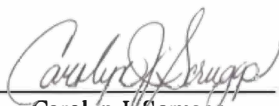
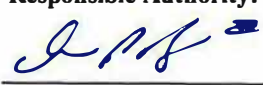




DEPARTMENT DIRECTIVE


Carolyn J. Scruggs
Secretary

Title: Death Notification and Investigation	Directive Number: IID.270.0001
Related Statute and Regulations: Correctional Services Article, § 9-602.1, Annotated Code of Maryland. Correctional Services Article, §10-701, Annotated Code of Maryland COMAR 12.02.22	Supersedes: OSIIF.270.0003 – Inmate Death – Reporting and Investigation and OOS IB 2025-03
Related ACA and MCCS Standards: 5-ACI-6C-16	Responsible Authority:  Donald Bauer Executive Director
Related Directives: OPS.270.0001 DPSCS.010.0022	Effective Date: November 14, 2025
Variance: A facility directive is permitted if necessary. No division directives are necessary to implement this policy.	Number of Pages: 11

.01 Purpose.

The purpose of this directive is to establish uniform requirements for reporting, responding to, investigating, documenting, and reviewing all deaths involving incarcerated individuals in the custody of the Department of Public Safety and Correctional Services (Department).

.02 Scope.

This directive applies to personnel assigned to, supporting, or acting under the authority of the Intelligence and Investigative Division (IID) in the investigation of incarcerated individual deaths.

.03 Policy.

- A. The Department shall promptly report and investigate all incarcerated individual deaths, regardless of cause, manner, or location of death.
- B. The Department shall ensure full cooperation with IID investigations, including unrestricted access to facilities, records, digital evidence, and personnel.

- C. IID shall respond to every death involving an incarcerated individual and conduct an investigation consistent with Department policy and state law.
- D. IID supervisory staff shall ensure a concurrent administrative investigation reviewing staff actions no less than the 24 hours preceding the incarcerated individual's death.
- E. IID shall comply with mandatory reporting timelines, including:
 - (1) A 24-hour preliminary investigative summary;
 - (2) A 48-hour combined administrative and criminal preliminary report;
 - (3) A 72-hour consolidated preliminary report provided to the Executive Director of IID (Director); and
- F. IID shall provide a 90 day administrative overview to the Secretary and Chief of Staff upon request.

.04 Definitions.

- A. In this directive, the following terms have the meanings indicated.
- B. Terms Defined.
 - (1) "Attended death" means a death in which a licensed healthcare provider was providing ongoing medical care and the healthcare provider will certify the patient's manner of death was natural.
 - (2) "Correctional facility" has the meaning stated in Correctional Services Article, §1-101, Annotated Code of Maryland: 'Correctional facility' means a facility that is operated for the purpose of detaining or confining adults who are charged with or found guilty of a crime.
 - (3) Employee.
 - (a) "Employee" an individual assigned to or employed by the Department in a full-time, part-time, temporary, or contractual position regardless of job title or classification.
 - (b) "Employee" includes:
 - (i) A contractor or vendor;
 - (ii) An intern;

- (iii) A volunteer; and
 - (iv) An employee of the Maryland Department of Education, Maryland Department of Labor, or Baltimore City Public Schools.
- (4) Incarcerated Individual.
 - (a) “Incarcerated individual” has the meaning stated in CSA, §1-101, Annotated Code of Maryland which states, “‘Incarcerated individual’ means an individual in actual or constructive custody of the Department.”
 - (b) “Incarcerated individual” includes the term “inmate” as stated in CSA, §1-101, Annotated Code of Maryland prior to October 1, 2023.
 - (c) “Incarcerated individual” includes the term “incarcerated person”.
- (5) “Investigator” means a Department employee permanently assigned to or on special assignment to assist IID with the responsibilities specified under Correctional Services Article, § 10-701, Annotated Code of Maryland.
- (6) “Licensed healthcare provider” means an individual currently certified by the State to practice medicine and as part of that certification has the authority to examine a deceased individual to determine a cause of death and appropriately sign a certificate of death.
- (7) “Unattended death” means an incarcerated individual's manner of death is:
 - (a) Undetermined, an accident, a suicide, or a homicide; or
 - (b) Cannot be readily certified by a healthcare professional.

.05 Responsibilities.

- A. The Director of IID (Director), or designee shall:
 - (1) Ensure Departmentwide compliance with this directive, including all reporting and investigative requirements;
 - (2) Receive immediate notification from the IID Watch Center Police Communications Officer (PCO) of each reported incarcerated individual death;
 - (3) Review and approve the need for a criminal investigation or other investigation concerning potential employee misconduct;

