

HOUSE BILL 1342

E4

7lr2862

By: **Delegates A. Washington, Ali, Anderson, Angel, Moon, Morales, Proctor, Sanchez, Sydnor, and Valderrama**

Introduced and read first time: February 10, 2017

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Deaths Involving a Correctional Officer – Reports**

3 FOR the purpose of requiring State and local correctional facilities annually to provide the
4 Governor's Office of Crime Control and Prevention with certain information on
5 correctional officer-involved deaths and deaths in the line of duty; requiring the
6 Office to adopt certain procedures for collecting and analyzing certain information;
7 requiring the Office to analyze and disseminate certain information; requiring the
8 Office to report certain information on correctional officer-involved deaths and
9 deaths in the line of duty to the General Assembly on or before a certain date;
10 defining certain terms; and generally relating to the reporting of correctional
11 officer-involved deaths and deaths in the line of duty.

12 BY adding to

13 Article – Public Safety

14 Section 3–520

15 Annotated Code of Maryland

16 (2011 Replacement Volume and 2016 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That the Laws of Maryland read as follows:

19 **Article – Public Safety**

20 **3–520.**

21 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
22 **INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) “CORRECTIONAL FACILITY” HAS THE MEANING STATED IN § 1–101 OF THE CORRECTIONAL SERVICES ARTICLE.

(3) (I) “CORRECTIONAL OFFICER” HAS THE MEANING STATED IN § 8–201 OF THE CORRECTIONAL SERVICES ARTICLE.

(II) “CORRECTIONAL OFFICER” INCLUDES A PRIVATE OFFICER PERFORMING DUTIES AS A PART OF A CONTRACT WITH A CORRECTIONAL FACILITY.

(4) “DEATH IN THE LINE OF DUTY” MEANS THE DEATH OF A CORRECTIONAL OFFICER WHILE THE OFFICER IS ACTING IN THE OFFICER’S OFFICIAL CAPACITY WHILE ON DUTY OR WHILE THE OFFICER IS OFF DUTY BUT PERFORMING ACTIVITIES THAT ARE WITHIN THE SCOPE OF THE OFFICER’S OFFICIAL DUTIES.

(5) (I) “INMATE DEATH” MEANS THE DEATH OF AN ADULT OR A JUVENILE OCCURRING WHILE THE INDIVIDUAL IS UNDER THE SUPERVISION OF A LOCAL OR STATE CORRECTIONAL ENTITY.

(II) “INMATE DEATH” INCLUDES THE DEATH OF AN INDIVIDUAL UNDER SUPERVISION AT:

- 1. A LOCAL CORRECTIONAL FACILITY;**
- 2. A BOOKING FACILITY;**
- 3. A DETENTION CENTER;**
- 4. A STATE CORRECTIONAL FACILITY;**
- 5. A MEDICAL TREATMENT RELEASE CENTER;**
- 6. A HALFWAY HOUSE;**
- 7. A WORK DETAIL; OR**
- 8. A TEMPORARY HOLDING OR LOCKUP FACILITY.**

(B) ON OR BEFORE MARCH 1, 2018, AND ON OR BEFORE MARCH 1 EACH YEAR THEREAFTER, EACH STATE AND LOCAL CORRECTIONAL FACILITY SHALL PROVIDE THE GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION WITH INFORMATION, FOR THE PREVIOUS CALENDAR YEAR, ABOUT EACH INMATE DEATH

1 AND DEATH IN THE LINE OF DUTY THAT INVOLVED A CORRECTIONAL OFFICER
2 ASSIGNED TO THE FACILITY, TO INCLUDE AT A MINIMUM:

3 (1) THE AGE, GENDER, ETHNICITY, AND RACE OF A DECEASED
4 INDIVIDUAL;

5 (2) THE AGE, GENDER, ETHNICITY, AND RACE OF THE CORRECTIONAL
6 OFFICER INVOLVED;

7 (3) A BRIEF DESCRIPTION OF THE CIRCUMSTANCES SURROUNDING
8 THE DEATH;

9 (4) THE DATE, TIME, AND LOCATION OF THE DEATH;

10 (5) IF APPLICABLE, ANY MENTAL ILLNESS OR OTHER DISABILITY OF
11 THE DECEASED INDIVIDUAL; AND

12 (6) THE CORRECTIONAL FACILITY OF THE CORRECTIONAL OFFICER
13 WHO:

14 (I) DIED, IF THE INCIDENT INVOLVED A CORRECTIONAL
15 OFFICER WHO DIED IN THE LINE OF DUTY; OR

16 (II) SUPERVISED OR HAD CUSTODY OR CONTROL OF THE
17 DECEASED, IF THE INCIDENT INVOLVED AN OFFICER-INVOLVED DEATH.

18 (C) THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION
19 SHALL ADOPT PROCEDURES FOR THE COLLECTION AND ANALYSIS OF THE
20 INFORMATION DESCRIBED IN SUBSECTION (B) OF THIS SECTION.

21 (D) THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION
22 SHALL ANALYZE AND DISSEMINATE THE INFORMATION PROVIDED UNDER
23 SUBSECTION (B) OF THIS SECTION.

24 (E) THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION
25 SHALL MAKE AN ANNUAL REPORT ON THE INCIDENCE OF CORRECTIONAL
26 OFFICER-INVOLVED DEATHS AND DEATHS IN THE LINE OF DUTY IN THE STATE TO
27 THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE
28 GOVERNMENT ARTICLE, ON OR BEFORE JUNE 30 EACH YEAR.

29 SECTION 2. AND BE IT FURTHER ENACTED, That:

30 (a) On or before October 15, 2017, the Governor's Office of Crime Control and
31 Prevention shall report to the General Assembly, in accordance with § 2-1246 of the State

1 Government Article, on the number of correctional officer–involved deaths and deaths in
2 the line of duty that occurred during the previous 3 calendar years.

3 (b) On or before August 15, 2017, each local law enforcement agency shall provide
4 the Governor’s Office of Crime Control and Prevention with the information described in §
5 3–520(b) of the Public Safety Article as enacted by this Act for the previous 3 calendar year
6 period.

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
8 1, 2017.