

SB 198 Letter of Support.docx.pdf

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Position: FAV



Department of Public Safety and Correctional Services

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BILL: SENATE BILL 198

POSITION: SUPPORT

EXPLANATION: This bill adds language to Public Safety Article § 1-202 authorizing the Secretary of the Department of Public Safety and Correctional Services (Department) to award a death benefit if additional evidence arises that a decedent's death resulted from an act committed against them by another due to the nature and performance of their duties. The bill further establishes a timeline by which an application for consideration of this benefit must be submitted.

COMMENTS:

- The Department oversees the Division of Correction which operates 13 State correctional facilities, housing offenders sentenced to incarceration for 18 months and longer. The Department also oversees the Division of Pretrial Detention and Services which operates four (4) pretrial correctional facilities, housing individuals who are awaiting trial.
- Under current law, if a correctional officer is killed or dies in the performance of his or her duties, the decedent's surviving spouse or children may apply for and receive a death benefit. The application for the death benefit must be submitted by the surviving spouse or children within three years after the death of the decedent.
- This bill would expand the window of time that a surviving spouse or children may apply for a death benefit if a later finding of evidence shows that the death of the decedent resulted from an act committed against the decedent due to the nature and performance of the decedent's duties. Specifically, SB 198 would enable the surviving spouse or children of the decedent to submit an application within three years of the finding of evidence.

- Unfortunately, the Department has recently experienced a case where evidence came to light linking a correctional officer's death to the nature and performance of his duties well after the current three year window to apply for the benefit had closed.
- On June 4, 2001, Correctional Officer Gregory Collins had finished his shift at midnight and was on his way home. He was 2.5 miles from arriving home to his wife and then 5-month old daughter when he was shot and killed.
- A suspect in his homicide was arrested in 2019 and convicted in June 2021. The individual convicted for the murder of Correctional Officer Collins was an inmate who was formerly incarcerated at the same institution where Officer Collins worked. Evidence revealing that the homicide was directly linked to the job performance of Officer Collins did not come to light until 18 years after his death and well beyond the current 3-year window to apply for the death benefit.
- The Department believes it is important to expand the timeframe and circumstances under which an application for the death benefit may be submitted as there are cases where a death may occur outside of the direct performance of the job and the window of time during which this new evidence comes to light is not accounted for in Public Safety Article, § 1-202.
- While no value can be placed on a person's life, the death benefit is intended to provide some financial relief to a decedent's loved ones. Based on what is currently known, extending the time period in which an individual could apply for the death benefit will not result in a surge of applications. It will, however, provide an option for family members and loved ones of individuals who are killed as the result of the performance of their duties when the circumstances of the death are not immediately available.
- **CONCLUSION:** The Department of Public Safety and Correctional Services respectfully requests the Committee to vote **FAVORABLE** on Senate Bill 198.