
By: **Delegates Hecht, Poole, Donoghue, Hutchins, Holt, Harkins, McKee,
Rudolph, W. Baker, Preis, McHale, Hubbard, Jones, Stup, Edwards,
Elliott, O'Donnell, Bissett, Conway, Owings, Dewberry, Snodgrass, M.
Burns, and T. Murphy**

Introduced and read first time: February 12, 1998
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
4 annoy certain employees of the Division of Correction, certain jails, detention
5 centers, and the Sheriff's offices of counties by causing or attempting to cause
6 the employee to come in contact with blood, seminal fluid, urine, or feces;
7 specifying a certain maximum fine and maximum term of imprisonment;
8 prohibiting an inmate who is convicted of a certain offense from being eligible
9 for certain programs that are alternatives to incarceration; making an assault
10 by an inmate against an employee of a county Sheriff's office an offense; and
11 generally relating to offenses by inmates against employees of correction
12 facilities, jails, detention centers, and Sheriff's 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 and 1997 Supplement)

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
23 an employee of the Division of Correction, the Patuxent Institution, the Baltimore
24 City Detention Center, or any county jail [or], detention center, OR SHERIFF'S
25 OFFICE, regardless of employment capacity, shall be sentenced under this section.

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

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

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

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

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 1998.