
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

Committee Report: Favorable

Senate action: Adopted

Read second time: February 27, 1997

CHAPTER _____

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

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1 Article 27 - Crimes and Punishments
2 Section 594B(m) and (n)
3 Annotated Code of Maryland
4 (1996 Replacement Volume)

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

7 **Article 27 - Crimes and Punishments**

8 11G.

9 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
10 INDICATED.

11 (2) "HOME DETENTION EMPLOYEE" MEANS:

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

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

19 (3) "HOME DETENTION PARTICIPANT" MEANS:

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

23 (II) A PAROLEE OR PERSON ON MANDATORY SUPERVISION WHO IS
24 PLACED IN THE HOME DETENTION PROGRAM ESTABLISHED UNDER ARTICLE 41, §
25 4-602A AS A CONDITION OF RELEASE.

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

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

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

35 594B.

36 [(m) Correctional employees assigned by the Commissioner of Correction to
37 monitor inmates on home detention under § 689A of this article have the same powers of

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1 arrest for inmates in the home detention program as are set forth in this section for police
2 officers.]

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

7 (1) INMATES WHO ARE PLACED IN THE HOME DETENTION PROGRAM;
8 AND

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

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

15 (N) A PAROLE AND PROBATION EMPLOYEE DESIGNATED BY THE DIRECTOR
16 OF PAROLE AND PROBATION TO SUPERVISE PAROLEES AND MANDATORY
17 RELEASEES IN THE HOME DETENTION PROGRAM ESTABLISHED UNDER ARTICLE 41,
18 § 4-602A OF THE CODE SHALL HAVE THE POWER TO ARREST:

19 (1) PAROLEES AND MANDATORY RELEASEES PLACED IN THE HOME
20 DETENTION PROGRAM; AND

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

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