

Department of Legislative Services  
Maryland General Assembly  
2024 Session

FISCAL AND POLICY NOTE  
Third Reader - Revised

Senate Bill 36

(Senator Benson)

Judicial Proceedings

Judiciary

---

Correctional Services - Investigation of Suspected Homicide - Reporting

---

This bill requires the Department of State Police (DSP), by December 31 each year, to post on its website and submit to the Governor and the General Assembly a report detailing the following information for the preceding calendar year: (1) the number of investigations completed by DSP – pursuant to current law – relating to the death of an incarcerated individual suspected to be a homicide that occurs while the incarcerated individual is in the custody of the Division of Correction (DOC) whether within or outside a correctional facility; and (2) the number of cases referred by DSP for prosecution following a completed investigation.

---

Fiscal Summary

**State Effect:** DSP can handle the bill’s requirements with existing budgeted resources. Revenues are not affected.

**Local Effect:** None. Local government finances and operations are not affected.

**Small Business Effect:** None.

---

Analysis

**Current Law:** DSP must investigate any death of an incarcerated individual suspected to be a homicide that occurs while the incarcerated individual is in the custody of DOC whether within or outside a correctional facility. DSP may act within the limits of a municipal corporation that maintains a police force when conducting such an investigation.

---

## **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** HB 565 (Delegate Simmons, *et al.*) - Judiciary.

**Information Source(s):** Anne Arundel, Baltimore, Frederick, and Montgomery counties; Office of the Attorney General; Governor's Office of Crime Prevention and Policy; Judiciary (Administrative Office of the Courts); Maryland Department of Health; Department of Public Safety and Correctional Services; Department of State Police; Department of Legislative Services

**Fiscal Note History:** First Reader - February 6, 2024  
km/lgc Third Reader - March 14, 2024  
Revised - Amendment(s) - March 14, 2024

---

Analysis by: Shirleen M. E. Pilgrim

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510