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Effective 10/1/2016

COMMON LAW

MISDEMEANOR
ANY SENTENCE THAT IS NOT CRUEL OR UNUSUAL PUNISHMENT

3_5399

****AFFRAY ****

… did willfully engage in a fight with _____(name) in a public place to the disturbance of others in violation of the common law.

MISDEMEANOR
ANY SENTENCE THAT IS NOT CRUEL OR UNUSUAL PUNISHMENT

1_0042

****FALSE IMPRISONMENT****

...did unlawfully and intentionally detain _____ (victim), in violation of the common law.

MISDEMEANOR
ANY SENTENANCE THAT IS NOT CRUEL OR UNUSUAL PUNISHMENT

1_0043

****OBSTRUCTING & HINDERING****

…did intentionally and knowingly obstruct and hinder a police officer, ___ (victim), in the performance of [his/her] lawful duties, in violation of the common law.

Effective 10/1/2016

MISDEMEANOR
ANY SENTENCE THAT IS NOT CRUEL OR UNUSUAL PUNISHMENT

3_1314

****RIOT****

...on or about (date) _____ at (location) in _____ county, Maryland, did, together with at least two other persons, whose identities are unknown, unlawfully assemble to carryout a common purpose in such violent or turbulent manner as to terrify others, in violation of the common law of the State of Maryland, and against the peace, government, and dignity of the State.

ALCOHOLIC BEVERAGES

AB 6-304
MISDEMEANOR
$1,000.00 - 2 YEARS

1_1644

****SELL ALC BEV UNDER 21****

… did as [a license holder under the Alcohol Bevereges Article/employee of a license holder under the Alcohol Beverages Article], [sell/provide] alcoholic beverages to _____(name), an individual under the age of 21 years.

AB 6-307
MISDEMEANOR
$1,000.00 - 2 YEARS

1_1645

****SELL ALC BEV UNDER INFLUENCE****

… did as [a license holder under the Alcohol Bevereges Article/employee of a license holder under the Alcohol Beverages Article], [sell/provide] alcoholic beverages to _____(name), who was visibly under the influence of an alcoholic beverage at the time of the [sale/delivery].

Effective 10/1/2016

AB 6-308
MISDEMEANOR
$1,000.00 - 2 YEARS

1_1646

****ALLOW CONSUME ALC-LIC PREM****

… did as a license holder under the Alcoholic Bevereges Article allow _____(name), to consume an alcoholic beverage on {his/her] licensed premises that was not purchased on the premises and otherwise not allowed under the Alcoholic Beverages Article.

AB 6-309
MISDEMEANOR
$1,050.00 - 2 YEARS

1_1647

****ALLOW CONSUM ALC-LIC PREM UND 21 ****

… did as [a license holder under the Alcoholic Bevereges Article /a proprietor of an establishment that provides alcoholic beverages/an operator of an establishment that provides alcoholic beverages] allow _____(name), a person under the age of 21 years, to [consume/possess] alcoholic beveragse on {his/her] licensed premises..

AB 6-310
MISDEMEANOR
$10.00

1_1648

****ALC BEV LIC HOLD - FREE FOOD****

… did as a license holder under the Alcoholic Bevereges Article [give/offer without charge] food to _____(name) to induce said person to purchase alcoholic beverages for on-premises consumption.

NOTE: This charge does not apply to hors d'oerves, pretzels, cheese, or crackers that are placed on a counter in the licensed premises for customers to consumer without charge.

Effective 10/1/2016

AB 6-311 (b)(1)
MISDEMEANOR
$1,000.00 - 2 YEARS

1_1649

**** ALC RTL DEALR ILL PURCHASE ****

… did as retail dealer, purchase alcoholic beverages from _____(describe person or company), [who/which] was not a licensed manufacturer, licensed wholesaler, private bulk sale permit holder, or nonresident windery permit holder.

NOTE: See AB 6-311(a) for exceptions.

AB 6-311 (b)(2)
MISDEMEANOR
$1,000.00 - 2 YEARS

1_1650

**** ALC RTL DEALR ILL SALE ****

… did as retail dealer, sell alcoholic beverages to _____ , another retail dealer that does not hold a Class C beer, beer and wine, or beer, wine, and liquor license.

NOTE: See AB 6-311(a) for exceptions.

AB 6-311 (b)(3)
MISDEMEANOR
$1,000.00 - 2 YEARS

1_1651

**** ALC RTL DEALR KEEP ILL ALC ****

… did as retail dealer, keep alcoholic beverages on [his/her] licensed premises that were not purchased by [him/her].

NOTE: See AB 6-311(a) for exceptions.

AB 6-312(a)(1)
MISDEMEANOR
$500.00 - 1 YEAR

1_1652

**** MISREP ALC BEV ****

… did _____(choose from below) a beverage as [malt extract/beer] and the beverage was not brewed and fermented as such.

1. [manufacture/sell/offer for sale]
2. order _____, [an employee/other person] to [manufacture/sell/offer for sale]

Effective 10/1/2016

AB 6-312(a)(2)(i)
MISDEMEANOR
$500.00 - 1 YEAR

1_1653

**** MISREP BEER COLOR ****

… did _____(choose from below) beer to which [coloring/porterine] was added to represent the beer to be [malt extract/porter/another beverage to wit: ____]

1. [sell/offer for sale]
2. order _____, [an employee/other person] to [sell/offer for sale]

AB 6-312(a)(2)(i)
MISDEMEANOR
$500.00 - 1 YEAR

1_1654

**** MISREP MALT/LIQUOR****

… did _____(choose from below) [malt/liquor] that was not identified by proper name.

1. [sell/offer for sale]
2. order _____, [an employee/other person] to [sell/offer for sale]

AB 6-313 (a)(1)(i)
MISDEMEANOR
$1000.00 - 2 YEARS

1_1655

**** TAMPER WITH ALCOHOLIC BEV****

… did as [a/an] [retail dealer/agent of a retail dealer/employee of a retail dealer] [tamper with/change the quantity/change the quality] the contents of a container of an alcoholic beverage after said alcoholic beverage had been lawfully sealed and the contents remained in the container.

AB 6-313 (a)(1)(ii)
MISDEMEANOR
$1000.00 - 2 YEARS

1_1656

**** REFILL ALC BEV CONTAINR****

… did as [a/an] [retail dealer/agent of a retail dealer/employee of a retail dealer] refill a container of an alcoholic beverage with a substance to wit: _____(describe), after the container had been emptied of its original contents.

Effective 10/1/2016

AB 6-313 (a)(2)
MISDEMEANOR
$1000.00 - 2 YEARS

1_1657

**** DEALR POSS TAMPER ALC BEV****

… did as a retail dealer possess a container of alcoholic beverage that had been [tampered with/refilled] .

AB 6-314
MISDEMEANOR
$100.00 – 90 DAYS

1_1658

**** SELL ALC BEV MTL CONTAINR****

… did [sell/offer for sale] an alcoholic beverage container that was made from [metal/composite material] and was designed and constructed with an all-metal tab opening device that detaches from the container when the container is opened in a manner that is normally used to empty the contents of the container.

NOTE: See AB 6-314 (a)(2) for exceptions.

AB 6-316
MISDEMEANOR
$1000.00

1_1659

****SELL ALC BEV-MAX ALC CONTENT ****

… did sell at retail, an alcoholic beverage with an alcohol content by volume of 95%/190 proof or more to wit: _____(alcohol volume).

AB 6-319
MISDEMEANOR
$1000.00 - 2 YEARS

1_1660

****CONSUME ALC BEV LIC PREMISES****

… did consume an alcoholic beverage on the licensed premises of _____(license holder), located at _____(address), that was not purchased on said premises and not allowed to be consumed on the premises under the Alcoholic Beverages Article.

NOTE: See AB 6-319(a) for exceptions.

Effective 10/1/2016

AB 6-320(a)(1)
MISDEMEANOR
$100.00 – 90 DAYS

1_1661

****INTOXICATED ENDANGER****

… did endanger the safety of _____(name or property) while being intoxicated.

AB 6-320(a)(2)
MISDEMEANOR
$100.00 – 90 DAYS

1_1662

****INTOXICATED PUBLIC DISTURB****

… did [being intoxicated/consume an alcoholic beverage] in a public place, and cause a public disturbance.

AB 6-320(b)
MISDEMEANOR
$100.00

1_1663

****CONSUME ALC BEV PUBLIC****

… did [consume/consume in a parked vehicle], an alcoholic beverage located on [public property/a mall/an adjacent parking area of a mall/an outside area of a shopping center/an adjacent parking area of a retail establishment/an outside area of a retail establishment].

NOTE: See AB 6-320(b)(2) for exceptions.

NOTE: See AB 6-320(a) for definition of "public property".

AB 6-322
MISDEMEANOR
$100.00

1_1665

****POSSESS OPEN CONTR PUBLIC****

… did [possess/possess in a parked vehicle], an open container located on [public property/a mall/an adjacent parking area of a mall/an outside area of a shopping center/an adjacent parking area of a retail establishment/an outside area of a retail establishment].

NOTE: See AB 6-322(a)(2) for exceptions.

Effective 10/1/2016

AB 6-323(b)(1)
MISDEMEANOR
$1000.00

1_1666

****USE AWOL MACHINE****

…did use an AWOL machine to [inhale alcohol vapor/introduce alcohol in any form] into the human body.

NOTE: See AB 6-232(a) for definition of "AWOL".

AB 6-323(b)(2)
MISDEMEANOR
$1000.00

1_1667

****POSS/BUY/SELL AWOL MACHINE****

…did with intent to introduce alcohol into the human body, [possess/purchase/transfer/offer for sale/use] an AWOL machine.

NOTE: See AB 6-232(a) for definition of "AWOL".

AB 6-326(a)
FELONY
$1000.00 – 2 YEARS

1_1668

****UNLIC OUT OF STATE ALC SALE****

…did being a person in the business of [selling/distributing] alcoholic beverages [in/from] _____(State other than Maryland), [ship/cause to be shipped/deliver] alcoholic beverages directly to a recipient in the State without holding the required [license/permit].

AB 6-327(a)(1)
MISDEMEANOR
$10000.00 – 5 YEARS

1_1669

****ALC BEV TAX-WILLFULLY NOT PAID****

…did [knowingly/willfully] [possess/transport/sell/offer for sale/store on own property/authorize storage on own property], an alcoholic beverage on which the tax imposed by the Tax-General Article was not paid.

Effective 10/1/2016

AB 6-327(a)(2)
MISDEMEANOR
$10000.00 – 5 YEARS

1_1670

****ALC BEV TAX EVASION****

…did evade a tax imposed on an alcoholic beverage under the Tax-General Article.

AB 6-327(a)(3)
MISDEMEANOR
$10000.00 – 5 YEARS

1_1671

****ALC BEV COUNTERFEIT TAX STAMP****

…did counterfeit a [stamp/certificate] required under the [Alcoholic Beverages/Tax-General Article].

AB 6-327(a)(4)
MISDEMEANOR
$10000.00 – 5 YEARS

1_1672

****VIOL ALC BEV TAX REG****

…did violate a regulation that the Comptroller of Maryland adopted under the [Alcoholic Beverages/Tax-General Article] to wit: _____(describe regulation).

AB 6-328(a)(1)
MISDEMEANOR
$1000.00 – 2 YEARS

1_1673

****ALC BEV REMOVE/DESTROY PROP****

…did [remove/destroy/cause to be removed/cause to be destroyed] property that had been seized under the [Alcoholic Beverages/Tax-General Article relating to the tax on alcoholic beverages], to wit: _____(describe property).

Effective 10/1/2016

AB 6-328(a)(2)
MISDEMEANOR
$1000.00 – 2 YEARS

1_1674

****ALC BEV-PREVENT SEIZE PROP****

…did [prevent/attempt to prevent] the seizure of property to wit: _____(describe property), by _____(choose from below).

1. pouring out the contents of said property;
2. [breaking/destroying] said property;
3. removing said property from the premises;
4. disposing of said property

AGRICULTURE ARTICLE

Opening Gate of Another's Pasture, etc.

AG 3-701
MISDEMEANOR
$500.00 - 1 YEAR

2_2900

****MAL/DEST-OPEN FIELD GATE****

…did wilfully and maliciously open the gate of a [field/pasture/enclosure] enclosing _____ (describe livestock) and belonging to _____ (owner/lessee, etc.).

Effective 10/1/2016

BUSINESS OCCUPATIONS & PROFESSIONS ARTICLE

Lawyers - Written Solicitation of Clients

BOP 10-605.1
MISDEMEANOR
$1,000.00 - 1 YEAR

2_0500

****ATTY SOLICIT CIVIL CASE****

_____, a lawyer, did, within 30 days after the incident giving rise thereto, send a communication to _____, the victim and relative of the victim, concerning an action for personal injury and wrongful death and otherwise related to an accident or disaster involving the said victim, for the purpose of obtaining professional employment.

NOTE: The 1998 Legislature, recognizing the new, hi-tech methods of communication, struck the word "written," and listed the types of "communication" for which this statute is applicable. They include: Audio recording, computer on-line transmission, facsimile transmission, letter, or other form of written communication, telegraphic, telephone, and video recording. At the same time, they made the law applicable only to civil cases and struck the section involving solicitation in criminal cases.

NOTE: See section for time requirements.

Effective 10/1/2016

BUSINESS REGULATIONS ARTICLE

BR 5-610(a)
MISDEMEANOR
$5,000.00 – 1 YEAR

1_0980

****CEMETERY ESTABLISH/OP SALE PROP ****

… did [establish/operate/allow the operation of] a cemetery as [a sole proprietor registered cemeterian/a permit holder/a person subject to the (permit/registration) in violation of the requirements of the Business Regulation Article].

NOTE: Cemetery defined in BR-602.

NOTE: Second violation: $10,000 – 2 YEARS

Third or subsequent violation: $20,000 – 3 YEARS

BR 5-610(b)
MISDEMEANOR
$5,000.00 – 1 YEAR

1_0981

****CEMETERY ESTAB/OP CORP****

...did as an officer of a corporation [establish/operate/allow the operation of] a cemetery in violation of the requirements of the Business Regulation Article.

NOTE: Cemetery defined in BR-602.

NOTE: Second violation: $10,000 – 2 YEARS

Third or subsequent violation: $20,000 – 3 YEARS

Effective 10/1/2016

BR 5-610(c)
FELONY
PRELMINARY HEARING
$25,000.00 – 10 YEARS

1_0982

****PERPETUAL CARE TRUST FUND FRAUD****

...did [willfully misappropriate/intentionally and fraudulently convert] perpetual care trust funds in excess of $100.00 to their own use.

