

*February 3, 2009*

**Mr. SCOTT of Virginia:** Madam Speaker, I yield myself such time as I may consume.

H.R. 738 will strengthen the Death in Custody Reporting Act of 2000, a law which encourages constructive oversight of the conduct, of the arrests, of imprisonment, and of other forms of detention in our Nation's prisons and jails. If we are to have meaningful oversight, we have to at least know how many people are dying in our jails and prisons.

The Death in Custody Act simply requires States and localities to simply report the fact that a death occurred and a brief description of what happened.

The bill reinforces the 2000 act's reporting requirements by authorizing the Attorney General to withhold a portion of the State's Byrne-Justice Assistance Grants if it is not in compliance with those requirements.

It will help improve oversight in two other additional ways. First, it applies the reporting requirements to Federal law enforcement authorities as well as States. As a result, Congress will have information for the entire incarcerated population in the United States, not just the State systems.

Second, H.R. 738 directs the Attorney General to examine data collected by the Bureau of Justice since the original act became effective to identify what practices are most effective in lowering the death rate in our Nation's prisons and jails. For example, the bureau reported in August of 2005 that there had been a 64 percent decline in suicides in custody and a 93 percent decline in homicides in custody since 1980.

The Attorney General's study should provide Congress with useful guidance on why the death rate was reduced, and what we can do to continue to lower it. Like the original Death In Custody Reporting Act of 2000, the bill enjoys broad bipartisan support. Statistics collected under the original act demonstrate that it can be exceptionally successful because those administering prisons and jails know that they will have to report each death in their custody and they may be held accountable for those deaths. And this bill not only continues the program but strengthens it. And I encourage my colleagues to support the bill.