
By: Delegates Harkins, M. Burns, Brinkley, Getty, Klima, O'Donnell, Walkup, Jacobs, and Kach

Introduced and read first time: February 2, 1996

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Prison Inmate Reform Act**

3 FOR the purpose of prohibiting inmates from having access to certain weight training
4 equipment; prohibiting inmates from having access to certain programs; providing
5 for certain medical exceptions; requiring certain equipment to be placed in certain
6 areas in correctional units; providing for the distribution of certain equipment to
7 law enforcement agencies and fire, rescue, or emergency service entities; defining
8 certain terms; and generally relating to inmates in correctional institutions.

9 BY adding to

10 Article 41 - Governor - Executive and Administrative Departments
11 Section 4-1701 through 4-1703, inclusive, to be under the new subtitle "Subtitle 17.
12 Prison Inmate Reform Act"
13 Annotated Code of Maryland
14 (1993 Replacement Volume and 1995 Supplement)

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

17 **Article 41 - Governor - Executive and Administrative Departments**

18 SUBTITLE 17. PRISON INMATE REFORM ACT.

19 4-1701.

20 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
21 INDICATED.

22 (B) "CORRECTIONAL UNIT" MEANS THE DIVISION OF CORRECTION, THE
23 DIVISION OF PRETRIAL DETENTION AND SERVICES, AND PATUXENT INSTITUTION.

24 (C) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC SAFETY AND
25 CORRECTIONAL SERVICES.

26 (D) "INMATE" MEANS ANY PERSON CONFINED TO AN INSTITUTION UNDER
27 THE JURISDICTION OF A CORRECTIONAL UNIT WITHIN THE DIVISION OF

2
1 CORRECTION, THE DIVISION OF PRETRIAL AND RELEASE SERVICES, OR ANY OTHER
2 PERSON IN THE CUSTODY OF THE DEPARTMENT.

3 (E) (1) "WEIGHT TRAINING EQUIPMENT" MEANS:

4 (I) FREE WEIGHTS, COMMONLY KNOWN AS BARBELLS AND
5 DUMBBELLS;

6 (II) WEIGHT MACHINES THAT UTILIZE WEIGHT PLATES, TENSION
7 BANDS, OR ANY SIMILAR DEVICE THAT PROVIDES WEIGHT TRAINING RESISTANCE;

8 (III) ANY EXERCISE DEVICE OR EQUIPMENT DESIGNED TO
9 INCREASE MUSCLE MASS OR STRENGTH; OR

10 (IV) ANY OTHER DEVICE IDENTIFIED BY THE WARDEN OF A
11 CORRECTIONAL UNIT THAT WOULD ALLOW AN INMATE TO INCREASE MUSCLE MASS
12 OR STRENGTH.

13 (2) "WEIGHT TRAINING EQUIPMENT" DOES NOT INCLUDE ANY
14 EQUIPMENT DESIGNED TO INCREASE CARDIOVASCULAR STRENGTH SUCH AS
15 STATIONARY BICYCLES AND TREADMILLS.

16 4-1702.

17 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE
18 DEPARTMENT SHALL PROHIBIT INMATES FROM HAVING ACCESS TO AND THE USE
19 OF:

20 (1) WEIGHT TRAINING EQUIPMENT; OR

21 (2) THE FOLLOWING PROGRAMS:

22 (I) BOXING;

23 (II) WRESTLING;

24 (III) KARATE, JUDO, OR ANY OTHER FORM OF THE MARTIAL ARTS;
25 OR

26 (IV) ANY OTHER PROGRAM SPECIFIED BY REGULATION AS
27 DESIGNED TO INCREASE AN INMATE'S FIGHTING SKILLS.

28 (B) THIS SECTION DOES NOT PROHIBIT AN INMATE FROM:

29 (1) USING WEIGHT TRAINING EQUIPMENT, IF THE USE OF THE
30 EQUIPMENT IS PRESCRIBED BY A PHYSICIAN FOR PHYSICAL REHABILITATION
31 PURPOSES.

32 (2) ENGAGING IN PHYSICAL ACTIVITIES SUPERVISED BY CORRECTIONS
33 STAFF, AND OTHER FORMS OF EXERCISE THAT DO NOT ALLOW AN INMATE TO
34 INCREASE MUSCLE MASS OR STRENGTH AND FIGHTING SKILLS.

3

1 4-1703.

2 (A) IN THIS SECTION, EQUIPMENT MEANS WEIGHT TRAINING EQUIPMENT
3 AND EQUIPMENT FROM PROGRAMS IDENTIFIED IN § 14-1702(A)(2) OF THIS SUBTITLE.

4 (B) THE DEPARTMENT SHALL PLACE ALL EQUIPMENT IN THE
5 CORRECTIONAL OFFICER AND STAFF RECREATIONAL AREA FOR USE BY
6 CORRECTIONAL UNIT PERSONNEL.

7 (C) ALL EXTRA EQUIPMENT NOT USED BY CORRECTIONAL UNIT PERSONNEL
8 OR EQUIPMENT THAT CANNOT BE PLACED IN THE CORRECTIONAL OFFICER AND
9 STAFF RECREATIONAL AREA SHALL BE DONATED THROUGH A LOTTERY DRAWING
10 FOR USE BY LAW ENFORCEMENT PERSONNEL OF THE FOLLOWING LAW
11 ENFORCEMENT AGENCIES:

12 (1) THE DEPARTMENT OF STATE POLICE;

13 (2) THE POLICE DEPARTMENT, BUREAU, OR FORCE OF ANY COUNTY OR
14 MUNICIPAL CORPORATION; OR

15 (3) THE OFFICE OF THE SHERIFF OF ANY COUNTY.

16 (D) ANY REMAINING EQUIPMENT SHALL BE DONATED THROUGH A LOTTERY
17 DRAWING FOR USE BY FIRE, RESCUE, OR EMERGENCY PERSONNEL OF THE
18 FOLLOWING FIRE, RESCUE, OR EMERGENCY SERVICE ENTITIES:

19 (1) AN ENTITY DESIGNATED AS A FIRE, RESCUE, OR EMERGENCY
20 MEDICAL SERVICES BY THE GOVERNING BODY OF A COUNTY OR MUNICIPAL
21 CORPORATION;

22 (2) BOARD OR FIRE COMMISSION OF A FIRE DEPARTMENT OR
23 GOVERNMENTAL SUBDIVISION;

24 (3) FIRE DEPARTMENT;

25 (4) FIRE COMPANY;

26 (5) RESCUE SQUAD; OR

27 (6) EMERGENCY MEDICAL SERVICES UNIT.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 1996.