BR 5-712(a)
MISDEMEANOR
$10,000.00 – 1 YEAR

1_0983

****BURIAL NEED CONTRACT-DEPOSIT****

... did sell a preneed burial contract and failed to deposit money received [under/in connection with] the preneed burial contract.

NOTE: Second violation: $15,000 – 2 YEARS

Third or subsequent violation: $20,000 – 3 YEARS

BR 5-712(b)(2)
MISDEMEANOR
$10,000.00 – 1 YEAR

1_0984

****BURIAL NEED CONTRACT-DEPOSIT****

... did as an officer of a corporation responsible for selling a pre-need burial contract, fail to deposit money received [under/in connection with] the preneed burial contract.

NOTE: Second violation: $15,000 – 2 YEARS

Third or subsequent violation: $20,000 – 3 YEARS

Effective 10/1/2016

BR 5-712(c)
FELONY
PRELMINARY HEARING
$25,000.00 – 10 YEARS

1_0985

****BURIAL NEED CONTRACT FRAUD****

...did [willfully misappropriate/intentionally and fraudulently convert] preneed trust funds in excess of $100.00 to their own use.

BR 5-903
MISDEMEANOR
$5,000.00 – 1 YEARS

1_0986

****REP CEMETARIAN/CREM W/O REG ****

… did without being authorized as a registrant, represented to the public by use of [a title/a description of services/a description of methods/a description of procedures]to wit: _____, that they were authorized to [engage in the operation of a cemetery/provide burial goods].

Effective 10/1/2016

Acting/Selling W/O License

BR 8-601
MISDEMEANOR
$1,000.00 – 6 MONTHS

1_1597

****ACT AS CONTRCTOR W/O LICNS****

...did [act/offer to act] as a [contractor/ subcontractor] in the state without having the license therefore required by law.

NOTE: See BR 8-601(d) regarding subsequent offense penalty of 2Y-$5,000.

BR 8-601
MISDEMEANOR
$1,000.00 – 6 MONTHS

1_1598

****SELL HOME IMPRV W/O LICENS****

...did [sell/offer to sell] a home improvement without having a license to do so, as required by law.

NOTE: See BR 8-601(d) regarding subsequent offense penalty of 2Y-$5,000.

BR 8-605
PENALTY SEC. 8-623
MISDEMEANOR
$1000.00 - 6 MONTHS

2_0258

****FAIL TO PERFORM CONTRACT****

...did, as a contractor, knowingly and wilfully abandon and fail to perform without justification, a home improvement contract.

NOTE: Abandonment of a contract implies an intent not to perform. Poor work performance and untimely performance do not, by themselves, imply an intent to abandon the contract. (Shade v. State, 306 Md. 372).

Effective 10/1/2016

Misc. Prohibited Acts

BR 8-605
PENALTY SEC. 8-623
MISDEMEANOR
$1000.00 - 6 MONTHS

2_0259

****DEVIATE FROM PLANS W/O CON****

...did, as a contractor, knowingly and willfully deviate from plans and specifications without the consent of the owner.

NOTE: Contractor means a person, other than an employee of an owner, who performs or offers or agrees to perform a home improvement for an owner.
NOTE: "Home improvement" is defined as the addition or alteration, conversion, improvement, modernization, remodeling, repair, or replacement of a building or part of a building that is used or designed to be used as a residence or a structure adjacent to that building or improvement to land adjacent to the building. It includes:
1. Construction, improvement or replacement, on land adjacent to the building of a driveway, fall-out shelter, fence, garage, landscaping, porch or swimming pool.
2. Connection, installation or replacement in the building of a dishwasher, disposal or refrigerator with an icemaker to existing plumbing lines.
3. Installation of an awning, fire alarm or storm window.
4. Work done on individual condominium units.
NOTE: "Home improvement" does not include:
1. Construction of a new home.
2. Work done to comply with a guarantee of completion for a new building project.
3. Connection, installation or replacement of an appliance to existing plumbing lines that requires alteration of the plumbing lines.
4. Sale of materials if the seller does not perform or arrange to perform any work using the materials.
5. Work done on apartment buildings with four or more single-family units.
6. Work done on the common areas of condominium units.
7. Shore erosion control projects as defined in 8-1001 of the Natural Resources Article.

Effective 10/1/2016

Traders and Chain Stores

BR 17-1804
PENALTY SEC. 17-2106
MISDEMEANOR
$300.00 - 30 DAYS

3_5100

****DO BUS W/O TRADERS LICENSE****

...did [business as a trader/business as an exhibitor] in the State of Maryland without a Trader's License.

NOTE: A separate Trader's License is required for each store or fixed place of business that a person operates in the State.

NOTE: This section does not apply to:

1. A grower, maker or manufacturer of goods.

2. A non-resident traveling salesperson, sample merchant, or representative of a foreign mercantile or manufacturing business while selling to or soliciting an order from a licensed trader in the State.

3. A private individual while publicly selling the individual's personal effects on the individual's property, if the individual holds only one sale not exceeding fourteen [14] consecutive days in a calendar year.

4. An exhibitor, if the show is promoted by: a. A church, defined in Sec. 5-301[B] of the Corporations and Associations Article; b. A Governmental Unit; c. An amateur radio organization; d. An antique vehicle, machine and equipment organization; e. A volunteer fire department or rescue squad; or f. A model train collector's association.

Effective 10/1/2016

BR 17-2103
MISDEMEANOR
$300.00 – 30 DAYS

1_0892

****FAIL TO DISPLAY LICENSE ****

...did fail to display a license as required by BR 17-2103.

COURTS & JUDICIAL PROCEEDINGS

CJ 3-1503(d)
MISDEMEANOR
$1,000.00 - 90 DAYS

2_0100

****PEACE ORDER: FALSE INFO.****

...did file a petition under the Annotated Code of Maryland,Courts & Judicial Proceedings Article, Sec. 3-1503, and knowingly provided false information in said petition.

CJ 3-1508
MISDEMEANOR
$1,000.00 - 90 DAYS

2_0105

****PEACE ORDER: FAIL TO COMPLY****

...did fail to comply with relief granted under an Order dated _____, issued under the Courts & Judicial Proceedings Article, by _____**(choose ONE violation from the list below. Additional violations may be added using the word "and" if violations occurred during same event.)**

1. committing an act specified in CJ 3-1503(A) against _____(Person Eligible for Relief (PER)).
2. attempting to commit an act specified in CJ 3-1503(A) against _____(PER)
3. contacting _____(PER)
4. attempting to contact _____(PER)
5. harassing _____(PER)
6. entering the residence of _____(PER)
7. failing to remain away from the place of employment of ___(PER)
8. failing to remain away from school of ___(PER)
9. failing to remain away from temporary residence of _____(PER).

(Note for charge 2-0105 continued on page 31)

Effective 10/1/2016

NOTE: The acts specified in CJ-3-1503(a) are:

1. an act that causes serious bodily harm.

2. an act that places petitioner in fear of imminent serious bodily harm.

3. assault in any degree.

4. rape or sexual offense as defined in CR 3-301 or any attempt threat.

5. false imprisonment.

6. harassment as defined in CR 3-803.

7. stalking as defined in CR 3-802:

8. trespass

9. malicious destruction of property.

NOTE: For a second or subsequent offense, the maximum penalty is $2,500 and/or 1 years imprisonment.

NOTE: If the court is closed on the day an interim order is set to expire, the order shall be effective until the next day on which the court is open. For temporary orders, it is effective until the second day on which the Court is open.

NOTE: The Commissioner must verify the type of order, verify the order has been served, verify that the alleged violation conditions exist in the issued order; prior to making a probable cause decision.

NOTE: Under CJ 3-1508 (b), a prior conviction under FL 4-509 for violation of a protective order, shall be considered a conviction for the purposes of second or subsequent offense penalties. Sub offenses should be brought by State's Attorney.

Effective 10/1/2016

CJ 3-8A-30
MISDEMEANOR
$2,500.00 - 3 YEARS

2_0238

****CONTRIBUTE TO COND OF CHLD****

...did, being an adult, wilfully contribute to, encourage, cause, or tend to cause [an act/an omission/a condition] which rendered _____, a child, [in violation of _____/ delinquent or in need of supervision].

NOTE: Adult may be charged under the section, even if child has not been found to have committed a violation, adjudicated delinquent, in need of supervision, or in need of assistance. Charge must be filed in the county where the offense occurred (C.J Sec. 3-808). Concurrent jurisdiction with Juvenile Court and Adult Court (C.J. Sec. 3-804).

NOTE: There is a presumption that a child is not receiving ordinary and proper care and attention under Section 3-801(E)(1) of C&JP if the child:

1. was born addicted to or dependent on cocaine, heroin, or a derivative thereof; or

2. was born with a significant presence of cocaine, heroin, or a derivative thereof in the child's blood as evidenced by toxicology or other appropriate tests.

NOTE: "Adult" means a person who is 18 years old or older. "Child" means a person under the age of 18 years. "Child in need of assistance" is a child who requires the assistance of the court because:

1. He is mentally handicapped or is not receiving ordinary and proper care and attention, and

2. His parents, guardian, or custodian are unable or unwilling to give proper care and attention to the child and his problems provided, however, a child shall not be deemed to be in need of assistance for the sole reason he is being furnished non-medical remedial care and treatment recognized by State law.

"Child in need of supervision" is a child who requires guidance, treatment, or rehabilitation and:

1. He is required by law to attend school and is habitually truant; or

2. He is habitually disobedient, ungovernable, and beyond the control of the person having custody of him;

3. He deports himself so as to injure or endanger himself or others; or

4. He has committed an offense applicable only to children.

"Delinquent child" is a child who has committed a delinquent act and requires guidance, treatment, or rehabilitation.

Effective 10/1/2016

COMMERIAL LAW ARTICLE

False Advertisements - Merchandise Etc,/Part of Scheme Not to Sell at Advertise Price

CL 14-2903
MISDEMEANOR
$500.00 - 1 YEAR

5_2607

****FRAUD-FALSE ADV****

...did advertise by means of ____ (describe method of advertisement) and offer for sale to the general public ____ (item or service) with the intent [not to sell same/not to sell same at the advertised price].

NOTE: Section applies to firms, corporations and the several members, officers, directors, agents and employees who knowingly violate this section. Generally referred to as "bait and switch".

Effective 10/1/2016

CRIMINAL PROCEDURE ARTICLE

CP 5-210
MISDEMEANOR
1st Off: $2,500 – 30 Day Lic. Susp. If Licensed
2nd Off: $5,000 – 90 Day Lic. Susp. If Licensed

1_1638

****BAIL BONDSMAN-SOLICITATION****

...did, as [a/an] [bail bondsman/agent of a bail bondsman/ employee of the courthouse/employee of a correctional facility], solicit business on property and grounds of a [courthouse/correctional facility].

NOTE: Bail bondsman does not include a person that contracts with a public agency to provide bail bonds to persons detained in a correctional facility.

NOTE: "Solicit" includes approaching, enticing, or inviting an individual to use the services of a specific bail bondsman; and distributing, displaying, or wearing an item that advertises the services of a bail bondsman.

Failure to Surrender After Forfeiture

CP 5-211(c)
MISDEMEANOR
$5,000.00 - 5 YEARS

1_1474

****FTA/FELONY DEFENDANT****

...did wilfully fail to surrender within 30 days following ____ (date), the date of forfeiture of bail or recognizance, which was given in connection with [a felony/a pending appeal/a pending certiorari/a pending habeas corpus/a post conviction] in case _____(case number) in the _____(name court) court for [county/city/state].

Effective 10/1/2016

CP 5-211(c)
MISDEMEANOR
$1,000.00 - 1 YEAR

1_1475

****FTA/MISD- DEF/WITNESS****

...did wilfully fail to surrender within 30 days following _____ (date), the date of forfeiture of bail or recognizance, which was given in connection with [a misdemeanor/the appearance as a witness] in case _____ (case number) court for [county/city].

CP 5-212
MISDEMEANOR
$500.00 - 90 DAYS

1_1476

****FAIL APPEAR-CITATION****

...did fail to appear in response to a citation, to wit: _____ (identify citation by number and offense).

NOTE: See CP 5-212(a) for citations not covered under this charge.

CP 5-213.1
MISDEMEANOR
90 DAYS

1_0636

**** VIOL REL COND – MINOR VIC****

… did while charged with committing an act against a victim who is a minor, in violation of Title 3, Subtitle 3 of the Criminal Law Article, violate a condition of [pretrial/post-trial] release issued on case _____(identifier) by [contacting/harassing/abusing/going in/going near[residence of/place of employment of]] _____(name) in violation of § 5-213.1 of the Criminal Procedure Article.

Note: States attorney may request an expedited hearing for a violation before the District Court or circuit court of the county in which the case is pending. On the filing of a request, the court shall issue a bench warrant and schedule an expedited hearing. Hearing shall be held no later than 2 days after the filing of the request.

Effective 10/1/2016

CP 11-721
MISDEMEANOR
$5,000.00 - 3 YEARS

1_1477

****FAIL REG OFFENDER/FALSE INFO****

...did having been required to register under CP 11-704(a), knowingly _____(choose from below).

1. fail to register by deadline under CP 11-705 [(b)/(c)]

2. fail to register under the terms of 11-707(a) as a [Tier I Sex Offender/Tier II Sex Offender/Tier III Sex Offender/Sexually Violent Predator]

3. provide false information of a material fact as required by [CP 11-705/CP 11-706] to wit: _____(describe false information)

NOTE: Subsequent offense penalty of 5Y-$10,000 applies under CP 11-721(b)(2).

CP 11-721
MISDEMEANOR
$5,000.00 - 3 YEARS

2_1134

****SEX OFF REG-FAIL NOTIFY/INCLD****

…did as a registrant, knowingly fail to provide _____(pick from below)

1. a notice required under CP 11-705 for _____(describe change/move).

2. information required to be included in a registration statement described in CP 11-706 to wit: _____(describe required information omitted).

Effective 10/1/2016

CP 11-722(b)
MISDEMEANOR
$5,000.00 - 5 YEARS

1_1478

****REG - ENTER RESTRICTED REAL PROPERTY****

…did, being a registrant, knowingly enter onto real property [used for public or non-public elementary or secondary education/on which is located a family day care home/on which is located a child car home or licensed child care institution] in violation of 11-722(b) of the Criminal Procedure Article.

*This does not apply to a registrant who is a student or the registrant's child is a student or receives child care and the registrant has complied with the requirements of CP 11-722.

CP 11-722(c)
MISDEMEANOR
$5,000 - 5 YEARS

1_1479

****CONTRACT - REGISTRANT EMPLOYEE****

…did enter into a contract with _____ [a county board of education/a non-public school] while _____ (name of registrant), was employed to perform work for _____ [school/board of education] knowing [he/she] is a registrant.

