



MORE LIVES LOST

**A REPORT OF IN-CUSTODY DEATHS IN
CALIFORNIA IN 2023**

REPORT CONTEXT

This report details all deaths that occurred while in Sheriff's custody across the state of California in 2023. In-custody deaths are reported to the State Attorney General's Office. Additionally, legislation passed in 2022 (AB 2761) required the publication of specified information when a death occurs in Sheriff's custody. This bill went into effect in January 2023.

AB 2761 REPORTING REQUIREMENTS

- 1)** The full name of the agency with custodial responsibility at the time of death.
- (2)** The county in which the death occurred.
- (3)** The facility in which the death occurred, and the location within that facility where the death occurred.
- (4)** The race, gender, and age of the decedent.
- (5)** The date on which the death occurred.
- (6)** The custodial status of the decedent.
- (7)** The manner and means of death.

The above information must be publicly posted on the agency's internet website within 10 days of the date of death. If any of the information changes, the agency must update the posting within 30 days of the change.

IMPLEMENTATION

In 2023, at least 174 in-custody deaths were publicly reported by the relevant Sheriff's Department or local news media. Of those deaths, 21 were not reported to the California Attorney General's Office. An additional 19 deaths were reported to the California Attorney General's Office, but were not publicly reported by the relevant Sheriff's Departments. These were uncovered through a Public Records Act Request.

COMPLIANCE

Seventeen (17) counties (including counties without an operational jail facility) publicly reported no in-custody deaths.

Of the counties that had in-custody deaths documented, 10 did not report these deaths on their website or through departmental press releases.

An additional 12 counties only released information relating to in-custody deaths via press/news releases.

Some counties only reported in-custody deaths to the State's Attorney General's Office: Amador, San Benito, and Trinity Counties. Other counties only reported them publicly: Napa and Monterey.

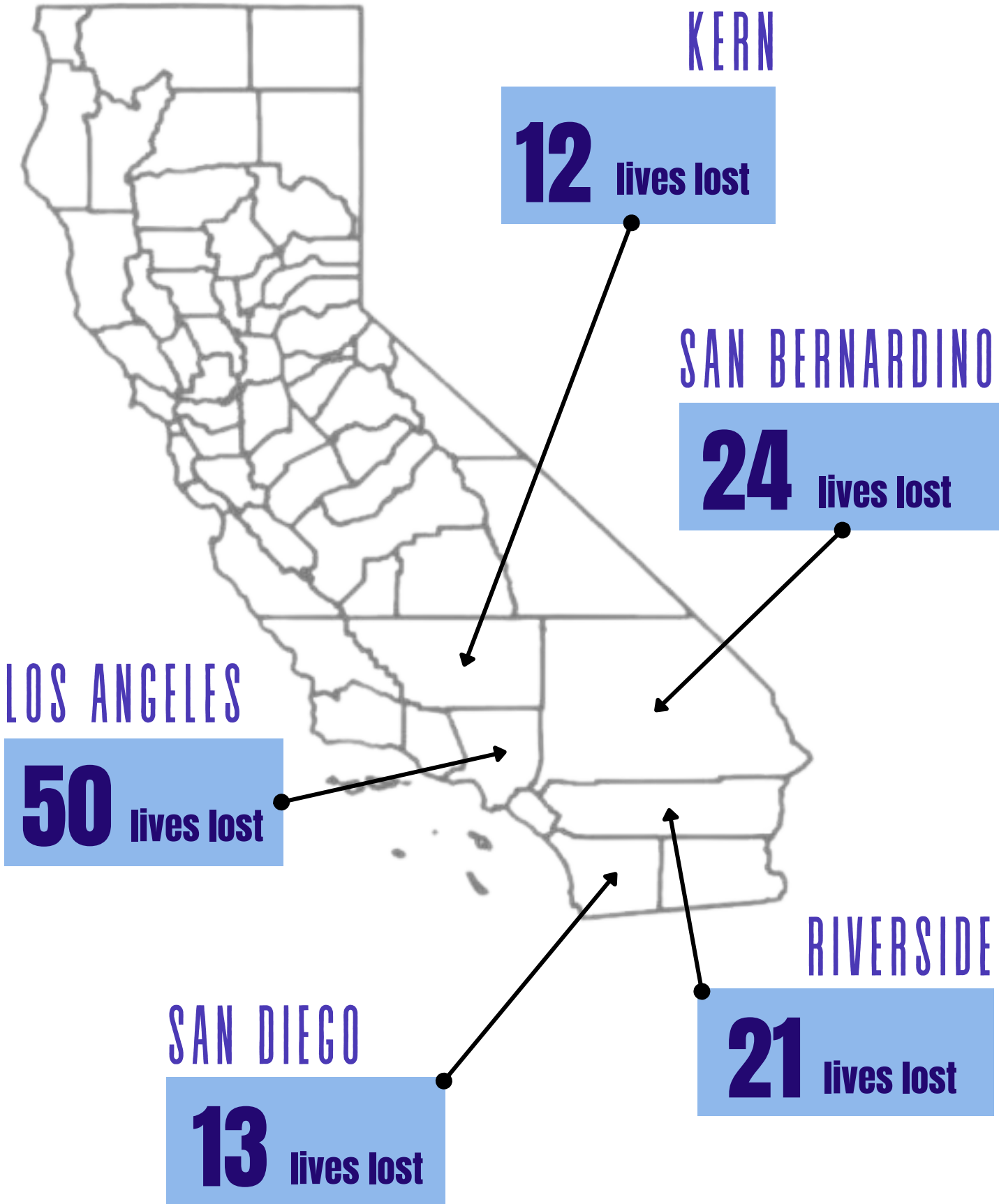
Of all in-custody deaths in 2023, only 115 deaths across 14 counties were reported in compliance with AB 2761.

