

THE PARENT, GUARDIAN, TRUSTEE, OR OTHER PERSON OR PERSONS ENTITLED UNDER THE LAWS OF THE SENDING STATE TO ACT FOR, ADVISE, OR OTHERWISE FUNCTION WITH RESPECT TO ANY INMATE SHALL NOT BE DEPRIVED OF OR RESTRICTED IN THE EXERCISE OF ANY POWER IN RESPECT OF ANY INMATE CONFINED PURSUANT TO THE TERMS OF THIS COMPACT.

REVISOR'S NOTE: This section formerly was Art. 41, § 4-1204.

In subsections (d), (h), and (i) of this section, gender neutral terms are substituted for former references to "his or her", "his", and "his", respectively, because SG § 2-1238 requires the use of words that are "neutral as to gender".

The only other changes are in style.

Defined terms: "Inmate" § 8-603

"Institution" § 8-603

"Person" § 1-101

"Receiving state" § 8-603

"Sending state" § 8-603

"State" § 8-603

8-606. FINALITY OF DECISIONS; ESCAPES.

(A) FINALITY OF DECISIONS OF SENDING STATE.

ANY DECISION OF THE SENDING STATE IN RESPECT OF ANY MATTER OVER WHICH IT RETAINS JURISDICTION PURSUANT TO THIS COMPACT SHALL BE CONCLUSIVE UPON AND NOT REVIEWABLE WITHIN THE RECEIVING STATE, BUT IF AT THE TIME THE SENDING STATE SEEKS TO REMOVE AN INMATE FROM AN INSTITUTION IN THE RECEIVING STATE THERE IS PENDING AGAINST THE INMATE WITHIN SUCH STATE ANY CRIMINAL CHARGE OR IF THE INMATE IS FORMALLY ACCUSED OF HAVING COMMITTED WITHIN SUCH STATE A CRIMINAL OFFENSE, THE INMATE SHALL NOT BE RETURNED WITHOUT THE CONSENT OF THE RECEIVING STATE UNTIL DISCHARGED FROM PROSECUTION OR OTHER FORM OF PROCEEDING, IMPRISONMENT, OR DETENTION FOR SUCH OFFENSE. THE DULY ACCREDITED OFFICERS OF THE SENDING STATE SHALL BE PERMITTED TO TRANSPORT INMATES PURSUANT TO THIS COMPACT THROUGH ANY AND ALL STATES PARTY TO THIS COMPACT WITHOUT INTERFERENCE.

(B) ESCAPES.

AN INMATE WHO ESCAPES FROM AN INSTITUTION IN WHICH THE INMATE IS CONFINED PURSUANT TO THIS COMPACT SHALL BE DEEMED A FUGITIVE FROM THE SENDING STATE AND FROM THE STATE IN WHICH THE INSTITUTION IS SITUATED. IN THE CASE OF AN ESCAPE TO A JURISDICTION OTHER THAN THE SENDING OR RECEIVING STATE, THE RESPONSIBILITY FOR INSTITUTION OF EXTRADITION OR RENDITION PROCEEDINGS SHALL BE THAT OF THE SENDING STATE, BUT NOTHING CONTAINED HEREIN SHALL BE CONSTRUED TO PREVENT OR AFFECT THE ACTIVITIES OF OFFICERS AND AGENCIES OF ANY JURISDICTION DIRECTED TOWARD THE APPREHENSION AND RETURN OF AN ESCAPEE.