CP 11-724(a)
MISDEMEANOR
$5,000 - 5 YEARS
SUB OFFENSE
$10,000 – 10YEARS

1_0713

**** VIOL LIFETIME SEX OFF SUP ****

…did [knowingly/willfully] violate a condition of the lifetime sexual offender supervision imposed under CP 11-723 to wit: _____.

NOTE: Imprisonment for a lifetime sexual offender supervision violation is not subject to dimunition credits.

Effective 10/1/2016

CRIMINAL LAW ARTICLE

CR 1-301 (a)
FELONY
PRELIMINARY HEARING
5 YEARS (Penalty not to exceed the maximum penalty provided by law for committing the crime.)

1_1480

****ACCESS AFTER STATUTE****

...did unlawfully violate statute _____ (Article & Section), a felony, as an accessory after the fact.

NOTE: Do not use this charge for accessory after the fact for murder 1st or murder 2nd.

NOTE: The statute violated must be a felony.

CR 1-301(b)(1)
FELONY
PRELIMINARY HEARING
10 YEARS

1_0774

****ACCESS AFTER FACT-MURDER 1ST****

...did unlawfully violate the Annotated Code of Maryland Criminal Law Article 1-301 as an accessory after the fact for a felony violation of Criminal Law Article 2-201, Murder in the First Degree, against the peace, government, and dignity of the State.

CR 1-301(b)(2)
FELONY
PRELIMINARY HEARING
10 YEARS

1_0776

****ACCESS AFTER FACT-MURDER 2ND****

...did unlawfully violate the Annotated Code of Maryland Criminal Law Article 1-301 as an accessory after the fact for a felony violation of Criminal Law Article 2-204, Murder in the First Degree, against the peace, government, and dignity of the State.

Effective 10/1/2016

MURDER

Note: All first-degree murder should be charged under CR 2-201. The language used is authorized by CR 5-202. Felony-murder, as defined by CR 2-201 should be charged under 2-201. Degrees of the crime were unknown to the common law. Accordingly, these sections do not create new offenses, but merely serve the purpose of classifying the acts which they respectively proscribe as species of murder in the first degree, and mitigate the punishment in cases of the second degree. As to felony-murder, the fact that the accused was committing a felony creates proof of malice and premeditation sufficient to sustain a conviction for first-degree murder for any killing consequent to the felony.

There is no requirement that the State charge and convict upon the underlying felony in order to sustain a felony-murder conviction.

CR 2-201 includes as first-degree murder any killing consequent to an arson or attempted arson of a dwelling or adjoining building .

CR 2-201 includes as first-degree felony murder any killing consequent to the burning or attempted burning of any barn, tobacco house, stable, warehouse, or other outhouse not parcel of any dwelling.

CR -2-201 includes as first-degree felony murder any killing consequent to the commission or attempted commission of any of the following crimes:

arson in the first degree; burning an outbuilding as described in CR 2-204(a)(ii);

rape in any degree;

sexual offense in the first or second degree;

sodomy;

mayhem;

robbery under CR 3-402 & 3-403;

carjacking or armed carjacking;

burglary in the first, second, or third degree;

kidnapping as defined in CR 3-502 & CR 3-503(a)(2);

Escape in the first degree or attempted escape in the first degree from a State Correctional Facility or Local Correctional Facility or Violation of CR 4-503 concerning destructive devices.

All of these should be charged under CR 2-201.

Effective 10/1/2016

First Degree Murder

CR 2-201
FELONY
LIFE WITHOUT POSSIBILITY OF PAROLE
PRELIMINARY HEARING
RELEASE RESTRICTION
LESSER INCLUDED OFFENSES:
2ND DEGREE MURDER
MANSLAUGHTER
ASSAULT

1_0990

****MURDER-FIRST DEGREE****

...did feloniously, willfully and of deliberately premeditated malice aforethought kill and murder _____.

Second Degree Murder

CR 2-204
FELONY
30 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION
LESSER INCLUDED OFFENSES:
MANSLAUGHTER
ASSAULT
SUB. CONVICTION, ENHANCED PENALTY

1_0999

****MURDER-SECOND DEGREE****

...did feloniously and with malice aforethought, kill and murder _____.

Effective 10/1/2016

CR 2-205
FELONY
LIFE
Sub con, Enhanced Penalty
PRELIMINARY HEARING
RELEASE RESTRICTION

2_0910

****ATT 1ST DEG. MURDER****
...did feloniously, willfully, and of deliberately premeditated malice aforethought, attempt to kill and murder _____(name) in the first degree in violation of CR 2-205.

CR 2-206
FELONY
30 YEARS
Sub Con, Enhanced Penalty
PRELIMINARY HEARING
RELEASE RESTRICTION

2_0920

****ATT 2ND DEG. MURDER****
...did feloniously and with malice aforethought, attempt to kill and murder _____ (name) in the second degree in violation of CR 2-206.

CR 2-207(a)
FELONY
$500.00 - 10 YEARS
PRELIMINARY HEARING
Sub Con, Enhanced Penalty

1_0911

****INVOLUNTARY MANSLAUGHTER****

…did feloniously, without malice aforethought, kill and slay ____(name of victim), against the peace, government, and dignity of the State.

NOTE: Use this charge for involuntary manslaughter. Involuntary manslaughter is generally defined under common law as a killing of another unintentionally and without malice (1) in doing something unlawful an act not amounting to a felony, or (2) in negligently doing some act lawful in itself, or (3) by the negligent omission to perform a legal duty.

NOTE: Unintentional killing may be involuntary manslaughter if there was gross, or criminal, negligence with wanton or reckless disregard for life.

NOTE: Involuntary manslaughter under this charge is not a crime of violence under CR 14-101.

NOTE: This section may not be used when the killing resulted unintentionally from the negligent operation of a motor vehicle or boat.

NOTE: Involuntary manslaughter is a common law offense, but penalties are provided in CR 2-207. a person convicted of manslaughter is subject to:
(1) imprisonment not exceeding 10 years; or
(2) imprisonment in a local correctional facility not exceeding 2 years or a fine not exceeding $500 or both.

Effective 10/1/2016

CR 2-207(a)
FELONY
$500.00 - 10 YEARS
PRELIMINARY HEARING
SUB. CONVICTION,
ENHANCED PENALTY

1_0910

****MANSLAUGHTER****

...did, feloniously, without malice aforethought, kill and slay _____.

NOTE: DO NOT use this charge if killing is covered under" involuntary manslaughter" (CJIS Code 10911) or resulted unintentionally from the negligent operation of a motor vehicle or boat. However, if the allegation is that the death occurred because of the intentional operation of a motor vehicle or boat so as to cause injury or impact, such as running over the victim with an automobile, use this charge.

NOTE: Involuntary manslaughter is generally defined under common law as a killing of another unintentionally and without malice (1) in doing something unlawful an act not amounting to a felony, or (2)in negligently doing some act lawful in itself, or (3) by the negligent omission to perform a legal duty. Also, unintentional killing may be involuntary manslaughter if there was gross, or criminal, negligence with wanton or reckless disregard for life. Again, do not use this charge for involuntary manslaughter. See CJIS Code 10911.

NOTE: Spousal adultery is not a mitigating factor and does not constitute legally adequate provocation under CR 2-207(b).

NOTE: Manslaughter is a common law offense, but penalties are provided in CR 2-207. A person convicted of manslaughter is subject to:
(1) imprisonment not exceeding 10 years; or
(2) imprisonment in a local correctional facility not exceeding 2 years or a fine not exceeding $500 or both.

CR 2-209
FELONY/DISTRICT
COURT
$5,000.00 - 10 YEARS
RELEASE RESTRICTION

1_0909

****NEG MANSL-AUTO/BOAT, ETC.****

...did, unlawfully, in a grossly negligent manner, kill and slay _____(victim) against the peace, government, and dignity of the State.

NOTE: This section is to be used only when the death results unintentionally from the operation of a motor vehicle, boat, or other vehicle. If the defendant intended to operate his/her vehicle so as to cause impact, see CR 2-207. If the defendant was impaired or under the influence of alcohol or drugs, see CR 2-503.

NOTE: See CR 2-209(d)(2) for subsequent offender penalties.

Effective 10/1/2016

CR 2-210 (b)
MISDEMEANOR
$5,000 – 3 YEARS

**** CRIM NEG MANSLAUGHTER BY VEH/VESS****

1_1611

...did cause the death of _____(name), as the result of [driving/operating/controlling] a [vehicle/vessel] in a criminally negligent manner.

Note: See CR 2-210 (c) for definition of "criminally negligent manner".

Note: It is not a violation under this charge to cause the death of another as the result of a person driving, operating, or controlling a vehicle or vessel in a negligent manner.

NOTE: See CR 2-210(f)(2) for subsequent offender penalties.

CR 2-503
FELONY/DISTRICT COURT
$5,000.00 - 5 YEARS

1_0900

****NEG AUTO/BOAT HMCD-UNDER INFLU****

...unlawfully, as a result of [his/her] negligent driving, operation, and control of a [motor vehicle/vessel] while under the influence, did kill _____ (name of victim), against the peace, government, and dignity of the state.

NOTE: See CR 2-503(c)(2) for subsequent offender penalties.

CR 2-504
FELONY/DISTRICT COURT
$5,000.00 -3 YEARS

1_0693

****HOMICIDE-MV/VESSEL-IMPAIR ALC****

...unlawfully, as a result of [his/her] negligent driving, operation, and control of a [motor vehicle/vessel] while impaired, did kill _____ (name of victim], against the peace, government, and dignity of the state.

NOTE: See CR 2-504(c)(2) for subsequent offender penalties.

Effective 10/1/2016

CR 2-505
FELONY
DISTRICT COURT
$5,000.00 -3 YEARS

1_0755

****HOMICIDE-MV/VESSEL-DRUGS****

...unlawfully, as a result of [his/her] negligent driving, operation, and control of a [motor vehicle/vessel] while impaired [by a drug/by a combination of drugs/by a combination of one or more drugs and alcohol], did kill _____(name of victim), against the peace, government, and dignity of the state.

NOTE: See CR 2-505(c)(2) for subsequent offender penalties.

CR 2-506
FELONY/DISTRICT COURT
$5,000.00 -3 YEARS

1_0760

****HOMICIDE-MV/VESSEL-CDS****

...unlawfully, as a result of [his/her] negligent driving, operation, and control of a [motor vehicle/vessel] while impaired by a controlled dangerous substance, did kill _____ (name of victim), against the peace, government, and dignity of the state.

NOTE: If a breathalyzer, blood chemical, or urine test has been done so as to yield a blood/alcohol content, the definitions of Under Influence and Impaired are exactly the same as to TR Sec. 21-902. If no test was done because a defendant refused or the time limit passed, charge Auto/Boat MANSLAUGHTER-UNDER INFLUENCE, as the IMPAIRED version is a lesser included offense. Facts in the statement of probable cause must show observations supporting the fact that the defendant was under the influence.

NOTE: See CR 2-506(c)(2) for subsequent offender penalties.

Effective 10/1/2016

ASSISTED SUICIDE

NOTE: The statute provides exceptions for health care providers and family members under certain circumstances. Therefore, it is recommended that the statute be consulted before charging in a particular case.

CR 3-102(1)
(PENALTY SEC. 3-104)
FELONY
$10,000.00 - 1 YEAR
PRELIMINARY HEARING

2_0175

****ASSISTED SUICIDE: COERCION****

...did, with purpose of assisting _____(name) to [commit/attempt to commit] suicide, knowingly cause, by [coercion/duress/deception], _____ (name) to [commit/attempt to commit] suicide.

CR 3-102(2)
(PENALTY SEC. 3-104)
FELONY
$10,000.00 - 1 YEAR
PRELIMINARY HEARING

2_0180

****ASST. SUICIDE: PROVIDE MEANS****

...did, with the purpose of assisting _____(name) to [commit/attempt to commit] suicide, knowingly provided the physical means to _____ (name) to [commit/attempt to commit] suicide with knowledge of _____(name) intent to use said physical means to commit suicide.

Effective 10/1/2016

CR 3-102(3)
FELONY
$10,000.00 - 1 YEAR
PRELIMINARY HEARING

2_0185

****ASST. SUICIDE: PARTICIPATION****

...did, with the purpose of assisting _____(name) to [commit/attempt to commit] suicide, knowingly participate in a physical act by which _____(name) [committed/attempted to commit] suicide.

CR 3-202
FELONY
25 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

1_1420

****ASSAULT-FIRST DEGREE**

...did [assault/attempt to assault] _____ (name) in the first degree in violation of CR 3-202, contrary to the form of the act of the assembly in such case made and provided and against the peace, government and dignity of the state.

NOTE: Serious physical injury is defined under CR 3-201(c).

Statutory Assault Second Degree

CR 3-203
MISDEMEANOR
$2,500.00 - 10 YEARS

1_1415

****ASSAULT-SEC DEGREE****

...did assault_____ (name) in the second degree in violation of CR 3-203, contrary to the form of the act of the assembly in such case made and provided and against the peace, government, and dignity of the state.

Effective 10/1/2016

CR 3-203(c)(2)
FELONY
DISTRICT
$5,000.00 - 10 YEARS

1_1416

****ASSAULT SEC DEG –LE OFFICER, PAROLE/PROBATION AGENT, FIRE/EMS****

…did intentionally cause physical injury to _____ (name), a _____(choose from below), in violation of CR 3-203.

1. law enforcement officer engaged in the performance of [his/her] official duties

2. [parole agent/probation agent] engaged in the performance of [his/her] official duties

3. [firefighter/emergency medical technician/rescue squad member/first responder] engaged in providing [emergency medical care/rescue services]

NOTE: Law Enforcement Officer includes a correctional officer at a correctional facility, an officer employed by WMATA - Metro-transit police, subject to jurisdictional limitations. See CR 3-201 for further information regarding eligible parties.

NOTE: Physical injury is defined as any impairment of physical condition, excluding minor injuries.

CR 3-204(a)(1)
MISDEMEANOR
$5,000.00 - 5 YEARS

1_1425

****RECKLESS ENDANGERMENT****

...did recklessly engage in conduct, to wit: _____, that created a substantial risk of death or serious physical injury to _____ (name).

NOTE: Effective 10/1/97 law enforcement officers and security guards are no longer excluded from the provisions of section CR 204(a)(1).

Effective 10/1/2016

CR 3-204(a)(2)
MISDEMEANOR
$5,000.00 - 5 YEARS

1_1430

****RECK ENDANGERMENT FROM CAR****

...did recklessly discharge a firearm from a motor vehicle in such a manner as to create a risk of death or serious physical injury to _____ (name).

NOTE: Use of CR 3-204(a)(1) should be made for each separate victim in any criminal incident. Every person recklessly endangered by the defendant's conduct should be named as the victim in a separate charge.

