

A PERSON MAY NOT WILLFULLY HARBOR AN INMATE, WHO WAS IMPRISONED FOR A FELONY AND WHO ESCAPED FROM THE CUSTODY OF THE DIVISION OF CORRECTION OR OTHER CORRECTIONAL UNIT TO WHICH THE INMATE HAS BEEN COMMITTED, AFTER:

(1) BEING NOTIFIED, OR OTHERWISE KNOWING, THAT THE INMATE ESCAPED; AND

(2) BEING NOTIFIED THAT HARBORING THE INMATE IS A CRIME.

(B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 268G.

In the introductory language of subsection (a) of this section, the reference to an "other correctional unit to which the inmate has been committed" is substituted for the former reference to a "place of confinement" to avoid confusion with the broader term "place of confinement" defined in § 9-401 of this section and derived from former Art. 27, § 136(c) which applied to escape, not harboring. The Criminal Law Article Review Committee brings this substitution to the attention of the General Assembly.

In subsection (a) of this section, the references to the defined term "inmate" are substituted for the former references to a "person" for consistency with § 9-401(d) of this subtitle.

In item (a)(2) of this section, the word "crime" is substituted for the former language "punishable offense" for brevity.

Defined terms: "Escape" § 9-401

"Harbor" § 9-401

"Inmate" § 1-101

"Person" § 1-101

9-404. ESCAPE IN THE FIRST DEGREE.

(A) PROHIBITED — IN GENERAL.

A PERSON MAY NOT KNOWINGLY ESCAPE FROM A PLACE OF CONFINEMENT.

(B) SAME — FROM JUVENILE FACILITY WITH ASSAULT.

A PERSON MAY NOT ESCAPE FROM A DETENTION CENTER FOR JUVENILES OR A FACILITY FOR JUVENILES LISTED IN ARTICLE 83C, § 2-117(A)(2) OF THE CODE AND IN THE COURSE OF THE ESCAPE COMMIT AN ASSAULT.

(C) SAME — VIOLATION OF TEMPORARY RELEASE OR HOME DETENTION.

(1) THIS SUBSECTION APPLIES TO A PERSON WHO IS: