



**Department of Public Safety and Correctional Services  
Office of Government & Legislative Affairs**

45 Calvert Street, Suite 7A, Annapolis, MD 21401  
(443) 240-8696 • [www.dpscs.maryland.gov](http://www.dpscs.maryland.gov)

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**BILL: SENATE BILL 36**

**POSITION: LETTER OF INFORMATION**

**EXPLANATION:** This bill establishes the Maryland Deaths In Custody Oversight Board within the Office of Crime Prevention, Youth and Victim Services for the purpose of conducting administrative and clinical mortality review for every death of an incarcerated individual in the State.

**COMMENTS:**

- The Maryland Death In Custody Oversight Board will be responsible for administrative and clinical mortality reviews of every death of an incarcerated individual, provide analysis and develop recommendations for facilities to prevent future deaths and improve care.
- The Administrative review shall assess the quality of correctional staff and the emergency response to the death of incarcerated individuals, including evaluation of the emergency response, facility cleanliness, access to windows and outdoor space as well as availability of beds.
- In addition, the Oversight Board will review existing clinical infrastructure, including infirmaries and health care facilities, and medical and mental health services
- The clinical mortality review shall assess the quality of medical care that was administered to the deceased individual, including prescribed medications and the medical history of the deceased individual.
- The Oversight Board will have access to the deceased individual's file, incident and investigative reports, complaints filed and administrative remedy process filings
- The membership of the Board includes formerly incarcerated individuals, family members of incarcerated individuals, community representatives and only two medical professions, a forensic pathologist and a licensed psychiatrist.

- The membership of the board should have more medical professionals who are experts in the applicable fields of conducting clinical mortality reviews, as well as administrative medical record reviews.
- In addition, the Office of the Chief Medical Examiner is the statewide agency designated by law to investigate deaths. The OCME has the medical and scientific responsibility to determine the manner and cause of death of an individual.

**CONCLUSION:** The Department of Public Safety and Correctional Services respectfully requests the Committee consider this information when deliberating on Senate Bill 36.