NOTE: Neither charge under CR 3-204 applies to the use of a motor vehicle as defined in TR Sec 11-135. The second charge applies only to discharge of firearm from a motor vehicle.

CR 3-205
MISDEMEANOR
$2,500.00 - 10 YEARS

*1_0222

****INMATE CAUSE CONT W/BODY FLUID****

…did while an inmate maliciously [cause/attempt to cause] an employee of [a state corectional facility/local correctional facility/sheriff's office] to come in contact with [seminal fluid/urine/feces/blood].

NOTE: The employee may be employed in any capacity of said agency. For blood substance to qualify, it must be blood that is NOT the result of a physical injury resulting from physical body contact between the employee and inmate.

Effective 10/1/2016

ASSAULT BY INMATES

On Division of Correction Employee, etc.

CR 3-210
FELONY
25 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

1_1435

****ASSLT 1ST/DOC EMPLOYEE ETC.****

...did assault in the first degree, _____, an [inmate/employee] of the [Division of Correction/Patuxent Institution/Baltimore City Detention Center/_____ County Jail/ _____ County Detention Center].

CR 3-210
MISDEMEANOR
$2,500.00 - 10 YEARS

1_1440

****ASSLT 2ND/DOC EMPLOYEE ETC.****

...did assault in the second degree, _____ (name), an [inmate/employee] of the [Division of Correction/Patuxtent Institution/ Baltimore City Detention Center/_____ County Jail/ _____ County Detention Center].

NOTE: The sentence for the crime of assault by an inmate in the first or second degree may not be suspended. A sentence imposed under this section must be served consecutively to any sentence being served at the time of the assault, or had been imposed but was not yet being served at the time of sentencing.

Effective 10/1/2016

Life Threatening Injury by Motor Veh/Boat while Under Influence

CR 3-211(c)
MISDEMEANOR
$5,000.00 - 3 YEARS

1_0765

****LIFE THRT INJ/VEH-BOAT/UNDER INFLU****

...unlawfully, as a result of [his/her] negligent [driving/ operation/control] of a [motor vehicle/vessel] while under the influence, did cause life threatening injury to _____ (name of victim), against the peace, government, and dignity of the state.

NOTE: See CR 3-211(c)(3)(ii) for subsequent offender penalties.

Life Threatening Injury by Motor Veh/Boat While Impaired

CR 3-211(d)
MISDEMEANOR
$3,000.00 - 2 YEARS

1_0770

****LIFE THRT INJ/VEH-BOAT/IMPAIRED****

...unlawfully, as a result of [his/her] negligent [driving/ operation/control] of a [motor vehicle/vessel] while impaired by alcohol, did cause life threatening injury to_____ (name of victim), against the peace, government, and dignity of the state.

NOTE: See CR 3-211(d)(3)(ii) for subsequent offender penalties.

Effective 10/1/2016

Life Threatening Injury by Motor Veh/Boat while Impaired-Drugs

CR 3-211(e)
MISDEMEANOR
$3,000.00 - 2 YEARS

1_0775

****LIFE THRT INJ/VEH-BOAT/DRUGS****

...unlawfully, as a result of [his/her] negligent [driving/ operation/control] of a [motor vehicle/vessel] while impaired by drugs, did cause a life threatening injury to _____ (name of victim), against the peace, government, and dignity of the state.

NOTE: See CR 3-211(e)(3)(ii) for subsequent offender penalties.

Life Threatening Injury by Motor Veh/Boat Impaired-CDS

CR 3-211(f)
MISDEMEANOR
$5,000.00 - 3 YEARS

1_1640

****LIFE THRT INJ/VEH-BOAT/CDS****

...unlawfully, as a result of [his/her] negligent [driving/operation/control] of a [motor vehicle/vessel] while impaired by a controlled dangerous substance, did cause a life threatening injury to _____ (name of victim) against the peace, government, and dignity of the state.

NOTE: See CR 3-211(f)(4)(ii) for subsequent offender penalties.

Effective 10/1/2016

POISON

CR 3-213
FELONY
10 YEARS
PRELIMINARY HEARING

2_0999

****POISON: ATTEMPT****

...did attempt to poison _____ (name).

NOTE: If the victim ingested some of the poison, the officer should be directed to consult the State's Attorney.

CR 3-214(a)
FELONY
20 YEARS
PRELIMINARY HEARING

3_0999

****CONTAMINATE/POISON WATER****

…did knowingly and wilfully [contaminate/attempt to contaminate/conspire with ____(name) to contaminate] the waters of a [well/spring/brook/lake/pond/stream/river/reservoir/ source of water supply] [used/usable] for drinking or domestic purposes by means of _____[disease germs/bacteria/poision/poisonous matter].

CR 3-215
MISDEMEANOR
$2,500.00 - 10 YEARS

1_0321

****CAUSE INGEST BODILY FLUID****

…did knowlingly and willfully cause another to ingest [seminal fluid/blood/urine/feces] [without consent/by force or threat of force].

Effective 10/1/2016

SEXUAL OFFENSES

NOTE: Spouse against spouse offense under this subheading.

Where a person is alleged to have committed any offense under this subheading against that person's legal spouse, the following rules determine which charges, if any, may be filed.

(1.) If the elements for CR 3-305 (First Degree Sexual Offense) or CR 3-306 (Second Degree Sexual Offense) are present, then no restrictions exist to the filing of such charges.

(2.) If the elements for CR 3-303 (First Degree Rape), CR 3-304 (Second Degree Rape), CR 3-307 (Third Degree Sexual Offense) or CR 3-308 (Fourth Degree Sexual Offense) are present, then any of such charges may be filed if the person and the person's spouse have lived separate and apart without cohabitation and without interruption pursuant to a decree of limited divorce.

(3.) If the elements for CR 3-303 (a), CR 3-304 (a)(1) (Second Degree Rape with use of force), CR 3-307(a) are present, then any of such charges may be filed

RAPE, GENERALLY

NOTE: All rape charges, except as noted below with respect to rape 2nd degree, include the elements of 1. vaginal intercourse 2. with another person 3. by force or threat of force 4. against the will and 5. without the consent of the other person. All rape is to be charged as second degree rape [CR 3-304] unless raised to the status of a first degree rape by the presence of one or more of the following aggravating factors:

1. Employment or display of a dangerous or deadly weapon or an item that the victim reasonably believes to be such a weapon;

2. The defendant inflicts suffocation, strangulation, disfigurement, or serious physical injury upon the victim or another person in the course of committing the offense;

3. The defendant threatens or places the victim in fear that the victim or any person known to the victim will be imminently subjected to death, suffocation, strangulation, disfigurement, serious physical injury, or kidnapping;

4. The defendant is aided and abetted by one or more co-defendants;

5. The defendant commits the offense in connection with a burglary in the first, second, or third degree.

ENHANCED PENALTIES – FIRST DEGREE RAPE

1. If the defendant violated CR 3-303(a) while also violating CR 3-503(a)(2) - Child Kidnapping involving a victim who is a child under the age of 16, the maximum penalty is life without the possibility of parole.

2. If the defendant previously convicted of CR 3-305, and then convicted of CR 3-303(a) or (b), the maximum penalty is life without the possibibility of parole.

3. If the defendant is 18 years of age or older and violates CR 3-303(a) involving a victim who is a child under the age of 13, the penalty is no less than 25 years imprisonment and not to exceed life without the possibility of parole. The court may not suspend any part of the mandatory minimum sentence of 25 years (Subject to State compliance under CR 3-303(e)).

Continued on page 54

Effective 10/1/2016

SECOND DEGREE RAPE

Second degree rape may be committed without force or threat of force and with the consent of the victim if:

1. The victim is substantially cognitively impaired, mentally incapacitated, or physically helpless and the defendant knew or reasonably should have known of the victim's condition; or

2. The victim is under 14 years of age and the defendant is at least four years older than the victim.

ENHANCED PENALTIES – SECOND DEGREE RAPE

1. If the defendant is 18 years of age or older and violates CR 3-304(a)(1) or (2) involving a child under the age of 13, the penalty is no less than 5 years imprisonment and not to exceed 20 years. The court may not suspend any part of the mandatory minimum sentence of 5 years (Subject to State compliance under CR 3-304(d).

NOTE: As to both degrees of rape, any degree of penetration, no matter how slight, is sufficient to establish the element of vaginal intercourse.

LIFETIME SEXUAL OFFENDER SUPERVISION

Certain defendants under certain circumstances may face a term of lifetime sexual offender supervision as provided under CP 11-723.

Effective 10/1/2016

First Degree Rape

CR 3-303
FELONY
LIFE IMPRISONMENT,
SUB. CONVICTION,
ENHANCED PENALTY
PRELIMINARY HEARING
638B
RELEASE RESTRICTION

1_1102

****RAPE FIRST DEGREE****

...did unlawfully commit a rape in the first degree upon _____ (name), in violation of CR 3-303 of the Annotated Code of Maryland.

NOTE: ENHANCED PENALTY First and Second Degree

NOTE: See CR 3-310 for Attempted 2nd Degree Rape.

NOTE: ENHANCED PENALTY First and Second Degree Rape and First and Second Degree Sexual Offenses under this subheading IF THE VICTIM IS UNDER 16 YEARS OF AGE or IF THE DEFENDANT IS 18 YEARS OLDER AND THE VICTIM IS A CHILD UNDER THE AGE OF 13.*

NOTE: Enhanced Penalty CR 3-303(d)(4) if the defendant is 18 years of age or older and the victim is a child under the age of 13.*

*Upon conviction, subject to the State filing notice of intent under CR 3-303(e), the defendant is subject to imprisonment for not less than 25 years and not exceeding life without the possibility of parole. The court may not suspend any part of the mandatory minimum sentence of 25 years.

If, under this subheading, the defendant is charged with any of the following

1. Rape First Degree CR 3-303

2. Rape Second Degree CR 3-304

(Note for charge 1-1102 continued on page 56)

Effective 10/1/2016

3. First Degree Sex Offense CR 3-305

4. Second Degree Sex Offense CR 3-306

AND if:

1) the victim of the above crime is under the age of 16 years,

AND if:

2) the defendant is also charged IN THE SAME PROCEEDING with a violation of CR 3-503, Kidnap-Child Under 16; the defendant MAY be eligible for the enhanced penalty of a life sentence without the possibility of parole.

The enhanced penalty cannot apply until the State's Attorney serves a notice of intent to seek it, which must be done at least 30 days prior to trial. Therefore, Commissioners are not normally presented with this situation at the initial appearance. Life without possibility of parole if victim was child under the age of 16 or defendant was previously convicted of violation, this article with the victim being under the age of 16 or Section 3-305 of this article or

In addition to the above: If the defendant is 18 years old or older and the victim is a child under the age of 13, the State may file intent to seet imposition of mandatory minimum term of imprisonment. A court may no suspend any part of the mandatory minimum sentence.

However, Commissioners should be aware that if the Statement of Probable Cause indicates that all of the conditions listed above are present, the defendant may face the enhanced penalty later in the proceedings. Where appropriate, Commissioners may consider this factor in their determination of pre-trial release.

IN THE EVENT that the initial appearance is conducted upon a District or Circuit Court Warrant to which a copy of the Notice to Defendant of the State's Election to seek a Life Sentence Without the Possibility of Parole is attached, or to which other indication is attached that shows the State's Attorney has decided to seek the enhanced penalty, the Commissioner should place the Defendant on NO BAIL pending the bail review, and retain a copy of the notice or letter in the Court folder.

Refer to Part I.

Effective 10/1/2016

Second Degree Rape

CR 3-304
FELONY
20 YEARS
ENHANCED PENALTY
(IF VICTIM <13, 15 - Life)
SUB. CONVICTION,
ENHANCED PENALTY
PRELIMINARY HEARING
RELEASE RESTRICTION

2_1103

****RAPE SECOND DEGREE****

...did unlawfully commit a rape in the second degree upon _____ (name), in violation of CR 3-304 of the Annotated Code of Maryland.

NOTE: If the defendant is 18 years of age or older and the victim is a child under the age of 13, enhanced penalties may apply.*

*A defendant who is found guilty of violating CR 3-304(b) is subject to imprisonment for not less than 15 years and not exceeding life imprisonment. The court may not suspend any part of the mandatory minimum sentence of 15 years. *(Subject to State compliance under CR 3-304(d).)

Effective 10/1/2016

SEXUAL OFFENSES

NOTE: First and Second Degree Sexual Offenses involve the commission of a Sexual Act, defined as cunnilingus, fellatio, anilingus, or anal intercourse (but not vaginal intercourse; see RAPE above), or an act in which an object or part of an individual's body penetrates, however slightly, into another individual's genital opening or anus and that can reasonably be construed to be for sexual arousal or gratification, or for the abuse of either party. Sexual CONTACT, as used in Third Degree Sexual Offense, Fourth Degree Sexual Offense, and sexual offenses by a Correctional employee under CR 3-314) is the intentional touching of the victim's or actor's genital, anal, or other intimate area for sexual arousal or gratification, or for the abuse of either party. For further clarification, refer to CR 3-301, or consult the State's Attorney's Office.

The charging language used for all sexual offenses is authorized by CR 3-301. See the note following each section for a list of the elements which must be present in the Statement of Probable Cause in order to find probable cause at the initial appearance.

Under CR 3-305 and CR 3-306 Enhanced penalties may apply in cases where the defendant is 18 years of age or older and the victim is a child under the age of 13. The enhanced penalty may include mandatory minimum sentence, without parole. In addition, the court may not suspend the minimum sentence. This is subject to the State's compliance of the requirement to file notice of intent to seek enhanced penalty.

Effective 10/1/2016

First Degree Sexual Offense

CR 3-305
FELONY
LIFE IMPRISONMENT,
SUB. CONVICTION,
ENHANCED PENALTY
PRELIMINARY HEARING
CP 5-202
RELEASE RESTRICTION

2_1102

****SEX OFFENSE FIRST DEGREE****

...did unlawfully commit a sexual offense in the first degree upon ____ (name), in violation of CR 3-305 of the Annotated Code of Maryland.

NOTE: Probable cause for a first degree sexual offense requires that the defendant engaged in a Sexual Act with the victim by force or threat of force and without the consent of the victim and that one or more of the following aggravating factors be present in the commission of the crime:

(Note for charge 2-1102 continued on page 59)

1. The defendant employed or displayed a dangerous or deadly weapon or an object that the victim could reasonably conclude to be such a weapon.

2. The defendant inflicted suffocation, strangulation, disfigurement or serious physical injury on the victim or another person in the commission of the crime.

3. The defendant threatened, or placed the victim in fear of suffocation, strangulation, disfigurement,serious physical injury, or kidnapping of the victim or any person known to the victim.