- (4) Ensure appropriate coordination with the Office of the Chief Medical Examiner (OCME) and ensure OCME findings are incorporated into the investigative records;
- (5) Ensure investigative actions and evidence preservation practices comply with Department policy, Maryland law, and accepted investigative standards;
- (6) Ensure reporting notifications are completed timely, professionally, and in accordance with this directive;
- (7) Ensure timely communication with Department leadership, including the Secretary, Deputy Secretaries, and relevant division heads, regarding significant developments in any incarcerated individual death investigation;
- (8) Ensure completion of required notifications to external agencies, including MSP and local law enforcement, when appropriate;
- (9) Review and approve the final investigative report for each incarcerated individual death to ensure accuracy, completeness, and the inclusion of administrative or criminal recommendations when appropriate;
- (10) Ensure secure retention, archiving, and management of investigative files in accordance with Department record retention requirements;
- (11) Maintain strict confidentiality regarding all investigative information, evidence, and findings, and ensure confidentiality standards are followed throughout IID;
- (12) Provide training, guidance, and professional support to IID staff regarding investigative practices, evidence preservation, and death reporting protocols;
- (13) Submit required reports and statistical summaries on incarcerated individual deaths to Department leadership or external oversight entities, as required by statute or Department policy; and
- (14) Maintain liaison responsibilities with correctional administration, OCME, law enforcement partners, and other relevant agencies to ensure a consistent, coordinated, and transparent response to all incarcerated individual deaths.

B. The IID Detective Lieutenant shall:

- (1) Provide oversight, direction, and support to assigned IID detectives;
- (2) Receive immediate notification from the IID Watch Center PCO of each reported incarcerated individual death and determine the required level of investigative response;

- (3) Ensure immediate preliminary assessment of the reported death, including obtaining sufficient information to classify the death as attended or unattended
- (4) Assign or approve the assignment of an IID detective, supervisor, or specialized resource to ensure a timely and appropriate investigative response;
- (5) Ensure each IID detective responds promptly to the assigned case and follows accepted investigative practices;
- (6) Review preliminary information, scene conditions, and reported circumstances to confirm or update the initial incarcerated individual death classification;
- (7) Initiate an administrative investigation into staff actions no less than the 24 hours preceding the incarcerated individual death.
- (8) Submit a combined preliminary administrative and criminal report to the IID Captain within 48 hours.
- (9) Ensure coordination with the OCME, MSP, local law enforcement, and facility leadership, as required by the nature of the investigation;
- (10) Provide ongoing guidance and direction to each IID detective throughout the investigation, including identifying additional investigative steps, evidence needs, or follow-up interviews;
- (11) Maintain strict confidentiality regarding investigative information, evidence, witness statements, and findings, and ensure IID detectives adhere to all confidentiality requirements;
- (12) Ensure IID detectives maintain accurate, timely, and complete investigative documentation throughout the course of the investigation;
- (13) Review draft investigative reports for accuracy, completeness, clarity, and compliance with IID standards before elevating the report to the IID Captain for review;
- (14) Monitor investigative timelines to ensure cases involving incarcerated individual deaths are completed promptly and consistent with Department policy;
- (15) Communicate significant case developments, concerns, or potential misconduct findings to the IID Captain without delay;
- (16) Ensure compliance with Department policy and Maryland law regarding the handling, storage, and retention of investigative materials; and

- (17) Provide training, guidance, and performance support to each IID detective for maintaining investigative quality and professional standards.

C. The IID Watch Center Police Communications Officer (PCO) shall:

- (1) Receive calls for service and document all reports of incarcerated individual deaths from Department employees;
- (2) Ensure each call for service is entered into the RMS dispatch system;
- (3) Instruct the reporting entity to preserve the scene and safeguard potential evidence in accordance with Department policy;
- (4) Notify the IID Detective Lieutenant without delay of all reported incarcerated individual deaths and provide a summary of the known circumstances;
- (5) Assign an IID case number for every reported incarcerated individual death and ensure the case is routed for investigative assignment;
- (6) Initiate required notifications as requested by the IID duty Lieutenant to the local law enforcement partners and other agencies in accordance with this directive;
- (7) Maintain accurate and timely documentation of all actions taken, notifications made, and decisions rendered during the initial response to an incarcerated individual death; and
- (8) Transfer all relevant information and preliminary documentation to the assigned IID detective or IID detective Lieutenant to support the continued investigation.

D. The assigned IID detective shall:

- (1) Respond to, and assume responsibility for, the investigation of each incarcerated individual death assigned by IID detective Lieutenant;
- (2) Conduct a thorough, impartial, and timely investigation consistent with Department policy, Maryland law, and accepted investigative practices;
- (3) Obtain, secure, and preserve physical, digital, and testimonial evidence relevant to determining the circumstances and manner of death;
- (4) Conduct required interviews of staff, incarcerated individuals, witnesses, and other individuals with information relevant to the investigation;

- (5) Review available medical records, facility documents, video footage, logs, and other materials necessary to support investigative findings;
- (6) Coordinate with the OCME to attend autopsy proceedings and obtain OCME findings to incorporate into the investigative record;
- (7) Ensure the proper documentation, storage, and transfer of evidence in accordance with Department standards;
- (8) Maintain accurate, timely, and complete investigative notes, reports, and documentation throughout the course of the investigation;
- (9) Maintain strict confidentiality regarding all investigative information, evidence, and findings, and ensure no details are disclosed outside authorized investigative or command channels;
- (10) Inform the IID detective Lieutenant of significant developments, obstacles, and emerging information relevant to the investigation;
- (11) Prepare and submit a comprehensive investigative report that includes findings, supporting evidence, and, when applicable, recommendations for administrative or criminal action; and
- (12) Ensure all investigative materials, evidence, and supporting documentation are submitted for review and retained in accordance with Department record retention requirements.

