WRITTEN TESTIMONY SUPPORTING

SB36 partnered bill HB565

Maryland Deaths in Custody Oversight Board

TO: Sponsor of the bill Senator Benson-SB0036 and Delegate Simmons - HB565

DATE: 2-5-2024

I am Anne-Claire Frank-Seisay and also a Maryland resident. I strongly support **SB036/HB565** because it addresses the longstanding and ongoing national crisis of deaths occurring in custody. Many of these tragic incidents result from unnecessary use of force and neglect within the criminal legal system. It's disheartening that the United States Government does not possess accurate data on the annual number of deaths in custody, which is both a moral and administrative failure. The absence of clear, accessible information hampers the ability of policymakers, researchers, and advocates to instigate meaningful changes aimed at reducing preventable in-custody deaths.

- In Maryland alone, from January 2009 to March 2023, approximately 885 individuals lost their lives within the Department of Corrections, and there were 180 deaths recorded in 10 county detention centers from 2008 to 2019. These figures underscore the nationwide scope of the issue. It's worth noting that county detention centers differ from state correctional facilities in that they primarily house individuals awaiting trial or arraignment. This means that a lot of these people have died in custody before a trial. We want Maryland to set a precedent by demonstrating a commitment to transparency and accountability, with the goal of reducing in-custody deaths through improved adherence to established procedures and policies.

SB36/HB565 is designed to ensure transparency and accountability within Maryland's custody system. It aims to guarantee that when an individual dies while in custody, the pertinent details become publicly accessible. The bill further strives to pinpoint and rectify the primary causes of such deaths while safeguarding the well-being and dignity of those in custody. To achieve these

objectives, the bill proposes the establishment of an independent Oversight Board. This Oversight Board will conduct thorough reviews of all in-custody deaths in Maryland, issuing detailed reports that elucidate the circumstances leading to each fatality. In addition to these reports, the Oversight Board will furnish recommendations for preventing similar deaths and oversee the implementation of these suggestions.

The agency responsible for an individual in custody is mandated to promptly notify the Oversight Board within a certain amount of time of the person's death. This notification should include specific information about the deceased individual, encompassing their name, birth date, gender, race, and ethnicity. The Oversight Board will meticulously analyze each case, drawing conclusions and offering recommendations concerning the individual's death. Furthermore, the notification should contain a comprehensive description of the circumstances surrounding the death and the rationale behind the person's detention.

This bill reflects "In-custody death" encompasses any fatality occurring while an individual is detained, under arrest, during an arrest attempt, while being transported by law enforcement or correctional officers, within an institution's infirmary or hospital under the custody of law enforcement and correctional officers, during a pursuit by a government official in a motor vehicle, or while incarcerated in various types of facilities within the state of Maryland that detain individuals on behalf of Immigration and Customs Enforcement.

Thank you for your time in this matter and I pray that this needed bill is voted on and passed into law.

Anne-Claire Frank-Seisay

Anne-Claire Frank-Seisay
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Return Home
BALTIMORE
Reenter. Reconnect. Rebuild.

WRITTEN TESTIMONY SUPPORTING

SB36 partnered bill HB565

Maryland Deaths in Custody Oversight Board

TO: Sponsors of the bill Senator Benson-SB0036 and Delegate Simmons-HB565

DATE: 2-6-2024

My name is Dawna Cobb. I am a co-founder of Return Home Baltimore, an online resource for formerly incarcerated people, and a Maryland resident. I strongly support **SB036/HB565** because it addresses the longstanding and ongoing national crisis of deaths occurring in custody. The need for this law is supported by the findings in a report entitled In-Custody Deaths in Ten Maryland Detention Centers 2008-2019, published in July 2023 by the. UCLA Biocritical Studies Lab and by American Bar Association.

It is unacceptable that neither the United States nor Maryland governments possesses accurate data on the annual number of deaths in custody. The absence of clear, accessible information hampers the ability of policymakers, researchers, and advocates to instigate meaningful changes aimed at reducing preventable in-custody deaths. SB36 and HB 565 rectifies this issue.

The bill also requires:

- The agency responsible for an individual in custody to promptly notify the Oversight Board within a certain amount of time of the person's death;
- The notification to provide specific information about the deceased individual, encompassing their name, birth date, gender, race, and ethnicity, and a comprehensive description of the circumstances surrounding the death and the rationale behind the person's detention;
- The Oversight Board to analyze each case, draw conclusions, and offer recommendations concerning the individual's death.

Thank you for offering to support this bill, which addresses an important issue for Maryland.

Respectfully,

Dawna Cobb

dawnacobb@gmail.com

410-627-0769

Jayden Lassiter
March 4, 2024

Maryland Deaths in Custody Oversight Board

I am Jayden Lassiter a Bowie State University senior criminal justice major who is an intern with Helping Ourselves to Transform under the leadership of Dr. Carmen Johnson. I write in support of Senate Bill 36 and House Bill 565. The number of in-custody deaths in Maryland. Looking at the statistics that were released by the Maryland Department of Public Safety and Correctional Services was truly upsetting to me. From January 2009 to March 2023 there were approximately 885 people died while in state custody. After looking at an article from "Biocritical Studies Lab" published by Dr. Terence Keel & Dr. Carmen Johnson their studies show:

- Most people over 80% were detained pretrial at the time of their deaths meaning they were not convicted of any crime.
- Almost half of the decedents (47.78&) died within 10 days of being in the detention center, and 16.67% died within one day.
- Most jails that have high numbers of in-custody deaths were black prisoners, now what this means is that when detained, black and low-income residents are more at risk of in-custody deaths.