4. The defendant had one or more co-defendants in the commission of the crime (but it is not necessary that the co-defendants be arrested or charged, merely that one or more existed).

5. The defendant committed the crime in connection with a burglary in the first, second, or third degree.

6. The defendant violated CR 3-303(a) while also violating CR 3-503(a)(2) - Child Kidnapping involving a victim who is a child under the age of 16.

If the defendant is 18 years old or older and the victim is a child under the age of 13, enhanced penalties may apply.*

*A defendant who is found guilty of felony sexual offense in the first degree is subject to enhanced penalty of imprisonment of not less than 25 years and not exceeding life without the possibility of parole. Subject to compliance as required under CR 3-305(e).

NOTE: Second Degree Sexual Offense is a lesser included offense of First Degree Sexual Offense.

NOTE: See CR 3-311 for Attempted 1st Degree Sex Offense.

See Enhanced Penalty Note Above.

Effective 10/1/2016

Second Degree Sexual Offense

CR 3-306
FELONY
20 YEARS
SUB. CONVICATION,
ENHANCED PENALTY
(IF VICTIM <13, 15-Life)
PRELIMINARY HEARING
RELEASE RESTRICTION

2_3600

****SEX OFFENSE SECOND DEGREE****

...did unlawfully commit a sexual offense in the second degree upon ____ (name), in violation of CR 3-306 the Annotated Code of Maryland.

NOTE: This charge includes any of the following:

1. The defendant engages in a sexual ACT with another person
a. by force or threat of force and without the consent of the victim; or

b. the victim is substantially cognitively impaired, mentally incapacitated, or physically helpless and the defendant knew or reasonably should have known or the victim's condition, or

2. The victim was under 14 years of age and the defendant was 4 or more years older.

NOTE: If the defendant is 18 years of age or older and the victim is a child under the age of 13, enhanced penalties may apply under CR 3-306(c)(2).*

*A defendant who is found guilty of violating CR 3-306(b) is subject to imprisonment for not less than 15 years and not exceeding life imprisonment. The court may not suspend any part of the mandatory minimum sentence of 15 years. (Subject to State compliance under CR 3-306(d).)

NOTE: See CR 3-312 for Attempted 2nd Degree Sex Offense.

Effective 10/1/2016

Sexual Offense Third Degree

CR 3-307
FELONY
10 YEARS
PRELIMINARY HEARING

3_3600

****SEX OFFENSE THIRD DEGREE****

...did unlawfully commit a sexual offense in the third degree upon ____(name) in violation of CR 3-307 of the Annotated Code of Maryland.

NOTE: Probable Cause is established if the defendant engaged in sexual CONTACT with another person:

1. Without the consent of the other person and included one or more of the following aggravating factors:

a. Defendant employed or displayed a dangerous or deadly weapon or an object the victim reasonably believed to be such a weapon; or

b. Defendant inflicted suffocation, strangulation, disfigurement or serious injury upon the victim or another person in the course of committing the crime; or

c. Defendant threatened or placed the victim in fear that the victim or another person known to the victim would be immediately subjected to suffocation, strangulation, disfigurement, serious physical injury,or kidnapping; or

d. Defendant had one or more co-defendants;

2. Defendant engaged in sexual contact with a victim who is substanitally cognitively impaired, mentally incapacitated, or physically helpless and the defendant knew or should reasonably have known of the victim's condition.

3. Defendant engaged in a sexual contact with a victim was under 14 years of age and the defendant was 4 or more years older.

4. Defendant engaged in sexual ACT or vaginal intercourse with another person who was 14 or 15 years of age and the defendant is at least 21 years of age.

Effective 10/1/2016

CR 3-308 (b)(1)
MISDEMEANOR
$1,000.00 - 1 YEAR
SUB OFFENSE
$1,000.00 - 3 YEARS

4_3600

**** SEX OFF 4TH DEGREE – SEX CONTACT ****

… did engage in sexual contact with _____(name) without [his/her] consent.

CR 3-308 (b)(2)
MISDEMEANOR
$1,000.00 - 1 YEAR
SUB OFFENSE
$1,000.00 - 3 YEARS

1_1623

**** SEX OFF 4TH DEGREE – SEX ACT 14/15YO****

… did engage in a sexual act with _____(name), a person [14/15] years old, being 4 years older than said victim.

NOTE: Do not charge if defendant is 21 years of age or older. See Sex Offense Third Degree.

NOTE: See CR 3-308(d)(2) for subsequent offense penalty.

CR 3-308 (b)(3)
MISDEMEANOR
$1,000.00 - 1 YEAR
SUB OFFENSE
$1,000.00 - 3 YEARS

1_1624

**** SEX OFF 4TH DEGREE – VAG INT 14/15YO****

… did engage in vaginal intercourse with _____(name), a person [14/15] years old, being 4 years older than said victim.

NOTE: Do not charge if defendant is 21 years of age or older. See Sex Offense Third Degree.

NOTE: See CR 3-308(d)(2) for subsequent offense penalty.

Effective 10/1/2016

CR 3-308 (c)(1)
MISDEMEANOR
$1,000.00 - 1 YEAR
SUB OFFENSE
$1,000.00 - 3 YEARS

1_1625

**** SEX OFF 4TH –SEX ACT PERS POS AUTH****

… did as a person in a position of authority, engage in [a sexual act /sexual contact] with ____(name), a minor, who at the time of the [sexual act/sexual contact], was a student enrolled at the school where said person of authority was employed.

Note: See CR 3-308(a) for definition of "Person in a position of authority". Effective 10-1-2014, this includes a contractor or coach employed by a public or private preschool, elementary school, or secondary school.

Note: See CR 3-307(a)(4) and CR 3-308(b)(2) for exceptions.

NOTE: See CR 3-308(d)(2) for subsequent offense penalty.

CR 3-308 (c)(2)
MISDEMEANOR
$1,000.00 - 1 YEAR
SUB OFFENSE
$1,000.00 - 3 YEARS

1_1626

**** SEX OFF 4TH –VAG INT PERS POS AUTH****

… did as a person in a position of authority, engage in vaginal intercourse with ____(name), a minor, who at the time of the vaginal intercourse, was a student enrolled at the school where said person of authority was employed.

Note: See CR 3-308(a) for definition of "Person in a position of authority".
Note: See CR 3-307(a)(5) and CR 3-308(b)(3) for exceptions.

NOTE: See CR 3-308(d)(2) for subsequent offense penalty.

Effective 10/1/2016

CR 3-309
FELONY
LIFE
PRELIMINARY HEARING
RELEASE RESTRICTION

2_1120

****ATT 1ST DEG RAPE****

...did unlawfully attempt to commit a rape in the first degree upon _____ (name), in violation of CR 3-309 of the Annotated Code of Maryland.

CR 3-310
FELONY
20 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

2_1110

****ATT 2ND DEG RAPE****

...did unlawfully attempt to commit a rape in the second degree upon _____ (name), in violation of CR 3-310 of the Annotated Code of Maryland.

Effective 10/1/2016

ATTEMPTED SEXUAL OFFENSES

Attempted First Degree Sex Offense

CR 3-311
FELONY
LIFE
PRELIMINARY HEARING
RELEASE RESTRICTION

2_1125

****ATT 1ST DEG SEX OFFENSE****

...did unlawfully attempt to commit a sexual offense in the first degree upon _____ (name), in violation of CR 3-311 of the Annotated Code of Maryland.

Attempted Second Degree Sex Offense

CR 3-312
FELONY
20 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

2_1115

****ATT 2ND DEG SEX OFFENSE****

...did unlawfully attempt to commit a sexual offense in the second degree upon _____ (name), in violation of CR 3-312 of the Annotated Code of Maryland.

Effective 10/1/2016

Sexual Offenses by Correctional Employee

CR 3-314(b)(2)
MISDEMEANOR
$3,000.00 - 3 YEARS

2_1130

****CORRECTIONAL-INMATE/SEX OFFENSE****

…did engage in [sexual contact/vaginal intercourse/a sexual act] with an inmate.

CR 3-314(c)
MISDEMEANOR
$3,000.00 - 3 YEARS

2_1132

****SEX OFF-JUVENILE DETAINEE****

… did engage in [sexual contact/vaginal intercourse/a sexual act] with _____ (name), an individual confined in _____ (name facility).

NOTE: The facilities listed under HS 9-226 include:
1) The Alfred D. Noyes Children's Center
2) The Baltimore City Juvenile Justice Center
3) The Charles H. Hickey, Jr. School
4) The Cheltenham Youth Facility
5) The J. Deweese Carter Center
6) The Lower Eastern Shore Children's Center
7) The Thomas J. S. Waxter Children's Center
8) The Victor Cullen Center
9) The Western Maryland Children's Center
10) The Youth Centers

CR 3-314(d)
MISDEMEANOR
$3,000 – 3 YEARS

1_1149

****COURT ORDER PRVDR-ENGAGE SEX ****

… did as a court-ordered services provider, engage in [sexual contact/vaginal intercourse/sexual act] with _____(name), an individual ordered to obtain services while the order was in effect.

NOTE: "Court –ordered services provider" means a person who provides services to an individual who has been ordered by the Court, the Division of Parole and Probation, or the Department of Juvenile Services to obtain those services.

Effective 10/1/2016

CR 3-315
FELONY
30 YEARS

2_1136

****SEX ABUSE MINOR-CONTINUING COURSE OF CONDUCT****

...did engage in a continuing course of conduct over a period of 90 days or more with a victim under the age of 14 years, to wit: _____(name), which includes three or more acts in violation of Section 3-303, 3-304, 3-305, 3-306, and 3-307 of the Criminal Law Article.

CR 3-321
FELONY
10 YEARS
PRELIMINARY HEARING

5_3600

****SODOMY-GENERALLY****

...did unlawfully commit sodomy upon ____ (name).

NOTE: In Schotchet v. State, 320 Md. 714 (1990), the Court of Appeals held that this crime excludes consensual non-commercial, heterosexual activity.

CR 3-322
MISDEMEANOR
$1,000.00 - 10 YEARS

6_3600

****PERVERTED PRACTICE****

...did commit a certain unnatural and perverted sexual practice with ____ (name of person or type of animal).

NOTE: Perverted practices include cunnilingus, fellatio, and beastiality.

Effective 10/1/2016

CR 3-323
FELONY
10 YEARS
PRELIMINARY HEARING

1_3604

****INCEST****

… did knowingly engage in vaginal intercourse with _____, a person whom the defendant may not marry under FL 2-202.

NOTE: "Carnal Knowledge" means sexual intercourse. The relationship between which such activity is prohibited are the same as those within which marriage is prohibited. See list of such relationships under prohibited marriages under FL 2-202.

CR 3-324
FELONY
$25,000.00 - 10 YEARS
PRELIMINARY HEARING

1_1604

****SEXUAL SOLICITION OF A MINOR****

…[did/did intend to] knowingly solicit a [minor/law enforcement officer posing as a minor] to engage in activities that would be unlawful under [Section 3-304/3-306/3-307/11-304/11-305/11-306] of the Criminal Law Article of Maryland.

NOTE: A violation is considered committed in this State if it originated or is received in this State.

NOTE: See article for definition of solicit.

NOTE: In a prosecution under this charge, the state need only prove that a reasonable person based on the totality of the circumstances should have known that the minor had not attained the age of 18 years.

CR 3-325
FELONY
$25,000- 20 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

1_1340

****USE PERS ID INFO SEX CRIME****

… did use the [personal identifying information/identity] of _____(name), without said person's consent to [invite/encourage/solicit] another to commit a sexual crime against _____(name).

NOTE: See CR 8-301 for definition of "personal identifying information". See CR 3-325 for definition of "sexual crime".

NOTE: A prosecution under this charge may be commenced in a county in which an element of the crime occurred; or the victim resides.

Effective 10/1/2016

ROBBERY

GENERAL NOTE: To rob is to take something away from a person by force or violence (no matter how slight) or by threat of force or violence. The victim must be a person, not a business, corporation, institute, or governmental entity, but need not be the owner of the property. The victim is the person from whom the property was taken, and there should be a separate charge for each victim.

In General

CR 3-402
FELONY
15 YEARS
SUB. CONVICTION,
ENHANCED PENALTY
PRELIMINARY HEARING
RELEASE RESTRICTION

2_0700

****ROBBERY****

...did unlawfully and feloniously [rob/attempt to rob] [_____ (victim) of _____ (item taken).

Robbery-Armed

CR 3-403
FELONY
20 YEARS
SUB. CONVICTION,
ENHANCED PENALTY
PRELIMINARY HEARING
RELEASE RESTRICTION

2_0705

****ARMED ROBBERY****

...did unlawfully and feloniously, [with a dangerous weapon/by displaying a written instrument claiming that the person had a dangerous weapon], [rob/attempt to rob] _____ (victim) and violently did [steal/attempt to steal] from said person _____ (item(s)).

NOTE: Weapon means any actual weapon or any instrument that the victim reasonably perceives to be a dangerous and deadly weapon, that could inflict death or greivous bodily harm.

If an actual handgun is involved, armed robbery and a separate charge of use of a handgun in the commission of a crime of violence under CR 4-203 should be placed.

Effective 10/1/2016

Carjacking

CR 3-405(b)(1)
FELONY
30 YEARS
SUB. CONVICTION,
ENHANCED PENALTY
PRELIMINARY HEARING

1_0825

****CARJACKING****

...did obtain unauthorized [possession/control] of a motor vehicle, to wit: _____ (describe), from _____ (name of victim) who was then and there in actual possession of the motor vehicle, by [force/violence/placing said individual in fear through intimidation/threat of force/threat of violence].

CR 3-405(c)(1)
FELONY
30 YEARS
SUB. CONVICTION,
ENHANCED PENALTY
PRELIMINARY HEARING

1_0826

****ARMED CARJACKING****

...did obtain unauthorized [possession/control] of a motor vehicle, to wit: _____ (describe) from _____ (name of victim) who was then and there in actual possession of the motor vehicle by [force/violence/placing said individual in fear through intimidation/threat of force/threat of violence] and [employ/display] a dangerous weapon during the commission of the carjacking.

Effective 10/1/2016

KIDNAPPING

Generally

CR 3-502
FELONY
30 YEARS
PRELIMINARY HEARING
SEE NOTE ENHANCED PENALTY
SUB. CONVICTION
RELEASE RESTRICTION

3_1005

****KIDNAPPING****

…did [forcibly/fraudulently] [carry/cause to be carried] a certain person, to wit: _____, with the intent to have the said person [carried/concealed] [within/out of] this State.

NOTE: CR 3-502 makes no distinction between minor and adult victims UNLESS the victim was a minor and the defendant was the victim's parent. If both of those are true, the defendant may not be charged under this section.

