
By: Delegates Hecht, Hubbard, Harkins, Hutchins, W. Baker, Edwards, Dewberry, and Stup

Introduced and read first time: January 22, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Harassment of Prison Employees by Inmates**

3 FOR the purpose of making it a misdemeanor for an inmate to harass, alarm, or annoy
4 certain employees of the Division of Correction, certain jails, detention centers, and
5 the Sheriff's offices of counties by causing or attempting to cause the employee to
6 come in contact with blood, seminal fluid, urine, or feces; specifying a certain
7 maximum fine and maximum term of imprisonment; prohibiting an inmate who is
8 convicted of a certain offense from being eligible for certain programs that are
9 alternatives to incarceration; making an assault by an inmate against an employee of
10 a county Sheriff's office an offense; and generally relating to offenses by inmates
11 against employees of correction facilities, jails, detention centers, and Sheriff's
12 offices.

13 BY repealing and reenacting, with amendments,
14 Article 27 - Crimes and Punishments
15 Section 12A-6
16 Annotated Code of Maryland
17 (1996 Replacement Volume)

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

20 **Article 27 - Crimes and Punishments**

21 12A-6.

22 (a) Every inmate convicted of assault in any degree on another inmate or on an
23 employee of the Division of Correction, the Patuxent Institution, the Baltimore City
24 Detention Center, or any county jail [or], detention center, OR SHERIFF'S OFFICE,
25 regardless of employment capacity, shall be sentenced under this section.

26 (b) (1) AN INMATE WHO HARASSES, ALARMS, OR ANNOYS ANY EMPLOYEE
27 LISTED IN SUBSECTION (A) OF THIS SECTION BY CAUSING OR ATTEMPTING TO
28 CAUSE THE EMPLOYEE TO COME IN CONTACT WITH BLOOD, SEMINAL FLUID, URINE,
29 OR FECES IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A
30 FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 10 YEARS
31 OR BOTH.

2

1 (2) A PERSON WHO IS CONVICTED UNDER THIS SUBSECTION MAY NOT
2 BE ELIGIBLE TO PARTICIPATE IN A COMMUNITY SERVICE PROGRAM, WORK
3 RELEASE PROGRAM, OR HOME DETENTION PROGRAM.

4 (C) A sentence imposed under this section shall run consecutively to any sentence
5 that was being served at the time of the assault, or that had been imposed but was not yet
6 being served at the time of sentencing.

7 [(c)] (D) A sentence imposed under this section may not be suspended.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 1997.