In-custody deaths are a major crisis in Maryland which is raising questions about what we can do to provide safety to those awaiting trial. Along with the possibility of most of these deaths being caused by improper use of force and negligence within the legal system. These stats show the complicity in systematic injustice and disdain for human life. As outsiders, although we don't have much information when it comes to these deaths, we must stand up for the families of those

March 5, 2024

Dear Chairman Luke Clippinger and Esteemed Delegates,

Written Testimony / Maryland Deaths in Custody Oversight Board
HB 0565 Delegate Simmons and SB036 Senator Benson
Please vote "Favorable"

My name is Shawn Addison and I am a resident in a Jessup Maryland Prison and I support HB565 and SB36. On Dec 14th, 2023 at the Jessup Correctional Institution (JCI) the search team came into my cell and conducted a cell search that has changed my life for the worse. After being given the directive to "drop them, squat, cough, and pull them, my boxers, up....I was redirected by another officer that demanded that I fully remove my boxers and hand them over. When I advised the officer that I had already complied with the other officer's requirements for that part of the strip search he told me that wasn't acceptable and when I refused his request he told me to put my hands behind my back and "cuff up" to go on disciplinary segregation. Because I only had on my boxers I asked if the officers could assist me in putting on my sweatpants due to the fact that I didn't feel comfortable being paraded around in just my boxers in front of everyone. They refused and when I stopped my movement they slammed me and proceeded to punch me and stomp me in my face until I was unconscious and then dragged me by my hair down the tier and steps until another officer intervened. This resulted in my eye being swollen shut, my vision that was 20/20 is now impaired, my eye got infected, I have scrapes and scratches all up and down my body, I had all kinds of bumps and bruises on my face and head and that is just the physical part. I'm now jittery, being treated for PTSD, suffering from night terrors seeing that boot coming down on my eye, as well as constant headaches. These officers tried to lie to me stating that I struck them and threatened them which would have added time to my sentence. This happens regularly here. I've seen this numerous times. I'm very blessed to have survived with my life even though it will never be the same for me. No one should encounter this kind of abuse that can and possibly has resulted in death at the hands of correctional officers. Please don't let these officers get away with this behavior, they beat me like an animal, people that beat animals get punished even jail time.....why are they allowed to operate like they have no consequences?

Thank you for your time.

Respectfully,

Shawn Addison
Incarcerated Individual

March 5, 2024

Dear Chairman Luke Clippinger and Esteemed Delegates,

Written Testimony / Maryland Deaths in Custody Oversight Board
HB 0565 Delegate Simmons and SB036 Senator Benson
Please vote "Favorable"

My name is Helen Rodgers and I am a former Detention Officer. This is what I experienced first hand, not what someone told me , not what someone showed me on a video, this is my own personal experience. There was a female inmate who passed away at the Detention Center where I had worked. The day before she passed away I was on shift from 6:00am to 6:pm. Now the female officer that I relieved didn't mention anything out of the ordinary that I should be concerned about so I did my morning headcount and we waited for the count to clear. Count cleared that officer and went home. The only thing that happened on my shift was that I put the female on 24hr cell restriction for not covering herself up when I asked her to. And the reason why I asked her to cover up was that I did not want the females who were in the day room on bunkers to walk by and see her uncovered. She also asked me for a fan and I told her that I could not give her a fan. When I got to the officer station I put it in her notes that I gave her a 24hr cell restriction and my reason why. So when it was time for my shift to end I did let the oncoming officer know that I put her on 24hr cell restriction and why and after she did her headcount and count cleared then I went home. So the next day when I came to work I was told that the female had passed. My Colonel at that time called me and she saw where I had put the female on 24hr cell restriction and I also told her why after our conversation nothing else was said and I thought all was good. Well not so I had gotten a subpoena to appear for a deposition hearing concerning the young lady's death. When I got to the hearing and one of her family's lawyers showed me a report that was written I let them know that I did not write that report and that was not the conversation that the Colonel and I had. Also the person who wrote the report had included a false statement from a female inmate stating that I said something that I did not say. And the attorney asked me if I knew who wrote and changed the report and I told him no I did not. And when the lawyer looked me in my face and told me about her conditions I looked him right back in his face and told him I was not there. The only thing that saved me that day was God and the schedule that proved to him and the other two lawyers her family had that I was not there. And I found out that the female who was on shift gave her another 24 hr cell restriction for what I don't know. The Master Sgt who was on shift that night I found out that he did not relieve her so that she could do her hourly rounds. Plus he left that Correctional Facility and got a job at another one. The lawyer said "The people who are supposed to be here are not and the ones who should not be here are." So he got up and went to go talk to the Undersheriff and when he came back he had a nicer tone talking to me. He asked me one question and that question is if I had known about her medical condition would I have called medical and my answer was ASAP. I hope this opens the eyes of the people that it needs to because not only do the inmates suffer but innocent people who are just trying to do their job in a fair way can easily get wrongfully accused because of the people who don't want to be held accountable for their wrongful actions.

Helen Rodgers **helendeniserodgers@gmail.com**