NOTE: If the victim is under 16, see Abduction CR 3-503.

NOTE: Maryland has jurisdiction over this crime if any portion of the kidnap, carrying, or concealment occurred within the State. As to the word choice offered in the above language, if the final destination or intended destination of the kidnapped victim is known to be out of State, use the words "out of", otherwise use the word "within."

NOTE: This section applies to every person having anything to do with the kidnap including aiders, abettors and counsellors, all of whom are charged as principals.

NOTE: See Parental Exception under CR 3-502 (c).

Effective 10/1/2016

CR 3-503(a)
FELONY
30 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION
SUB. CONVICTION,
ENHANCED PENALTY

4_1005

****KIDNAP-CHILD UNDER 16****

...did [forcibly/fraudulently] steal, take, and carry away _____ (name of victim), a child under the age of 16.

NOTE: A parent of the victim may not be charged under this section. See CR 3-503.

NOTE: Aiders, abettors, and counselors are charged as principles.

NOTE: A defendant charged with this crime is eligible for a maximum of 30 years, as noted. However, if the defendant is also charged in the same proceeding with a violation of CR 3-303 through CR 3-306 (First and Second Degree Rape and Sexual Offense), and if the victim of the sexual charge is also under the age of 16, the defendant may be eligible for a penalty of a life sentence without the possibility of parole, if the State's Attorney so elects. There is no requirement that the victim of both crimes be the same, but if not, both victims must be under 16, and charged against the defendant in the same proceeding. If so, the defendant is not eligible for the life sentence without parole until the State's Attorney serves written notice upon the defendant, at least 30 days prior to trial, that the State is seeking that penalty.

Note to Commissioners: Since the enhanced penalty of life without the possibility of parole does not attach as a possibility unless both crimes are charged, involving a victim or victims under 16, in the same proceeding, the initial appearance should be conducted normally. If the Statement of Probable cause indicates that the factual situation applies, but the required notice from the State's Attorney has not been served, this may be a consideration in your determination as to pre-trial release.

IN THE EVENT that the initial appearance is conducted upon a District or Circuit Court Warrant to which a copy of the Notice to Defendant of the State's election to seek a Life Sentence Without the Possibility of Parole is attached, or to which other indication is attached that shows the State's Attorney has decided to seek the enhanced penalty, the Commissioner should place the Defendant on NO BAIL pending the bail review, and retain a copy of the notice or letter in the Court folder.

Effective 10/1/2016

ABDUCTION

Child Under 12

CR 3-503(a)(i)(ii)
FELONY
20 YEARS
PRELIMINARY HEARING
SUB. CONVICTION,
ENHANCED PENALTY
CR 14-101

1_1005

****ABDUCT CHILD UNDER 12****

did, without the color of right and without the consent of the [parent/ lawful guardian] [persuade/entice] _____, a child under the age of 12 from [his/her] [home/ usual place of abode/the custody and control of his/her parents/legal guardian].

CR 3-503(a)(iii)
FELONY
20 YEARS
PRELIMINARY HEARING

1_0163

****HARBOR/ABDUCTED CHLD UN 12****

... did without color of right and with intent of depriving the [parent/legal guardian/person lawfully in possession, custody, care and control] of _____(child), knowingly [secrete/harbor] said child who is under the age of 12 years old.

NOTE: For the purposes of this section, the terms "usual place of abode", "home", and "house" include the real property appurtenant thereto.

Effective 10/1/2016

CHILD ABUSE

NOTE: The following notes apply to all Child abuse charges under this heading.

NOTE: 1. Child means any individual under the age of 18 years.

2. Abuse means the sustaining of physical injury by a child as a result of cruel or inhumane treatment or as a result of a malicious act by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household or family member, under circumstances that indicate that the childs health or welfare is harmed or threatened by the treatment or act.

3. Sexual abuse means any act that involves sexual molestation or exploitation of a child; whether physical injuries are sustained or not, by a parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household or family member.

Sexual abuse includes, but is not limited to incest, rape, or sexual offense in any degree; sodomy and unnatural or perverted sexual practices.

4. Family member means a relative of a child by blood, adoption, or marriage.

5. Household member means a person who lives with, or is a regular presence in, a home of a child at the time of the alleged abuse.

NOTE: A parent should always be charged under Child Abuse: Parent, or Child Abuse: Par-Res Death (if the victim died as a result of the abuse) because of the legal responsibilities of a parent to his or her child.

A family or household member other than the parent or legal guardian should always be charged, using the appropriate wording, under Child Abuse: Parent, or Child Abuse: Par-Res Death,

UNLESS THE FAMILY OR HOUSEHOLD MEMBER HAS BEEN LEFT IN TEMPORARY CARE, CUSTODY, AND CONTROL OF THE VICTIM (for instance, as a baby-sitter). In that event, Child Abuse: Custodian, or Child Abuse: Cust-Res Death should be used along with the word temporary.

A legal guardian should be charged under the appropriate custodian section using the word permanent.

For purposes of this section, there is no difference between an adoptive parent and a natural parent.

NOTE: For the purposes of this section, judicial construction has defined cruel and inhumane treatment by a parent or custodian (but not by a family or household member) to include a failure ...to provide necessary medical care... if that failure was due to negligence and if it resulted in serious physical injury or death. This includes a situation where the child had already suffered injury and ...as a result... the child suffered bodily harm additional to that initially sustained as a consequence of the injury originally inflicted upon him. (State vs. Fabritz, 276 Md. 416, 424, 425 -1975)

Effective 10/1/2016

CR 3-601(b)
FELONY
25 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

1_0334

****CHILD ABUSE-1ST SEV PHYS INJURY****

...did cause abuse that resulted in severe physical injury to _____ (name), a child under the age of 18, the defendant being a [parent/family member/ household member/ other person to wit: _____ who has (permanent/temporary) (care/custody/responsibility for the supervision)] of said child, in violation of CR 3-601(b)(1)(ii) of the Annotated Code of Maryland.

CR 3-601(b)
FELONY
40 YEARS
PRELIMINARY HEARING

1_1639

****CHILD ABUSE-1ST DEGREE: DEATH****

...did cause abuse that resulted in the death of ____ (name), a child under the age of 18, the defendant being a [parent/family member/ household member/ other person to wit: _____]who has [permanent/temporary care/custody/responsibility for the supervision] of said child, in violation of CR 3-601(b)(1)(i) of the Annotated Code of Maryland.

Effective 10/1/2016

CR 3-601(d)
FELONY
15 YEARS
PRELIMINARY HEARING

1_0173

****CHILD ABUSE-2ND DEGREE: CUSTODIAN****

...did cause abuse to ____, a child under 18 years of age, the defendant _____ (choose from below) in violation of CR 3-601(d) of the Annotated Code of Maryland.

1. being said child's parent
2. having [permanent/temporary] [care/custody/responsibility] for the supervision of, said child

CR 3-601(d)
FELONY
15 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

1_3802

****CHILD ABUSE- 2ND DEGREE: HOUSE****

...did cause abuse to ____ (name), a child under 18 years of age, the defendant being a [family member of the child/household member] in violation of CR 3-601(d) of the Annotated Code of Maryland.

CR 3-602(b)(1)
FELONY
25 YEARS
PRELIMINARY HEARING

1_0322

****SEX ABUSE MINOR****

...did cause sexual abuse to _____ (name), a minor, the defendant _____(choose from below).

1. being said child's parent
2. having [permanent/temporary] [care/custody/responsibility for the supervision] of said child

Effective 10/1/2016

CR 3-602(b)(2)
FELONY
25 YEARS
PRELIMINARY HEARING

1_0922

****SEX ABUSE MINOR****

...did cause sexual abuse to _____ (name), a minor, the defendant being [a household member/a family member] of _____(name).

CR 3-602.1 (b)
MISDEMEANOR
$5,000.00 - 5 YEARS

1_1614

**** NEGLECT OF MINOR ****

...did neglect _____(name), a minor, having been a [parent/family member to wit:_____/ household member/ person who had (permanent/ temporary) (care/custody/responsibility for the supervision)] of said minor.

NOTE: See CR 3-602.1(a) for definition section.

CR 3-603
MISDEMEANOR
$10,000.00 – 5 YEARS

1_0481

****CHILD SELLING****

...did [sell/barter/trade/offer to sell/offer to barter/offer to trade] a child, to wit: _____ (name), for [money/property/ anything of value].

CR 3-604(b)(1)
FELONY
1ST DEGREE
$10,000.00 - 10 YEARS

2_1138

****VUL ADULT ABUSE PHYSICAL INJURY****

...did cause [abuse to/neglect of] _____(name), a vulnerable adult, that [resulted in the death of _____/caused serious physical injury to _____/involved sexual abuse of _____], the defendant being a [parent/care giver/other person, to wit, _____(position)] who has [permanent care/temporary care/responsibility for the supervision of _____(name)].

NOTE: Includes abuse that is sexual abuse.

Effective 10/1/2016

CR 3-604(b)(2)
FELONY
1ST DEGREE
$10,000.00 - 10 YEARS

1_1138

****VUL ADULT ABUSE-HOUSE/FAMILY MEM****

...did cause [abuse to/neglect of] _____(name), a vulnerable adult, that [resulted in the death of _____/caused serious physical injury to _____/involved sexual abuse of _____], the defendant being a [household member/family member]

NOTE: Includes abuse that is sexual abuse.

CR 3-605(b)(1)
MISDEMEANOR
$5,000.00 - 5 YEARS

1_0466

****VUL ADULT ABUSE/CUSTODIAN****

...did cause [abuse to/neglect of] _____, a vulnerable adult, the defendant being a [parent/care giver/other person, to wit: ___ (position)] who has [permanent care/temporary care/responsibility for the supervision] of ____ (name).

NOTE: "Vulnerable adult" means an adult who lacks the physical or mental capacity to provide for the adult's daily needs.

This section does not apply to sexual abuse of a vulnerable adult.

Effective 10/1/2016

CR 3-605(b)(2)
MISDEMEANOR
$5,000.00 - 5 YEARS

2_0350

****VUL ADULT ABUSE/FAM MEMBER****

...did cause [abuse to/neglect of] _____, a vulnerable adult the defendant being a [household member/family member].

NOTE: A prosecution for an offense under this section shall be instituted within 2 years after the offense was committed.

NOTE: "Abuse" means the sustaining of any physical injury by a vulnerable adult as a result of cruel or inhumane treatment, or as a result of a malicious act by a care giver, a parent or other person who has permanent or temporary care or custody or responsibility for the supervision of a vulnerable adult, or by any household member or family member under circumstances that indicate that the vulnerable adult's health or welfare is harmed or threatened.

Does not apply to abuse that is sexual abuse.

"Neglect" means the sustaining of serious physical harm by a vulnerable adult as the result of the wilful deprivation of adequate food, clothing, essential medical treatment or habilitative therapy, shelter, or supervision.

"Care Giver" means a person under a duty to care for a vulnerable adult because of a contractual undertaking to provide care.

"Household member" means an individual who lives with, or is a regular presence in, a home of a vulnerable adult at the time of the alleged abuse or neglect.

"Family member" means a relative of a vulnerable adult by blood, marriage, adoption, or the marriage of a child.

Effective 10/1/2016

Hazing Students Prohibited

CR 3-607
MISDEMEANOR
$500.00 - 6 MONTHS

1_0103

****HAZE-STUDENT-SCH-COLL-UNIV****

...did haze ____(name), a student at _____, (name school, college or university), causing said student serious bodily injury.

NOTE: Haze means doing any act or causing any situation which recklessly or intentionally subjects a student to the risk of serious bodily injury, for the purpose of initiation into a student organization of a school, college, or university.

The implied or expressed consent of a student to hazing may not be a defense under this section.

CR 3-608(b)
MISDEMEANOR
3 YEARS

1_1002

****MISSING CHILD-FAIL TO REPORT ****

…did having [permanent care/custody/responsibility for supervision] of _____(minor name/description) age _____ under the age of 13 years [recklessly/willfully] fail to notify the appropriate law enforcement agency that the minor is a missing child within 24 hours of the time at which the [parent/other person] to wit:_____ (position) did knowingly or should have known that the minor is a missing child.

Note: This section does not apply if the fact that the minor is a missing child has already been reported to the appropriate law enforcement agency. Missing child means a child whose whereabouts are unknown to the parent or other person who has permanent care and custody or responsibility for the supervision of the minor.

Effective 10/1/2016

CR 3-609(a)
MISDEMEANOR
3 YEARS

1_1003

****FAIL TO REPORT CHILD DEATH ****

…did having [permanent care/custody/responsibility for supervision] of _____(minor name/description) age _____ under the age of 18 years did not report the death of the minor to the appropriate [law enforcement/medical authority] within 5 hours of becoming aware of the death.

Note: This section does not apply if the death of a minor has already been reported to the appropriate law enforcement agency or medical authority.

CR 3-701(b)
MISDEMEANOR
$1,000- 18 MOS

1_1286

****EXTORTION: VALUE LESS $1,000****

...did [obtain/attempt to obtain/conspire with _____ (name) to obtain] by [actual/threat of] [force/violence/economic injury/notification of law enforcement officials of another person's undocumented status/ notification of law enforcement officials of another person's undocumented status illegal immigration status], [money/property/labor/services/anything of value] having a value of less than $1,000 from _____ (victim), in violation of CR 3-701(b) of the Annotated Code of Maryland.

CR 3-701(b)
FELONY
$10,000 - 10 YRS
PRELIMINARY HEARING

1_1204

****EXTORTION: VALUE $1K TO < $10,000****

...did [obtain/attempt to obtain/conspire with _____ (name) to obtain] by [actual/threat of] [force/violence/economic injury/notification of law enforcement officials of another person's undocumented status/ notification of law enforcement officials of another person's undocumented status illegal immigration status], [money/property/labor/services/anything of value] having a value of _____(amount), at least $1,000 but less than $10,000 from _____ (victim), in violation of CR 3-701(b) of the Annotated Code of Maryland.

Effective 10/1/2016

CR 3-701(b)
FELONY
$15,000 - 15 YRS
PRELIMINARY HEARING

1_1206

****EXTORTION: VALUE $10K TO < $100,000****

...did [obtain/attempt to obtain/conspire with _____ (name) to obtain] by [actual/threat of] [force/violence/economic injury/notification of law enforcement officials of another person's undocumented status/ notification of law enforcement officials of another person's undocumented status illegal immigration status], [money/property/labor/services/anything of value] having a value of _____(amount), at least $10,000 but less than $100,000 from _____ (victim), in violation of CR 3-701(b) of the Annotated Code of Maryland.

