

SENATE BILL 1085

E4, E2

4lr3268

By: **Senator Conway**

Introduced and read first time: February 27, 2014

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – State’s Attorney and Police Department – Sharing Cause of**
3 **Death Determinations**

4 FOR the purpose of requiring the State’s Attorney for Baltimore City, the State’s
5 Attorney’s representative, or a representative of the Baltimore City Police
6 Department, within a certain period of time after receiving a certain record of
7 an examination or autopsy, to consult with one another to determine which
8 entity will meet with the family of the decedent; requiring the State’s Attorney
9 or the State’s Attorney’s representative or a representative of the Baltimore
10 City Police Department to meet with the family of the decedent or a
11 representative chosen by the family to share the cause of death determination of
12 the Medical Examiner; and generally relating to sharing of cause of death
13 determinations, the State’s Attorney for Baltimore City, and the Baltimore City
14 Police Department.

15 BY adding to

16 Article – Criminal Procedure
17 Section 15–403.1
18 Annotated Code of Maryland
19 (2008 Replacement Volume and 2013 Supplement)

20 BY adding to

21 Article – Public Safety
22 Section 3–509
23 Annotated Code of Maryland
24 (2011 Replacement Volume and 2013 Supplement)

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

27 **Article – Criminal Procedure**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **15-403.1.**

2 (A) THIS SECTION APPLIES ONLY IN BALTIMORE CITY.

3 (B) WITHIN 7 DAYS AFTER THE STATE'S ATTORNEY FOR BALTIMORE
4 CITY RECEIVES A RECORD OF AN EXAMINATION OF OR AUTOPSY ON A BODY
5 FROM THE OFFICE OF THE CHIEF MEDICAL EXAMINER, THE STATE'S
6 ATTORNEY OR THE STATE'S ATTORNEY'S REPRESENTATIVE SHALL:

7 (1) CONSULT WITH THE BALTIMORE CITY POLICE DEPARTMENT
8 TO DETERMINE WHICH ENTITY SHALL MEET WITH THE FAMILY OF THE
9 DECEDENT; AND

10 (2) IF IT IS DETERMINED UNDER PARAGRAPH (1) OF THIS
11 SUBSECTION THAT THE STATE'S ATTORNEY SHALL MEET WITH THE FAMILY OF
12 THE DECEDENT, MEET WITH THE FAMILY OF THE DECEDENT OR A
13 REPRESENTATIVE CHOSEN BY THE FAMILY TO SHARE THE CAUSE OF DEATH
14 DETERMINATION OF THE CHIEF MEDICAL EXAMINER.

15 **Article – Public Safety**

16 **3-509.**

17 (A) THIS SECTION APPLIES ONLY IN BALTIMORE CITY.

18 (B) WITHIN 7 DAYS AFTER THE BALTIMORE CITY POLICE
19 DEPARTMENT RECEIVES A RECORD OF AN EXAMINATION OF OR AUTOPSY ON A
20 BODY FROM THE OFFICE OF THE CHIEF MEDICAL EXAMINER, A
21 REPRESENTATIVE FROM THE POLICE DEPARTMENT SHALL:

22 (1) CONSULT WITH THE STATE'S ATTORNEY FOR BALTIMORE
23 CITY TO DETERMINE WHICH ENTITY SHALL MEET WITH THE FAMILY OF THE
24 DECEDENT; AND

25 (2) IF IT IS DETERMINED UNDER PARAGRAPH (1) OF THIS
26 SUBSECTION THAT A REPRESENTATIVE OF THE BALTIMORE CITY POLICE
27 DEPARTMENT SHALL MEET WITH THE FAMILY OF THE DECEDENT, MEET WITH
28 THE FAMILY OF THE DECEDENT OR A REPRESENTATIVE CHOSEN BY THE FAMILY
29 TO SHARE THE CAUSE OF DEATH DETERMINATION OF THE CHIEF MEDICAL
30 EXAMINER.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2014.