

## Gene's Support Letter

Gene Downing <gene.downing@courtexcellence.org>  
To: "carmen@helpingourselves.org" <carmen@helpingourselves.org>

Tue, Feb 6, 2024 at 4:04 PM

### 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: 2-6-2024

I am Gene Downing and I'm a Washington D.C. resident, Returning Citizen, criminal/youth justice advocate and a strong supporter of this bill. 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. Being a formally incarcerated person, I know all too well the horrors of incarceration as well as the possibility of death while there. I support this bill not only because it's intended to address the lives lost while incarcerated, but also to prevent more lives lost.

- 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.

Gene Downing

202-983-0961

**Gene Downing** | Galena Yorktown Fellow

Pronouns: he/him/his

**Council for Court Excellence**

202.785.5917 x 109

[gene.downing@courtexcellence.org](mailto:gene.downing@courtexcellence.org)

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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: 1-31-2024

I am **MUHAMMAD IBN BASHIR** 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.

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

Respectfully Submitted,

*Muhammad ibn Bashir, Esq.*

baltimore@silmillaw.com

## WRITTEN TESTIMONY SUPPORTING

### **SB36 partnered bill HB565**

## **Maryland Deaths in Custody Oversight Board**

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

DATE: 3-5-2024

I am Alfrieda Hylton 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.

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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.

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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.

*Ms. Alfrieda Hylton*

jrlewisreentryreformservices@gmail.com

**WRITTEN TESTIMONY SUPPORTING**

**SB36 partnered bill HB565**

**Maryland Deaths in Custody Oversight Board**

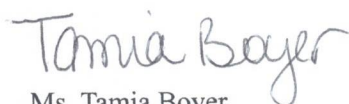
Dear Senator Benson-SB0036 and Delegate Simmons - HB565

DATE: 1-31-2024

I am Ms. Tamia Boyer, a long-time Maryland resident with a deep connection to the issues surrounding our correctional facilities. Growing up as the child of a prison pastor, I was exposed to the stories and experiences within these institutions. My unique perspective has reinforced my unwavering support for SB036/HB565. This crucial legislation is not merely a bill; it is a catalyst for change. SB036/HB565 aims to establish an Oversight Board that will usher in a profound era of transparency and accountability concerning the tragic deaths that persist within Maryland's correctional facilities. Its primary mission is to actively combat the distressing number of fatalities that continue to plague our prisons, jails, and detention centers. This legislation confronts the enduring and pervasive national crisis of in-custody deaths head-on. Many of these heart-wrenching incidents stem from the unnecessary use of force and neglect within our flawed criminal justice system. It is profoundly disheartening that the United States Government lacks accurate data on the annual number of deaths in custody. This absence represents both a moral and administrative failure of our system. The dearth of clear and accessible information severely hinders the ability of policymakers, researchers, and advocates to drive meaningful changes aimed at curbing 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 aims to ensure transparency and accountability within Maryland's custody system. It requires that when an individual dies in custody, all relevant details are made public. The bill seeks to identify and address the root causes of such deaths while preserving the well-being and dignity of those in custody. To achieve these goals, it establishes an independent Oversight Board responsible for conducting

comprehensive reviews of all in-custody deaths in Maryland. This board will issue detailed reports outlining the circumstances of each fatality and provide recommendations for prevention, overseeing their implementation. The agency responsible for an individual in custody must promptly notify the Oversight Board upon the person's death. This notification should include specific information about the deceased, including their name, birth date, gender, race, and ethnicity. The Oversight Board will rigorously analyze each case, draw conclusions, and offer recommendations concerning the individual's death. Additionally, the notification should provide a comprehensive description of the circumstances surrounding the death and the reasons for the person's detention. This bill defines "in-custody death" as any fatality that occurs while an individual is detained, under arrest, during an arrest attempt, in transit with law enforcement or correctional officers, within a facility's infirmary or hospital under their custody, during a government official's pursuit in a motor vehicle, or while incarcerated in various Maryland facilities holding individuals for Immigration and Customs Enforcement.



Ms. Tamia Boyer

GED/ESL

240-640-4790

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WRITTEN TESTIMONY SUPPORTING

**SB36/HB565 - Maryland Deaths in Custody Oversight Board**

TO: Senator Benson and Delegate Simmons

DATE: 1-31-2024

I am Mrs. Yolanda Leak and also a Maryland resident. I personally had a family member that died in jail and for that reason 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.

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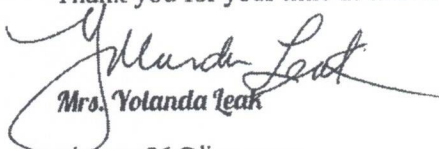
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Thank you for your time in this matter and I pray that this needed bill is voted on and passed into law.

  
Mrs. Yolanda Leak  
alstony01@live.com