CR 3-701(b)
FELONY
$25,000 - 25 YRS
PRELIMINARY HEARING

1_1207

****EXTORTION: VALUE $100,000 OR MORE****

...did [obtain/attempt to obtain/conspire with _____ (name) to obtain] by [actual/threat of] [force/violence/economic injury/notification of law enforcement officials of another person's undocumented status/ notification of law enforcement officials of another person's undocumented status illegal immigration status], [money/property/labor/services/anything of value] having a value of _____(amount), $100,000 or more, in violation of CR 3-701(b) of the Annotated Code of Maryland.

CR 3-701(b)(3)
MISDEMEANOR
$1,000- 18 MOS

1_1209

****EXTORTION/ID DOC - LESS THAN $1,000 ****

… did [obtain/attempt to obtain/conspire with _____(name) to obtain] [money/property/labor/services/anything of value] by [destruction of/concealment of/removal of/confiscation of/possession of] [immigration/government] identification document with the intent to harm the immigration status of _____(victim) having a value of less than $1,000.

Effective 10/1/2016

CR 3-701(b)(3)
FELONY
$10,000 - 10 YRS
PRELIMINARY HEARING

1_1210

****EXTORTION/ID DOC - $1K TO <$10K****

… did [obtain/attempt to obtain/conspire with _____(name) to obtain] [money/property/labor/services/anything of value] by [destruction of/concealment of/removal of/confiscation of/possession of] [immigration/government] identification document with the intent to harm the immigration status of _____(victim) having a value of _____(amount), at least $1,000 but less than $10,000.

CR 3-701(b)(3)
FELONY
$15,000 - 15 YRS
PRELIMINARY HEARING

1_1211

****EXTORTION/ID DOC - $10K TO <$100K****

… did [obtain/attempt to obtain/conspire with _____(name) to obtain] [money/property/labor/services/anything of value] by [destruction of/concealment of/removal of/confiscation of/possession of] [immigration/government] identification document with the intent to harm the immigration status of _____(victim) having a value of _____(amount), at least $10,000 but less than $100,000.

Effective 10/1/2016

CR 3-701(b)(3)
FELONY
$15,000 - 15 YRS
PRELIMINARY HEARING

1_1212

****EXTORTION/ID DOC - $10K TO <$100K****

… did [obtain/attempt to obtain/conspire with _____(name) to obtain] [money/property/labor/services/anything of value] by [destruction of/concealment of/removal of/confiscation of/possession of] [immigration/government] identification document with the intent to harm the immigration status of _____(victim) having a value of _____(amount), at least $10,000 but less than $100,000.

CR 3-701(b)(3)
FELONY
$25,000 - 25 YRS
PRELIMINARY HEARING

1_1213

****EXTORTION/ID DOC - $100K +****

… did [obtain/attempt to obtain/conspire with _____(name) to obtain] [money/property/labor/services/anything of value] by [destruction of/concealment of/removal of/confiscation of/possession of] [immigration/government] identification document with the intent to harm the immigration status of _____(victim) having a value of _____(amount), $100,000 or more.

Effective 10/1/2016

Extortion by State or Local Officer of Employee-Generally

CR 3-702
MISDEMEANOR
$500.00 -18 MOS

1_1214

****EXTORTN GOV EMP: VAL - $1,000****

...did, being _____ (name position, see note) of _____ (county or agency, see note) [obtain/attempt to obtain] by extortion _____ [money, property, other thing of value], having a value of less than $1,000 from _____ (victim).

NOTE: Prosecution under CR 3-702 must be initiated within 5 years of the date of the offense. The statute covers officers and employees of the State of Maryland, the counties, Baltimore City, a municipality, and bi-county and multi-county agencies

CR 3-702
FELONY
$10,000 - 10 YRS
PRELIMINARY HEARING

1_1215

****EXTORTN GOV EMPL VAL $1K TO <$10K****

...did, being ____ (name position, see note) of _____ (county or agency, see note) [obtain/attempt to obtain] by extortion _____ (money, property, other thing of value), having a value of ____(amount), at least $1,000.00 but less than $10,000 from _____ (victim).

CR 3-702
FELONY
$15,000 - 15 YRS
PRELIMINARY HEARING

1_1216

****EXTORTN GOV EMPL VAL $10K TO <$100K****

...did, being ____ (name position, see note) of _____ (county or agency, see note) [obtain/attempt to obtain] by extortion _____ (money, property, other thing of value), having a value of ____(amount), at least $10,000.00 but less than $100,000 from _____ (victim).

Effective 10/1/2016

CR 3-702
FELONY
$15,000 - 15 YRS
PRELIMINARY HEARING

1_1217

****EXTORTN GOV EMPL VAL 100K +****

...did, being ____ (name position, see note) of _____ (county or agency, see note) [obtain/attempt to obtain] by extortion _____ (money, property, other thing of value), having a value of ____(amount), at least $10,000.00 but less than $100,000 from _____ (victim).

Extortion by State or Local Officer or Employee Against Another

CR 3-703
FELONY
$5,000.00 - 5 YEARS
PRELIMINARY HEARING

4_2100

****EXTORTION-BETWEEN GOVT OFF****

...did, being _____ (defendant's position, see note) of _____ (defendant's county or agency, see note), by [force/ intimidation/threat] , induce _____ (victim) to give up $_____, a part of the compensation to which said victim was entitled as _____ (victim's position, see note) of _____ (victim's county or agency, see note).

NOTE: The defendant under CR 3-703 can be any officer or employee of the State of Maryland, any of its counties or Baltimore City, a municipality, or any bi county or multi county agency. The victim can be any officer or employee of any of these, or any person employed in any way in work financed in whole or in part by any of these.

Effective 10/1/2016

CR 3-704(a)
MISDEMEANOR
$10,000.00 - 10 YEARS

1_1701

****EXTORT INT/SLANDER****

...[did/did threaten to] falsely accuse _____ (victim) of _____ (brief statement of accusation), which, if true, would tend to bring said person into disrepute and contempt, with the intent to extort [money/property/labor/services/anything of value] from said person.

CR 3-705(a)(1)
FELONY
10 YEARS
PRELIMINARY HEARING

1_1702

****VERBAL EXTORTION/THRT SLANDER****

...did verbally threaten to accuse ____ (name) of _____ (accusation) which, if true, would bring _____ (name) into contempt and disrepute, with the intent to extort and gain [money/property/labor/services/anything of value] from said person.

Effective 10/1/2016

Extortion Verbal Threat

CR 3-705(a)(2)
FELONY
$10,000.00 - 10 YEARS
PRELIMINARY HEARING

1_1704

****VERBAL EXTORTION/THRT INJURY****

...did verbally threaten _____ (name of victim) with injury to the person and property of _____ (name of victim or third party) with the intent to extort and gain [money/property/labor/services/anything of value] from said person.

Effective 10/1/2016

THREATS & THREATENING LETTERS

Sending, Delivering, etc For Extortion or To State Official

CR 3-706(b)(1)
FELONY
$10,000.00 - 10 YEARS
PRELIMINARY HEARING

1_1705

****PRINT EXTORT THREAT/OF CRIME****

...did knowingly [send/deliver/make for the purpose of being sent/did part with the possession of] a letter and writing to _____ (name) threatening to accuse said person of _____ (indictable crime) with the intent to extort and gain money, goods and chattels from said person.

CR 3-706(b)(1)
FELONY
$10,000.00 - 10 YEARS
PRELIMINARY HEARING

1_1706

****PRINT EXTORT THREAT/OF LIBEL****

…did , with intent to unlawfully extort [money/property/a thing of value to wit: ____] from ____(name), knowingly [send/deliver/make for the purpose of being sent/make for the purpose of being delivered] and part with the possession of, a writing threatening to accuse said person of [a crime/a thing], that if true, would bring the person into [contempt/disrepute].

Effective 10/1/2016

CR 3-706(b)(2)
FELONY
$10,000.00 - 10 YEARS
PRELIMINARY HEARING

1_1707

****THREATS-SEND/DELIVER-INJURY****

… did , with intent to unlawfully extort [money/property/a thing of value to wit: ____] from ____(name), knowingly [send/deliver/make for the purpose of being sent/make for the purpose of being delivered] and part with the possession of, a writing threatening to [cause physical injury to/inflict emotional distress upon/cause economic damage to/cause damage to the property of] said person.

Coercing/Intimidating Another Contribute/Donate

CR 3-707
MISDEMEANOR
$100.00 - 90 DAYS

1_2100

****THREAT OR COERCE TO DONATE****

...did engage in _____ (describe activity) solely to [coerce/intimidate] _____ (name) to [contribute/donate] [goods/materials/services/ monies] to _____ a [social/economic/political] [organization/association].

NOTE: For the purpose of this section, "extortion" means the wrongful obtaining of the property from another with his consent, which consent was obtained under color or pretence of office, or under color of official right, or by wrongful use of actual or threatened force or violence.

Effective 10/1/2016

Against State Officials To Injure, Kidnap Kill

CR 3-708(b)
MISDEMEANOR
$2,500.00 - 3 YEARS

1_0477

****THREAT/ST OFFICIAL/TO INJURE****

...did knowingly and wilfully make a threat to [take the life of/ kidnap/cause bodily injury] to [a State Official/a Local Official/a Deputy State's Attorney/an Assistant State's Attorney/an Assistant Public Defender] to wit: _____(name).

CR 3-708(c)
MISDEMEANOR
$2,500.00 - 3 YEARS

1_0478

****THREAT/ST OFFICIAL/SENT****

...did knowingly [send/deliver/part with/make for the purpose of sending/make for the purpose of delivering] a threat to [take the life of/kidnap/cause bodily injury] to ____ (name), [a State Official/a Local Official/a Deputy State's Attorney/an Assistant State's Attorney/an Assistant Public Defender].

NOTE: "State Official" means a member or member-elect of the General Assembly, a judge or judge-elect of a court created by Article IV, 1232 or a constitutional officer, District Court Commissioner, masters, examiners, auditors, or officer-elect in an executive agency of the State government.

"Local Official" means an individual serving in a publicly elected office of a local government unit (county; municipal corporation; special district established by State law; special district that is established by a county; or an office, board, or department that is established by State law). See Section 10-101(d) of the State Government Article.

"State Official" includes the Governor, Governor-elect, Lieutenant Governor, and Lieutenant Governor-elect.

NOTE: "Threat" includes a oral threat or a threat in any written form, whether or not the writing is signed, or if it is signed whether or not the writing is signed with a fictitious name or any other mark.

Effective 10/1/2016

HARASSMENT AND STALKING

Stalking

CR 3-802(b)
MISDEMEANOR
$5,000.00 - 5 YEARS

1_6525

****STALKING****

...did engage in stalking _____ (name of person).

NOTE: See CR 3-802 for conduct that does not apply.

NOTE: "Course of conduct" means a persistent pattern of conduct, composed of a series of acts over a period of time, that evidences a continuity of purpose.

"Stalking" means a malicious course of conduct that includes approaching or pursuing another person where

1. a person intends to place or knows or reasonably should have known the conduct would place another in reasonable fear of:

I. serious bodily injury;

II. assault in any degree;

III. rape or sexual offense as defined by CR 3-303 through 3-308, or attempted rape or sexual offense in any degree;

IV. false imprisonment; or

V. death; or

That a third person likely will suffer any of the acts listed above; or

2. The person intends to cause or knows or reasonably should have known that the conduct would cause serious emotional distress to another.

(Note for charge 1-6525 continued on page 93)

Effective 10/1/2016

NOTE: A police officer may arrest a person without a warrant if the police officer has probable cause to believe a stalking has been committed, the police officer has reason to believe that the alleged stalking victim or a third person is in danger of imminent bodily harm or death and the probable cause is supported by credible evidence other than statements of the alleged stalking victim. An officer may also arrest a person without a warrant if so authorized by CP 2-202.

NOTE: Under CP 5-201, if a defendant is charged with stalking under CR 3-802(b) and is released pretrial, the court or district court commissioner shall consider including as a condition of release reasonable protection for the safety of the alleged victim.

Harassment

CR 3-803
MISDEMEANOR
$500.00 - 90 DAYS

1_0191

****HARASS; A COURSE OF CONDUCT****

...did without a legal purpose, maliciously engage in a course of conduct that [alarmed/seriously annoyed] _____ (victim), with intent to [harass/alarm/annoy] _____ (victim), after [warning/request] to desist.

NOTE: In this section, "course of conduct" means a persistent pattern of conduct, composed of a series of acts over a period of time, that evidences a continuity of purpose.

This section does not apply to any peaceable activity intended to express political views or provide information to others.

The request to desist can be made by the victim or someone acting on behalf of the victim.

Subsequent offense carries a maximum of 180 days and/or a fine not exceeding $1,000.

Effective 10/1/2016

CR 3-803
MISDEMEANOR
$500.00 - 90 DAYS

1_5406

****HARASS FOL. ANOTH W/INT TO****

...did without a legal purpose, follow ____ (victim) [in/about] _____, a public place, with the intent to [harass/alarm/annoy] _____(victim) after [warning/request] to desist.

NOTE: Subsequent offense carries a maximum of 180 days and/or a fine not exceeding $1,000.

TELEPHONE MISUSE

Unlawful Use

CR 3-804(a)(1)
MISDEMEANOR
$500.00 - 3 YEARS

1_5309

****TEL MISUSE: SINGLE CALL****

...did use telephone [facilities/equipment] for an anonymous call in a manner to [annoy/abuse/torment/harass/ embarrass] ____, (victim).

NOTE: This language is to be used for a single call (other than an obscene call, see below) in which the caller failed or refused to identify himself or herself. In order for probable cause to be found, the facts must indicate some method by which the caller was identified.

Effective 10/1/2016

CR 3-804(a)(2)
MISDEMEANOR
$500.00 - 3 YEARS

1_0340

****TEL MISUSE: REPEAT CALLS****

...did use telephone [facilities/equipment] for repeated calls, with intent to [annoy/abuse/torment/harass/embarrass] _____ (victim).

NOTE: This language is to be used for multiple calls (other than obscene calls, see below) whether anonymous or otherwise. If anonymous, in order for probable casue to be found, the facts must indicate some method by which the caller was identified.

CR 3-804(a)(3)
MISDEMEANOR
$500.00 - 3 YEARS

1_0341

****TEL MISUSE: OBSCENE****

...did use telephone [facilities/equipment] for [comment/request/ suggestion/proposal which] was [obscene/lewd/lascivious/filthy/indecent] to ____ (victim).

NOTE: This language is to be used for obscene calls, single or multiple, whether or not anonymous, If anonymous, in order for probable cause to be found, the facts must indicate some method by which the caller was identified.

Effective 10/1/2016

CR 3-805
MISDEMEANOR
$500.00 - 1 YEAR

2_1135

****ELEC MAIL HARASS****

… did without legal purpose, maliciously engage in a course of conduct, through the use of electronic communication that [alarmed/seriously annoyed] _____ (name) with the intent to [harass/alarm/annoy] ____(name), after receiving a reasonable [warning/request to stop] by _____(name) [for/ on behalf of] [himself/herself/another to wit: _____].

