



## Pathology & Biology Section – 2004

### G39 Police Custody Deaths in the State of Maryland: Passing the Torch

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The goal of this presentation is to highlight and briefly discuss the major autopsy findings of deaths that occurred during police custody in the state of Maryland.

Medicolegal Investigation of police custody deaths has been a great challenge to our forensic investigators. It may be argued that much more information is needed on this subject. The establishment of a national database has been discussed. It should combine national statistics as well as grouping the information by state. It is hoped that recognizing more trends will perhaps establish criteria that may ease the difficulty of investigating and thus rendering a decision in these cases. Most importantly, established criteria may assuage the public's perception of police misconduct and ultimately save more lives.

This retrospective study was undertaken to enhance the academic examination of these potentially volatile cases. The Office of the Chief Medical Examiner (OCME) has jurisdiction over all municipalities in the state of Maryland, including twenty-three counties and the city of Baltimore. A total of twenty-five deaths that occurred during police custody were investigated by the OCME from 1993 through 2003. Examination of each case included the autopsy report, the police report, the investigative report and photographs. Highlighted characteristics included race, age and sex distribution, jurisdiction, nature of incident, type of restraint used, autopsy findings, toxicological findings and the cause and manner of death.

Nineteen of the cases involved African-American men, most of whom were in their thirties. Twenty-one of the incidents occurred in the major urban areas of Baltimore City (16) and Prince George's County (5). Cocaine use was found in twelve of the cases.

The reasons for police involvement and the use of restraints included physical assault against another person, irrational behavior and other aggressive actions. The primary methods of restraint involved handcuffing. Eight cases involved the use of handcuffs in the prone position. Four of the eight handcuffed cases had leg irons also. One subject was hog-tied and placed on his side.

Common autopsy findings included abrasions and contusions of the face and extremities. Petechial hemorrhages were found in three cases. Subgaleal hemorrhage was the most commonly documented internal injury. Cocaine intoxication contributed to the cause of death in twelve cases. The manner of death was concluded as undetermined in fourteen cases.

Literary review has recognized some common variables involved in these cases. Most notably, the risk of the prone restraint position and understanding the increased risk of death in individuals experiencing excited delirium caused by either illicit drug usage or psychiatric disorders.

Given the intense public scrutiny that surrounds these cases, it is the manner of death that requires the greatest objectivity when investigating these deaths. The circumstances of each case should stand independently of prior, similar incidents. A primary reason for the difficulty of custody death investigation is the paucity of evident, lethal physical injury. These cases exhaust the importance of the combined major facets of postmortem examination, specifically the autopsy, the toxicology report and scene investigation. More than usual, heightened cooperation between law enforcement personnel and the medical examiner investigating the case is required.

#### **Police Custody, Death Investigation, Autopsy**