Of the 31 counties reporting in-custody deaths under AB 2761...

26	counties do not provide means of death at all or consistently; this is often combined/reported as one metric with manner of death.
24	counties do not provide name of the deceased at all or consistently
17	counties do not provide manner of death at all or consistently
12	counties do not provide location of death at all or consistently
11	counties do not provide the race of the deceased at all or consistently
9	counties do not provide custody status at the time of death at all or consistently
4	counties do not provide age of the deceased at all or consistently
4	counties do not provide gender of the deceased at all or consistently

THE TOP 5 DEADLIEST COUNTIES

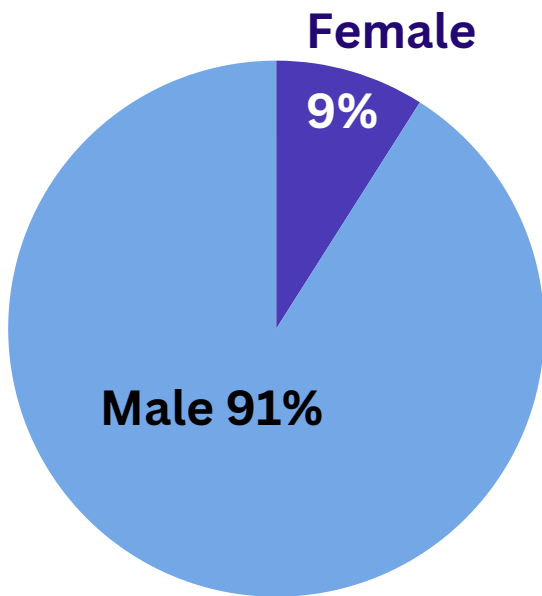
IN 2023



DEMOGRAPHIC DISPARITIES

The data below includes demographic information obtained through the PRA as well as publicly available on county Sheriff Department webpages and press releases/news.

