

HON. STACY A. MAYER  
CIRCUIT COURT  
JUDGE  
BALTIMORE COUNTY  
CHAIR

HON. RICHARD SANDY  
CIRCUIT COURT  
JUDGE  
FREDERICK COUNTY  
VICE-CHAIR



KELLEY O'CONNOR  
ASSISTANT STATE COURT  
ADMINISTRATOR  
GOVERNMENT RELATIONS  
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## MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

### MEMORANDUM

**TO:** House Judiciary Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523  
**RE:** House Vill 565  
Maryland Deaths in Custody Oversight Board  
**DATE:** February 1, 2024  
(3/7)

### COMMENT PAPER

The Judiciary has no position on this legislation, but requests that the bill be amended to remove lines 15 – 16, on page 6, which requires the Board to submit any findings and recommendations to “any judge presiding over a case related to the incarceration of the deceased individual.” Having a third party send a presiding judge a report would violate the prohibition against ex parte communications. Additionally, the report may contain information inappropriate for the presiding judge to consider, depending on the nature of the case over which the judge is presiding. Moreover, the parties themselves may object to the presiding judge receiving such information. As such, the Judiciary requests that this provision be removed.

cc. Hon. Gary Simmons  
Judicial Council  
Legislative Committee  
Kelley O'Connor