

~~WHEREAS, There is currently no specific provision making it illegal for an inmate to take a correctional employee as a hostage; and~~

~~WHEREAS, Although the common law crime of false imprisonment might cover this crime, there is no specific penalty spelled out in the law; and~~

~~WHEREAS, There exists a specific need to notify present and future inmates that the taking of hostages will not be tolerated in the State of Maryland; and~~

~~WHEREAS, It is the intent of the General Assembly that the taking hostage of correctional employees will always be unacceptable and that any inmate who participates in this type of crime will be charged appropriately; and~~

~~WHEREAS, It is the intent and purpose of the General Assembly to ensure the safety of the citizens of this State and the correctional employees who perform the majority of their duties within these correctional institutions in an unarmed capacity; and~~

~~WHEREAS, Because of an incident at the Maryland Penitentiary in July of 1991 in which 2 correctional officers were taken hostage for some 23 hours and subjected to threats of bodily harm and death, and in light of reports advising that some inmates at the Maryland Correctional Institution - Hagerstown continue to threaten to take hostages, it is important to enact legislation that will convey the message that hostage taking will not be tolerated; now, therefore,~~

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

Article 27 - Crimes and Punishments

337A.

(A) IN THIS SECTION, "CORRECTIONAL EMPLOYEE" MEANS:

(1) A PERSON WHO IS EMPLOYED BY A CORRECTIONAL INSTITUTION;

(2) A PERSON WHO PERFORMS VOLUNTEER WORK FOR A CORRECTIONAL INSTITUTION;

(3) A PERSON WHO PERFORMS DUTIES IN A CORRECTIONAL INSTITUTION BY VIRTUE OF FEDERAL, STATE, OR LOCAL GOVERNMENT EMPLOYMENT; OR

(4) A PERSON WHO PERFORMS DUTIES IN A CORRECTIONAL INSTITUTION BY VIRTUE OF A CONTRACT WITH FEDERAL, STATE, OR LOCAL GOVERNMENT.

(B) AN INMATE HOUSED IN A STATE, COUNTY, MUNICIPAL, OR OTHER JAIL, DETENTION CENTER, OR CORRECTIONAL FACILITY MAY NOT FALSELY IMPRISON A CORRECTIONAL EMPLOYEE.