



Legislation Text

File #: 09-0134R, **Version:** 0

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL R
(Resolution)

Introduced by: Councilmember Conaway

A RESOLUTION ENTITLED

A COUNCIL RESOLUTION concerning
Informational Hearing - Office of the Chief Medical Examiner and the Baltimore Police Department - Cause of Death

FOR the purpose of inviting the Chief Medical Examiner to report to the City Council on the number of persons in Baltimore City whose cause of death remains undetermined each year and requesting the Baltimore Police Commissioner to explain the Department's involvement in the classification of deaths that are the subject of police investigation.

Recitals

The Office of the Chief Medical Examiner's overview of circumstances that require the office's services is: "A death certificate must be completed by a doctor for all deaths before the body can be sent to the funeral home. When the person has a family doctor and dies from natural causes, the doctor can complete the death certificate. But if the person is not under the care of a physician or the death appears to be suspicious or unusual, the medical examiner must be notified to begin an investigation and make sure the death certificate is completed."

While the duties of the Medical Examiner's office appear to be clear in theory, the media has reported that this is not the case in practice in this City where the cause of hundreds of deaths cannot be determined. This past year a report addressing how the City's Police Department keeps its list of homicides pinpointed an ongoing controversy while not "getting into an accusation that surfaces from time to time that the City is hiding bodies by convincing the state's chief medical examiner to keep them in the "pending" or "undetermined" category to either delay their entrance into the murder count or keep them off permanently."

Another report in May of this year again addressed the issue by pointing out that Police homicide detectives had already classified 186 deaths as pending because they could not quickly be ruled homicides due to a lack of evidence or ambiguous circumstances. The detectives were waiting either for a ruling from the medical examiner's office or additional information on the cause of death. The report included information that of the 462 pending cases in 2008, 194 are still classified as pending according to police records. The report went on to state that Baltimore City averages roughly 300 undetermined deaths per year - a majority involving drug or alcohol intoxication.

While the Police Department may report an average of 300 “undetermined” or “pending” causes of death, this does not correspond to information reported in the Annual Reports of the Office of the Chief Medical Examiner. In 2006, the office reported a total of 4323 autopsies; of these, the causes of death were found to be 359 suicides, 579 homicides, 863 undetermined, 973 accidents, and 1540 natural deaths. In 2007, of the 4126 autopsies there were 348 suicides, 579 homicides, 857 undetermined, 901 accidents, and 1431 natural deaths.

The reason for the discrepancy may be the definitions utilized by the Office of the Medical Examiner and the Police Department. The Medical Examiner’s office is determining a medical cause while law enforcement is determining legal intent. Whatever the case, the result is a public that constantly questions whether or not they are being told the real story about murderers in their midst. It is time to address this pervasive mistrust.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the Chief Medical Examiner is invited to report to the City Council on the number of persons in Baltimore City whose cause of death remains undetermined each year, and the Baltimore Police Commissioner is requested to explain the Department’s involvement in the classification of deaths that are the subject of police investigation.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the Chief Medical Examiner, the Baltimore Police Commissioner, the Director of the Mayor’s Office on Criminal Justice, and the Mayor’s Legislative Liaison to the City Council.

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