

HOUSE BILL 1256

E4
HB 1342/17 – JUD

8lr1039

By: **Delegate A. Washington**

Introduced and read first time: February 9, 2018

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Deaths Involving a Correctional Officer – Reports**

3 FOR the purpose of requiring State and local correctional facilities annually to provide the
4 Governor’s Office of Crime Control and Prevention with certain information on
5 correctional officer–involved deaths and deaths in the line of duty; requiring the
6 Office to adopt certain procedures for collecting and analyzing certain information;
7 requiring the Office to analyze and disseminate certain information; requiring the
8 Office to report certain information on correctional officer–involved deaths and
9 deaths in the line of duty to the General Assembly on or before a certain date;
10 defining certain terms; and generally relating to the reporting of correctional
11 officer–involved deaths and deaths in the line of duty.

12 BY adding to
13 Article – Public Safety
14 Section 3–520
15 Annotated Code of Maryland
16 (2011 Replacement Volume and 2017 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That the Laws of Maryland read as follows:

19 **Article – Public Safety**

20 **3–520.**

21 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
22 **INDICATED.**

23 **(2) “CORRECTIONAL FACILITY” HAS THE MEANING STATED IN §**
24 **1–101 OF THE CORRECTIONAL SERVICES ARTICLE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) (I) “CORRECTIONAL OFFICER” HAS THE MEANING STATED IN §**
2 **8-201 OF THE CORRECTIONAL SERVICES ARTICLE.**

3 **(II) “CORRECTIONAL OFFICER” INCLUDES A PRIVATE OFFICER**
4 **PERFORMING DUTIES AS A PART OF A CONTRACT WITH A CORRECTIONAL FACILITY.**

5 **(4) “DEATH IN THE LINE OF DUTY” MEANS THE DEATH OF A**
6 **CORRECTIONAL OFFICER WHILE THE OFFICER IS ACTING IN THE OFFICER’S**
7 **OFFICIAL CAPACITY WHILE ON DUTY OR WHILE THE OFFICER IS OFF DUTY BUT**
8 **PERFORMING ACTIVITIES THAT ARE WITHIN THE SCOPE OF THE OFFICER’S**
9 **OFFICIAL DUTIES.**

10 **(5) (I) “INMATE DEATH” MEANS THE DEATH OF AN ADULT OR A**
11 **JUVENILE OCCURRING WHILE THE INDIVIDUAL IS UNDER THE SUPERVISION OF A**
12 **LOCAL OR STATE CORRECTIONAL ENTITY.**

13 **(II) “INMATE DEATH” INCLUDES THE DEATH OF AN INDIVIDUAL**
14 **UNDER SUPERVISION AT:**

- 15 1. **A LOCAL CORRECTIONAL FACILITY;**
- 16 2. **A BOOKING FACILITY;**
- 17 3. **A DETENTION CENTER;**
- 18 4. **A STATE CORRECTIONAL FACILITY;**
- 19 5. **A MEDICAL TREATMENT RELEASE CENTER;**
- 20 6. **A HALFWAY HOUSE;**
- 21 7. **A WORK DETAIL; OR**
- 22 8. **A TEMPORARY HOLDING OR LOCKUP FACILITY.**

23 **(B) ON OR BEFORE MARCH 1, 2019, AND ON OR BEFORE MARCH 1 EACH**
24 **YEAR THEREAFTER, EACH STATE AND LOCAL CORRECTIONAL FACILITY SHALL**
25 **PROVIDE THE GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION WITH**
26 **INFORMATION, FOR THE PREVIOUS CALENDAR YEAR, ABOUT EACH INMATE DEATH**
27 **AND DEATH IN THE LINE OF DUTY THAT INVOLVED A CORRECTIONAL OFFICER**
28 **ASSIGNED TO THE FACILITY, TO INCLUDE AT A MINIMUM:**

1 **(1) THE AGE, GENDER, ETHNICITY, AND RACE OF A DECEASED**
2 **INDIVIDUAL;**

3 **(2) THE AGE, GENDER, ETHNICITY, AND RACE OF THE CORRECTIONAL**
4 **OFFICER INVOLVED;**

5 **(3) A BRIEF DESCRIPTION OF THE CIRCUMSTANCES SURROUNDING**
6 **THE DEATH;**

7 **(4) THE DATE, TIME, AND LOCATION OF THE DEATH;**

8 **(5) IF APPLICABLE, ANY MENTAL ILLNESS OR OTHER DISABILITY OF**
9 **THE DECEASED INDIVIDUAL; AND**

10 **(6) THE CORRECTIONAL FACILITY OF THE CORRECTIONAL OFFICER**
11 **WHO:**

12 **(I) DIED, IF THE INCIDENT INVOLVED A CORRECTIONAL**
13 **OFFICER WHO DIED IN THE LINE OF DUTY; OR**

14 **(II) SUPERVISED OR HAD CUSTODY OR CONTROL OF THE**
15 **DECEASED, IF THE INCIDENT INVOLVED AN OFFICER-INVOLVED DEATH.**

16 **(C) THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION**
17 **SHALL ADOPT PROCEDURES FOR THE COLLECTION AND ANALYSIS OF THE**
18 **INFORMATION DESCRIBED IN SUBSECTION (B) OF THIS SECTION.**

19 **(D) THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION**
20 **SHALL ANALYZE AND DISSEMINATE THE INFORMATION PROVIDED UNDER**
21 **SUBSECTION (B) OF THIS SECTION.**

22 **(E) THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION**
23 **SHALL MAKE AN ANNUAL REPORT ON THE INCIDENCE OF CORRECTIONAL**
24 **OFFICER-INVOLVED DEATHS AND DEATHS IN THE LINE OF DUTY IN THE STATE TO**
25 **THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE**
26 **GOVERNMENT ARTICLE, ON OR BEFORE JUNE 30 EACH YEAR.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That:

28 (a) On or before August 15, 2018, each local law enforcement agency shall provide
29 the Governor's Office of Crime Control and Prevention with the information described in §
30 3-520(b) of the Public Safety Article as enacted by this Act for the previous 3 calendar year
31 period.

1 (b) On or before October 15, 2018, the Governor's Office of Crime Control and
2 Prevention shall report to the General Assembly, in accordance with § 2-1246 of the State
3 Government Article, on the number of correctional officer-involved deaths and deaths in
4 the line of duty that occurred during the previous 3 calendar years.

5 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
6 1, 2018.