GENDER n=211

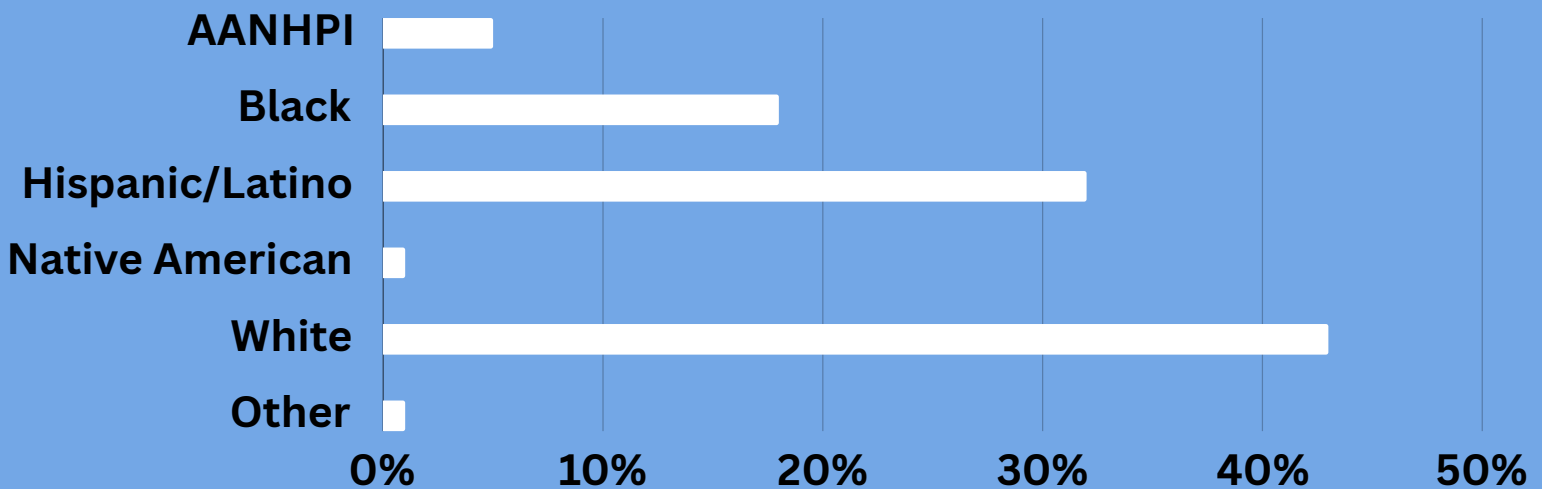


AGE n=211

25 and under	10 people
26-35	52 people
36-45	55 people
46-55	36 people
56 and older	58 people

RACE n=207

The youngest person who died while in custody was 19 and the oldest was 91.



When are deaths occurring?

Of the deaths that occurred in Sheriff's custody across the state, **88%** (n=193) occurred before the resolution of their case. **May** was the deadliest month of 2023 with 24 recorded deaths.

CUSTODY STATUS	# OF DEATHS	% OF DEATHS
Process of Arrest	24	12%
Awaiting Booking	5	3%
Booked - No Charges Filed	13	7%
Awaiting Arraignment	128	66%
Sentenced	19	10%
Other	4	2%

88%

OF DEATHS OCCURED BEFORE
THEIR CASE WAS RESOLVED

UNANSWERED QUESTIONS

There are a number of limitations in the data collected under AB 2761 including (but not limited to):

- 1 Lack of standardization across metrics: race/ethnicity, manner and means of death, and custody status vary by county.
- 2 Oversimplification of data: the only options provided for gender are “Male” and “Female”. While it may be true that those who died in custody only identified as either male or female, we know that **queer, gender non-conforming, and trans individuals face higher rates of violence while incarcerated** it is therefore likely that some information regarding gender is inaccurately documented.
- 3 There are deaths that go unreported under AB 2761 but are ultimately caused by arrest/incarceration or interactions with law enforcement. This is evident given a number of deaths were reported to the Attorney General’s Office but not reported publicly.

Thank you to all the individuals and organizations who contributed to this report, including Shayla Wilson, Justice 2 Jobs, Care First California, Transforming Justice Orange County, Racial Justice Coalition of San Diego, and many more.