.06 Procedures.

A. Receiving a Report of an Incarcerated Individual's Death.

- (1) IID Watch Center PCO.
 - (a) Upon receiving a report of an incarcerated individual's death, the IID Watch Center PCO shall:
 - (i) Obtain sufficient information to complete required fields within the Records Management System (RMS) dispatch system;
 - (ii) Assign a case number for each reported incarcerated individual's death; and
 - (iii) Notify the on-call IID detective Lieutenant of the reported death.
 - (b) The IID Watch Center PCO shall instruct the reporting entity to:

- (i) Follow operational procedures for handling an incarcerated individual's death in accordance with *OPS.270.0001 – Procedures for Handling an Incarcerated Individual's Death, Serious Illness, or Injury*; and
 - (ii) Follow Department procedures for reporting newsworthy events in accordance with *DPSCS.101.0022 - Newsworthy Event Reporting*.
 - (c) The IID Watch Center PCO shall notify the IID detective Lieutenant and provide a summary of preliminary circumstances surrounding the death;
 - (d) The IID Watch Center PCO shall document that an IID detective is assigned;
 - (e) The IID Watch Center PCO, upon request, shall notify MSP in accordance with Correctional Services Article, § 9-602.1, Annotated Code of Maryland if the incarcerated individual's death is unattended and homicide is suspected.
- (2) IID Detective Lieutenant.
- (a) Upon receiving notification of an incarcerated individual's death, the IID detective Lieutenant shall:
 - (i) Assign an IID detective;
 - (ii) Assign specialized resources as needed; and
 - (iii) Notify the detective Captain of preliminary report information and immediate actions taken.
 - (b) The detective Lieutenant shall provide the IID detective direction regarding immediate tasks, including:
 - (i) Scene response;
 - (ii) Evidence needs;
 - (iii) Required interviews; and
 - (iv) Coordination with OCME, MSP, or local law enforcement.
 - (c) The detective Lieutenant shall confirm or update the initial incarcerated individual death notification based on new or verified information.
 - (d) The detective Lieutenant shall communicate significant developments or concerns to the detective Captain.

(3) IID Detective.

- (a) The assigned IID Detective shall respond to the scene and assume responsibility for the investigation.
- (b) The assigned IID Detective shall activate a Department issued body worn camera (BWC) upon arrival to the scene.
- (c) The IID Detective shall:
 - (i) Document the scene through photographs, video, diagrams, or other appropriate means;
 - (ii) Collect, secure, and preserve physical evidence;
 - (iii) Conduct preliminary and follow-up interviews;
 - (iv) Review and seize facility logs, video recordings, medical records, and other relevant documents; and
- (d) The IID Detective shall notify the OCME and document the following information:
 - (i) Name of the OCME representative;
 - (ii) Date and time of OCME notification; and
 - (iii) If the OCME requires an autopsy;
- (e) If OCME requires an autopsy, the IID Detective shall:
 - (i) Notify the detective Lieutenant; and
 - (ii) Attend the autopsy when scheduled.
- (f) The IID Detective shall:
 - (i) Document the scene and record all witness interviews using a department-issued body worn camera;
 - (ii) Maintain the integrity and chain of custody of all evidence; and
 - (iii) Maintain complete investigative notes, case files, and documentation.

- (g) The IID Detective shall keep the detective Lieutenant informed of major developments, potential misconduct concerns, or delays.
- (h) The IID Detective shall:
 - (i) Prepare and submit a report summarizing initial investigative findings to the detective Lieutenant within 24 hours; and
 - (ii) Prepare and submit a complete investigative report upon conclusion of the investigation.

B. Administrative Investigation Procedures.

- (1) The IID detective shall submit a report summarizing initial investigative findings to the designated detective lieutenant within 24 hours.
- (2) The Detective Lieutenant shall:
 - (a) Initiate an administrative investigation reviewing staff actions no less than the 24 hours preceding the incarcerated individual's death; and
 - (b) Provide the preliminary administrative and criminal findings to the designated IID Captain within 48 hours.
- (3) The IID Captain shall provide consolidated preliminary findings to the Director within 72 hours.
- (4) The Director shall:
 - (a) Forward the findings of the administrative investigation to the appointing authority and the responsible Executive or Commissioner for review; and
 - (b) Complete and forward an administrative overview upon request to the Secretary and the Chief of Staff within 90 days.

.07 Appendix.

This directive has no appendices.

.08 History.

This directive rescinds and replaces *OSIIF.270.0003 - Inmate Death - Reporting and Investigation* and supersedes any other prior existing Department communication with which it may be in conflict.

.09 Distribution.

A

S - Correctional Facility Administrators, IID