DCRA reviewed was the legal status of the decedent at time of death. The majority of those who died in custody had the status of In Prison, making up 75.00% of decedents. The other large group reported were those with a status of Jail - Not Convicted, mostly meaning those in custody who are still awaiting, or in the midst of a trial, at 18.85%.



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