



Written Testimony of Celeste Trusty
Deputy Director of State Policy for FAMM
In Support of SB 36
Maryland Senate Judicial Proceedings Committee
February 7, 2024

I would like to thank the Chair, Vice Chair, and members of the Senate Judicial Proceedings Committee for the opportunity to submit written testimony in support of SB 36, a bill that would create the Maryland Deaths in Custody Oversight Board under the Governor’s Office of Crime Prevention, Youth, and Victim Services. **FAMM supports SB 36 and encourages a favorable report from the Committee.**

FAMM is a nonpartisan, nonprofit organization that advocates sentencing and prison policies that are individualized and fair, protect public safety, and preserve families. Among the policies we advocate is the establishment of independent oversight bodies for correctional facilities in each state. Most of the Marylanders who support FAMM have loved ones incarcerated in a state prison, and their top concerns while their loved one is incarcerated are their safety, health, and rehabilitation. Unfortunately, we consistently hear from our members that Maryland’s state prison facilities are unsafe, unsanitary, and lack sufficient medical and mental health care, staff, and rehabilitative programming. Additionally, Maryland families almost uniformly report to us difficulties in getting information about and help for their incarcerated loved ones from the staff and administration at the DPSCS. This is simply unacceptable, especially when a life ends while in custody.

There are myriad concerning stories out of Maryland’s correctional facilities about deaths of people while in correctional custody. Between 2001 and 2019, there were 1,100 reported deaths of people living in Maryland state prisons, many of which were attributed to medical issues such as heart, liver, or respiratory disease, cancer, and human immunodeficiency virus (HIV)/



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acquired immunodeficiency syndrome (AIDS).¹ More than 80 of these lives lost in custody were reported as death by suicide, over 60 people died of reported drug or alcohol intoxication, nine were classified as accidents, and more than 50 were reported as homicides.² The Maryland Deaths in Custody Oversight Board would be charged with analyzing deaths of incarcerated individuals and making recommendations based on their findings. For each death of an incarcerated person, SB 36 would charge the Board with conducting administrative and clinical mortality reviews, evaluating the related facility, and assessing infrastructures around access to and quality of care. Importantly, the Board would include people who experienced incarceration in Maryland, family members of people currently incarcerated, representatives from community organizations, as well as medical experts.

Americans across the political spectrum understand the inherent value of increased transparency and accountability in our nation's prisons: in a recent national poll, 82 percent of people agreed that state and federal prison systems should have independent oversight.³ The same poll showed a majority of people do not believe that agencies are able to provide reasonable, reliable, and transparent oversight over themselves.⁴ Creating a Maryland Deaths in Custody Oversight Board would create the accountability and transparency that family members and the public need and deserve when a person loses their life while in correctional custody.

The results of creating such a Board have the capacity to save lives and go a long way to support corrections staff, incarcerated people, and their families in their daily concerns about health, safety, access to medical and mental health care, lack of responsiveness to complaints, and myriad other issues. Oversight encourages increased professionalism at every level of an agency. Lawmakers also benefit from this type of independent oversight into deaths of people in custody. Lawmakers need this steady feedback and insight to help craft laws and policies to best protect incarcerated people while they are under correctional supervision, and the public deserves an increased level of transparency into this devastating and critical issue. **FAMM**

¹ U.S. Department of Justice Office of Justice Programs Bureau of Justice Statistics, Mortality in State and Federal Prisons, 2001–2019, TABLE 16

<https://bjs.ojp.gov/content/pub/pdf/msfp0119st.pdf>

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³ Public Opinion Strategies, National Survey on Prison Oversight conducted for FAMM July 29-Aug. 3, 2022, <https://famm.org/wp-content/uploads/FAMM-National-Survey-Key-Findings.pdf>.

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supports SB 36 and urges the committee to pass this piece of legislation.