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**By: Chairman, Judicial Proceedings Committee (Departmental - Public Safety and Correctional Services)**

Introduced and read first time: January 27, 1997

Rule 32(e) suspended

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Arrests - Interference with Home Detention Employees**

3 FOR the purpose of prohibiting an individual from interfering with or impeding a home  
4 detention employee's efforts to monitor, supervise, or apprehend an inmate,  
5 parolee, or person on mandatory release who is placed in a home detention  
6 program; prohibiting an individual from having, using, wearing, or displaying a  
7 uniform or any other form of identification utilized by home detention employees;  
8 establishing a penalty; defining certain terms; authorizing certain home detention  
9 employees to arrest a person who interferes with or impedes efforts to monitor,  
10 supervise, or apprehend an inmate, parolee, or person on mandatory release who is  
11 in the home detention program; and generally relating to interference with home  
12 detention employees.

13 BY adding to

14 Article 27 - Crimes and Punishments  
15 Section 11G  
16 Annotated Code of Maryland  
17 (1996 Replacement Volume)

18 BY repealing

19 Article 27 - Crimes and Punishments  
20 Section 594B(m) and (n)  
21 Annotated Code of Maryland  
22 (1996 Replacement Volume)

23 BY adding to

24 Article 27 - Crimes and Punishments  
25 Section 594B(m) and (n)  
26 Annotated Code of Maryland  
27 (1996 Replacement Volume)

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

2

1 **Article 27 - Crimes and Punishments**

2 11G.

3 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
4 INDICATED.

5 (2) "HOME DETENTION EMPLOYEE" MEANS:

6 (I) AN EMPLOYEE DESIGNATED BY THE COMMISSIONER OF  
7 CORRECTION TO MONITOR AND PROVIDE SECURITY FOR INMATES PLACED IN THE  
8 HOME DETENTION PROGRAM ESTABLISHED UNDER § 689A OF THIS ARTICLE; OR

9 (II) AN EMPLOYEE DESIGNATED BY THE DIRECTOR OF PAROLE  
10 AND PROBATION TO SUPERVISE PAROLEES AND MANDATORY RELEASEES PLACED  
11 IN THE HOME DETENTION PROGRAM ESTABLISHED UNDER ARTICLE 41, § 4-602A OF  
12 THE CODE.

13 (3) "HOME DETENTION PARTICIPANT" MEANS:

14 (I) AN INMATE PLACED BY THE COMMISSIONER OF CORRECTION  
15 OR THE COMMISSIONER'S DESIGNEE IN THE HOME DETENTION PROGRAM  
16 ESTABLISHED UNDER § 689A OF THIS ARTICLE; OR

17 (II) A PAROLEE OR PERSON ON MANDATORY SUPERVISION WHO IS  
18 PLACED IN THE HOME DETENTION PROGRAM ESTABLISHED UNDER ARTICLE 41, §  
19 4-602A AS A CONDITION OF RELEASE.

20 (B) A PERSON MAY NOT WILLFULLY INTERFERE WITH OR IMPEDE A HOME  
21 DETENTION EMPLOYEE'S EFFORTS TO MONITOR, SUPERVISE, OR APPREHEND A  
22 HOME DETENTION PARTICIPANT.

23 (C) A PERSON MAY NOT HAVE, USE, WEAR, OR DISPLAY WITHOUT PROPER  
24 AUTHORITY, ANY UNIFORM, BUTTON, ORNAMENT, IDENTIFICATION, OR SHOULDER  
25 PATCH, OR ANY SIMULATION OR IMITATION OF THESE ARTICLES, THAT COMPRISE  
26 THE REQUIRED ATTIRE FOR A HOME DETENTION EMPLOYEE.

27 (D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR  
28 AND ON CONVICTION IS SUBJECT TO IMPRISONMENT FOR NOT MORE THAN 3 YEARS.

29 594B.

30 [(m) Correctional employees assigned by the Commissioner of Correction to  
31 monitor inmates on home detention under § 689A of this article have the same powers of  
32 arrest for inmates in the home detention program as are set forth in this section for police  
33 officers.]

34 (M) A CORRECTIONAL EMPLOYEE DESIGNATED BY THE COMMISSIONER OF  
35 CORRECTION TO MONITOR AND PROVIDE SECURITY FOR INMATES IN THE HOME  
36 DETENTION PROGRAM ESTABLISHED UNDER § 689A OF THIS ARTICLE SHALL HAVE  
37 THE POWER TO ARREST:

38 (1) INMATES WHO ARE PLACED IN THE HOME DETENTION PROGRAM;  
39 AND

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1                   (2) INDIVIDUALS WHO WILLFULLY INTERFERE WITH OR IMPEDE A  
2 CORRECTIONAL EMPLOYEE'S EFFORTS TO MONITOR OR APPREHEND AN INMATE IN  
3 THE HOME DETENTION PROGRAM.

4                   [(n) Parole and probation employees assigned by the Director of Parole and  
5 Probation to supervise offenders under Article 41, § 4-602A of the Code have the same  
6 powers of arrest for these offenders as are set forth in this section for police officers.]

7                   (N) A PAROLE AND PROBATION EMPLOYEE DESIGNATED BY THE DIRECTOR  
8 OF PAROLE AND PROBATION TO SUPERVISE PAROLEES AND MANDATORY  
9 RELEASEES IN THE HOME DETENTION PROGRAM ESTABLISHED UNDER ARTICLE 41,  
10 § 4-602A OF THE CODE SHALL HAVE THE POWER TO ARREST:

11                   (1) PAROLEES AND MANDATORY RELEASEES PLACED IN THE HOME  
12 DETENTION PROGRAM; AND

13                   (2) INDIVIDUALS WHO WILLFULLY INTERFERE WITH OR IMPEDE A  
14 PAROLE AND PROBATION EMPLOYEE'S EFFORTS TO SUPERVISE OR APPREHEND A  
15 PAROLEE OR MANDATORY RELEASEE IN THE HOME DETENTION PROGRAM.

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