

CHAPTER 121

(House Bill 184)

AN ACT to repeal and re-enact, with amendments, Sections 139 and 725 of Article 27 of the Annotated Code of Maryland (1971 Replacement Volume), title "Crimes and Punishments," subtitles "Crimes and Punishments," and "Places of Reformation and Punishment," respectively, subheadings "~~Escaping~~ ESCAPING From Penitentiary" and "Convict Road Force," respectively; and to repeal Section 714 of said Article of said Code, title, and subtitle "Places of Reformation and Punishment," subheading "Convict Road Force," ~~to provide for a minimum sentence for a conviction of escape from correctional facilities,~~ to provide that the sentence imposed FOR A CONVICTION OF ESCAPE FROM CORRECTIONAL FACILITIES shall be consecutive to the original sentence imposed upon the escaping inmate, AND SHALL NOT BE SUSPENDED, and to remove certain obsolete and superfluous material.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 139 and 725 of Article 27 of the Annotated Code of Maryland (1971 Replacement Volume), title "Crimes and Punishments," subtitles "Crimes and Punishments," and "Places of Reformation and Punishment," respectively, subheading "Escaping From Penitentiary" and "Convict Road Force," respectively, be and they are hereby repealed and re-enacted, with amendments; and that Section 714 of said Article of said Code, title and subtitle "Places of Reformation and Punishment," subheading "Convict Road Force," be and it is hereby repealed, and all to read as follows:

139.

If any offender or person legally detained and confined in the penitentiary or jail, or house of correction, or reformatory, or station house, or any other place of confinement, in this State, shall escape he shall be guilty of a felony and on conviction thereof by the Criminal Court of Baltimore City or by the circuit court of the county in which the escape takes place, be sentenced to confinement in the penitentiary, jail or house of correction for such additional period~~],~~ not exceeding ten years,~~]~~ as the court may adjudge. ~~but in no event to be less than one year nor more than ten years. The sentence so imposed shall be consecutive to the sentence under which the inmate was originally confined AND SHALL NOT BE SUSPENDED.~~ However, for escapes from the Maryland Correctional Institution—Hagerstown or the Maryland Correctional Training Center—Hagerstown which have not involved an assault, the sentence shall not exceed confinement for three years.

If any keeper, deputy, assistant keeper or other person shall aid or assist in the escape of any offender or person detained and confined, as aforesaid, he shall be guilty of a felony and on conviction thereof by the Criminal Court of Baltimore City or by the circuit court of the county in which the escape takes place, be sentenced to such confinement in the penitentiary, or jail, or the house of correction, as the court may adjudge, for not more than ten years.