



Division of Criminal
Justice Services

Criminal Justice Statistical Report

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Governor

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Commissioner

February 2023

Arrest-Related Deaths Report

Arrest-Related Deaths Incidents Report
January 1, 2022 – December 31, 2022

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Overview

State law requires each police department, sheriff's office, and the New York State Police to report to the Division of Criminal Justice Services (DCJS) incidents involving arrest-related deaths. The law (Appendix A) defines an arrest-related death as one "...that occurs while an individual is in law enforcement custody or during an attempt to establish custody including, but not limited to, deaths caused by any use of force."

The law also requires DCJS to publish an annual report and make case-level data available to the public monthly. This report summarizes arrest-related deaths reported by police departments and sheriffs' offices to DCJS from Jan. 1, 2022, through Dec. 31, 2022. Date of the incident, location of the incident (village, town or city), county, reporting agency, circumstance surrounding the death, the sex, race, ethnicity and age of the individual are required to be reported. Appendix B contains additional details.

Reported Incidents (data reported as of Jan. 30, 2022)

- Three police agencies reported a total of three arrest-related deaths in 2022: Niagara Town Police Department (1), Saranac Lake Village Police Department (1), and Utica City Police Department (1).
- The three deaths reported as occurring in 2022 all were the result of Use of Force.
- Two of the deaths occurred during an agency's response to unlawful or suspicious activity and one death occurred during other circumstances.
- Two of the deceased individuals were white and one was Black.
- All three of the deceased individuals were male.
- The deceased individuals were ages 33, 40, and 61 at the time of their death.

Case-level data, which is updated monthly, is available on the "Arrest-Related Deaths" tab on the Statistics page of the DCJS website.

Note: *The New York City Police Department did not report arrest-related death incidents in time to be included in this report. NYPD data will be added to the case-level data file online when it is reported to DCJS.*

Appendix A

Executive Law §837-v*2 – Arrest-Related Deaths Statute

Reporting duties of law enforcement departments with respect to arrest-related deaths.

1. The chief of every police department, each county sheriff, and the superintendent of state police shall promptly report to the division any arrest-related death, disaggregated by county. The data shall include all information the division shall report pursuant to the requirements of subdivision five of this section.
2. The initial report required by this subdivision shall be for the period beginning six months after the effective date of this section and shall be submitted on an annual basis thereafter. Each annual report shall be submitted no later than February first.
3. The division shall make the information required by subdivision one of this section available to the public by posting it on the website of the division. With respect to the information required by subdivision one of this section, the division shall update such information on a monthly basis and such information shall be posted in alphanumeric form that can be digitally transmitted or processed and not in portable document format or scanned copies of original documents.
4. The division shall promulgate regulations to effectuate the reporting of data from law enforcement departments sufficient to make the reports required by subdivision five of this section.
5. The division shall submit to the governor and the legislature an annual report of arrest-related deaths disaggregated by county. An arrest-related death is a death that occurs while an individual is in law enforcement custody or during an attempt to establish custody including, but not limited to, deaths caused by any use of force. Such report shall include the following information:
 - (a) the number of arrest-related deaths;
 - (b) the race, ethnicity, age, and sex of the individual;
 - (c) the zip code or location where the death occurred; and
 - (d) a brief description of the circumstances surrounding the arrest-related death.

Appendix B

Data Collection

The Division of Criminal Justice Services (DCJS) and the state Office of Information Technology Services (ITS) developed an automated system to collect arrest-related death incident data. This system allows law enforcement agencies to comply with the arrest-related deaths reporting requirement and allows DCJS to track reporting compliance.

Data Elements and Values

| | |
|---|----------------------------------|
| Date of Incident | Subject Sex |
| County (where incident occurred) | Male |
| Police Agency | Female |
| Location of Incident | Unknown/Not Reported |
| City, Town, Village where incident occurred | Subject Race |
| Circumstance Surrounding Death | White |
| Response to Unlawful or Suspicious Activity | Black |
| Follow up Investigation | Asian |
| Executing Arrest | American Indian/Alaskan Native |
| Traffic Stop | Native Hawaiian/Pacific Islander |
| Medical, mental health, or welfare assistance | Unknown/Not Reported |
| Service of a warrant | Subject Ethnicity |
| Routine patrol other than traffic stop | Hispanic |
| Transporting/Holding Arrestees | Non-Hispanic |
| Demonstration | Unknown/Not Reported |
| Service of a court order | Subject Age |
| JAIL - Responding to a Disturbance | Age in Years |
| JAIL - Assault/Fighting Other Inmate or Officer | Unknown/Not Reported |
| JAIL - Discovery/Removal of Contraband | Manner of Death |
| JAIL - Escape/Attempted Escape/Capture/Return | Use of Force |
| Other | Natural Causes |