NOTE: To find probable cause under this section, the statement of probable cause must include some indication that the named person or persons actually received the electronic mail. The sender may be charged where the e-mail was sent or received.

CR 3-805 (b)(2)
MISDEMEANOR
$500.00 - 1 YEAR

1_0653

****ELEC MAIL HARASS-MINOR****

...did use an interactive computer service to maliciously engage in a course of conduct that [inflicted serious emotional distress on a minor_____(name)/placed a minor _____(name) in reasonable fear of death/placed a minor _____(name) in reasonable fear of serious bodily injury] with the intent to [kill the minor/injure the minor/harass the minor/cause serious emotional distress to the minor/place the minor in reasonable fear of death/place the minor in reasonable fear of serious bodily injury.

CR 3-806
MISDEMEANOR
$500.00

2_0070

****LASER POINTERS - PROHIBITED****

...did knowingly use a laser pointer to illuminate in a public place _____(name) in a manner that [harassed/endangered] the said _____.

NOTE: Laser pointer is defined as any device that emits light amplified by the stimulated emission of radiation that is visible to the human eye.

NOTE: This section does not apply to the use of a laser pointer: (1) for educational purposes by individuals engaged in an organized meeting or training class; or (2) during the normal course of work or trade activities.

Effective 10/1/2016

CR 3-807(c)
MISDEMEANOR
$2,500.00 – 3 YEARS

1_1001

****LASER POINTERS - AIRPLANE****

...did knowingly and willfully [shine/point/focus] the beam of a laser pointer on an individual operating an aircraft.

NOTE: Does not apply to the use of a laser pointer by those listed in CR 3-806(b).

NOTE: Laser pointer defined in CR 3-806(a).

CR 3-809
MISDEMEANOR
$5,000.00 - 2 YEARS

1_1326

****PLACE INTIMATE/SEX IMAGE INTERNET ****

...did intentionally cause serious emotional distress to _____(name) by intentionally placing on the internet an identifiable [photograph/film/videotape/recording/reproduction of an image] with said [person's intimate parts exposed/ person engaged in an act of sexual contact], while knowing that said person did not consent to the placement of the image on the internet and under circumstances in which the other person had a reasonable expectation that the image would be kept private.

NOTE: "Intimate parts" include naked genitals, pubic area, buttocks, or female nipple.

NOTE: "Sexual contact" means sexual intercourse, including genital-genital, oral-genital, anal-genital, oral-anal, whether between persons of the same or opposite sex.

NOTE: This charge does not apply to:

1. lawful and common practices of law enforcement, the reporting of unlawful conduct, or legal proceedings.
2. situations involving voluntary exposure in public or commercial settings; or

Effective 10/1/2016

VISUAL SURVEILLANCE

Private Place

CR 3-901(c)
MISDEMEANOR
$1,000.00 - 30 DAYS

1_0013

****PEEPING TOM.****

...did [conduct/procure ____ (name) to conduct] visual surveillance of another person in a private place without the consent of that person in that place.

NOTE: See Section for Definitions.

NOTE: This section does not require proof of "prurient intent" as is required in CR 3-902.

Private Place - Prurient Intent

CR 3-902(c)
MISDEMEANOR
$2,500.00 - 1 YEAR

3_5715

****PRIV. PL. - PRURIENT INTENT****

...did, with prurient intent, [conduct/procure _____(name) to conduct] visual surveillance of another person in a private place without the consent of that person in that place.

NOTE: See Section for definitions and exclusions.

NOTE: This Section, unlike CR 3-902, requires "prurient intent" and expands the definition of "private place."

Effective 10/1/2016

Private Residence

CR 3-903(c)
MISDEMEANOR
$2,500.00 - 1 YEAR

1_1759

****CAMERA - PRIVATE RESIDENCE****

...did [place/procure _____(name) to place] a camera on real property on which is located a private residence for the purpose of conducting deliberate surreptitious observations of a person inside said residence.

NOTE: See Section for exclusions.

Legislative Declaration; Unlawful Picketing or Assembly, etc.

CR 3-904(c)
MISDEMEANOR
$100.00 - 90 DAYS

1_5307

****DISTURBANCE DWELLING/PICKET****

...did engage in picketing before and about the residence and dwelling of _____(name) at _____(address).

CR 3-904(c)
MISDEMEANOR
$100.00 - 90 DAYS

1_0345

****DISTURB: DWELLING/ASSEMBLY****

...did intentionally assemble with another person to disrupt the right to tranquillity of _____(name) in his home and dwelling.

NOTE: This section found unconstitutional in State v. Schuller, 280 Md. 305 (1977), but you should not take this into account when determining probable cause.

Effective 10/1/2016

CR 3-905
MISDEMEANOR
$15.00 - 6 DAYS

1_5706

****LETTERS-OPEN W/O PERM****

...did take and break open a letter addressed to _____(name), without [his/her] permission.

CR 3-1001
MISDEMEANOR
$10,000.00 – 10 YEARS

1_1335

****THREAT OF MASS VIOLENCE ****

…did knowingly [threaten to commit/threaten to cause to be commited] a crime of violence under CR 14-101 to wit: _____(describe), that placed others at a substantial risk of [death/serious physical injury] as a result of the threat and five or more people were _____(choose from below)

1. placed in reasonable fear that the crime would be committed.
2. evacuated from a [dwelling/storehouse/public place];
3. required to move to a designated area within a [dwelling/storehouse/public place]; or
4. required to remain in a designated safe area within a [dwelling/storehouse/public place].

NOTE: A person who violates this section may be indicted, prosecuted, tried, and convicted in any county where the threat was received, the threat was made, or the consequences of the threat occurred.

Effective 10/1/2016

CARRYING OR WEARING WEAPON

NOTE: Included in deadly or dangerous weapons are a dirk knife, bowie knife, switchblade knife, star knife, sandclub, metal knuckles, a razor and a nunchaku. Not included are penknives without switchblades, or handguns.

NOTE: As used in this section, a "star knife" is a device used as a throwing weapon, consisting of several sharp or pointed blades arrayed as radially disposed arms about a central disk.

As used in this section, a "nunchaku" is a device consisting of two pieces, wood, metal, plastic, or other like substance connected by any chain, rope, leather or other flexible material not exceeding 24 inches in length.

NOTE: Carrying or wearing chemical mace, pepper mace, or a tear gas device concealed is not made illegal by this section if the defendant is an adult. Carrying such a device openly with intent to injure is charged under CR 4-101. The appropriate choices are provided in the wording below.

NOTE: The possession of pepper mace by a juvenile is a criminal charge under CR 4-101, but does not carry automatic adult jurisdiction.

Concealed Weapon-Carrying Openly W/Intent to Injure, Etc.

CR 4-101(c)
MISDEMEANOR
$1,000.00 - 3 YEARS

2_5200

****MACE/CHEM DEVICE-INT/INJURE****

...did openly wear and carry [chemical mace/pepper mace/ a tear gas device],with the intent and purpose of causing injury to [_____(name)/others] in an unlawful manner.

CR 4-101(c)(1)
MISDEMEANOR
$1,000.00 - 3 YEARS

1_5202

****DANGEROUS WEAPON-CONCEAL****

...did [wear and carry] _____ (state weapon), a dangerous weapon, concealed [on/about] [his/her] person.

CR 4-101(c)(2)
MISDEMEANOR
$1,000.00 - 3 YEARS

1_5200

****DANGEROUS WEAPON-INT/INJURE****

...did openly wear and carry _____ (state weapon), a dangerous weapon, with the intent and purpose of causing injury to [____(name/others] in an unlawful manner.

Effective 10/1/2016

CR 4-102
MISDEMEANOR
$1,000.00 - 3 YEARS

1_5203

****DANGEROUS WPN ON SCHOOL PROP****

...did carry and possess ____ (name or describe weapon) upon public school property located at _____ (address).

NOTE: This section applies to all dangerous weapons in CR 4-101(c) in reference to all firearms, including rifles and handguns.

See CR 4-102(a) for exceptions.

CR 4-103
FELONY
$10,000.00 - 10 YEARS
PRELIMINARY HEARING

1_1460

****DISARM LAW OFFICER****

...did knowingly [remove/attempt to remove] a firearm from the possession of _____ (victim), knowing and having reason to know that said victim was acting within the course and scope of employment and was employed as: (pick one)

1. a law enforcement officer who, in an official capacity is authorized by law to make arrest;
2. a sheriff;
3. a deputy sheriff;
4. an assistant sheriff;
5. an employee of the Division of Correction;
6. an employee of the Patuxtent Institute;
7. an employee of the Division of Pretrial Detention and Services;
8. an employee of the Division of Parole and Probation;
9. an employee of _____ [County Jail/ Detention Center];
10. an employee of a booking facility, to wit: ____ (name facility).

Effective 10/1/2016

CR 4-104
MISDEMEANOR
$1,000.00

2_0239

****FIREARMS-ACCESS BY MINORS****

...did store and leave a loaded firearm in a location where _____ (name of defendant) [knew/should have known] that an unsupervised minor under 16 years of age would gain access to the firearm.

NOTE: Firearm means pistol, revolver, rifle, shotgun, short-barreled rifle, short-barreled shot gun or any firearm except antique firearms as defined by Art. 27, Sec. 36F.

"Minor" means an individual under the age of 16.

NOTE: Section does not apply if:

1. Minor's access supervised by person 18 years or older;

2. Minor's access obtained as result of unlawful entry;

3. Firearm in possession or control of law enforcement officer engaged in official duties;

4. Minor has certificate of firearm and hunter safety as set forth in section 10-301.1 of Natural Resources Article.

Effective 10/1/2016

Sale, etc. Unlawful

CR 4-105(a)(1)(2)
MISDEMEANOR
$500.00 - 12 MONTHS

1_5214

****KNIFE SALE ETC SWITCHBLADE****

...did [sell/barter/display/offer to sell/offer to barter] a [switch blade knife/shooting knife].

NOTE: See CR 4-105(b) regarding minimum penalty of $50.

NOTE: A switchblade knife is one which opens automatically by hand pressure applied to a button, spring or other device in the handle.

A "shooting knife" is a device designed to propel a knife from a metal sheath by means of a high-compression ejector spring.

CR 4-106
MISDEMEANOR
$5,000.00 - 5 YEARS

1_1450

****WEAR BULLETPROOF ARMOR****

...did wear bulletproof body armor in the commission of a [crime of violence/drug trafficking crime] as defined in [CR 14-101/CR 5-621A], Annotated Code of Maryland, to wit: _____.

Effective 10/1/2016

CR 4-107(a)
MISDEMEANOR
$5,000.00 - 5 YEARS

1_1449

****POSS BULLETPROOF ARMOR****

...did [use/possess/purchase] bulletbroof body armor after a previous conviction of a [crime of violence/drug trafficking crime] and does not hold a valid permit.

CR 4-109(b)
MISDEMEANOR
$500.00 – 2 Months

1_0595

****POSS ELEC CTRL DEVICE****

...did [possess/use] an electronic control device after being convicted of a violation of [CR 5-602/CR 5-603/CR 5-604/CR 5-605/CR 5-606/CR 5-613/CR 5-614/a crime of violence.]

Effective 10/1/2016

CR 4-109(e)(2)
FELONY
$5,000.00 – 3 YEARS
PRELIMINARY HEARING

1_0596

****USE ELEC CTRL DEVICE – CRIME OF VIOL****

...did commit a crime of violence to wit: _____, while [in possession of/using] an electronic control device and after being convicted of a violation of [CR 5-602/CR 5-603/CR 5-604/CR 5-605/CR 5-606/CR 5-613/CR 5-614/a crime of violence].

CR 4-110
MISDEMEANOR
$5,000.00 - 5 YEARS

1_1284

****RES FIREARM AMMO–CRM VIOLNCE****

... did during and in relation to the commission of a crime of violence to wit: ____(describe), [possess/use] restricted firearm ammunition.

NOTE: See CR 4-110 (a) for definition of restricted firearm ammunition.

NOTE: See CR 14-101 for definition of crime of violence.

Effective 10/1/2016

HANDGUNS

CR 4-203
MISDEMEANOR
(PENALTY SEC. 4-203 (c)
SEE NOTE: PENALTIES

1_0175

****HANDGUN IN VEHICLE****

...did wear, carry and knowingly transport a handgun in a vehicle upon the public roads, highways, waterways, airways and parking lots generally used by the public.

NOTE: See 4-203(b) for exceptions.

NOTE: Refer to CR 4-203(c) for appropriate penalty, including reference for subsequent convictions and or school property.

Penalty - (See statute for additional information - enhanced penalty for subsequent conviction.)

NOTE: If the person has not been previously convicted under CR 4-101 or CR 4-102 or CR 4-103 or CR 4-104:

The person is subject to imprisonment for not less than 30 days and not exceeding 3 years or a fine of not less than $250 and not exceeding $2,500 or both; or if the person violates CR 4-203(a)(1)(iii) - (while on the property of a public school in the State) the person shall be sentenced to imprisonment for not less than 90 days; or if the person violates CR 4-203(a)(1)(iv) - (with the deliberate purpose of injuring or killing another person) the person is subject to imprisonment for not less than 5 years and not exceeding 10 years.

Effective 10/1/2016

CR 4-203
MISDEMEANOR
SEE NOTE: PENALTIES

1_5212

****HANDGUN ON PERSON****

...did wear, carry and transport a handgun upon and about their person.

NOTE: See 4-203(b) for exceptions.

CR 4-204 (b)
MISDEMEANOR
SEE NOTE: PENALTIES
SUB. CONVICTION,
ENHANCED PENALTY

1_5299

****FIREARM USE/FEL-VIOL CRIME****

...did use a firearm in the commission of a [felony/crime of violence].

NOTE: See CR 4-204(a) for definition of “firearm”.

NOTE: Any felony will suffice to satisfy this statute. A "crime of violence" is defined in PS 5-101 or any felony and includes the common-law attempts at such crimes, and 1st & 2nd degree assault.

NOTE: To find probable cause under this section, the handgun must have been used in a felony or crime of violence as defined.

NOTE: Use in commission of felony or crime of violence under PS 5-101 or any felony whether the firearm is operable or inoperable at the time of the crime;

(Note for charge 1-5299 continued on page 109)

Effective 10/1/2016

a. First offense, 5 to 20 years, 5 years mandatory. No parole for 5 years.

b. Second or subsequent offense, 5 to 20 years, 5 years minimum consecutive sentence with any other sentence imposed for the crime of violence or felony.

NOTE: PS 5-101 defines "crime of violence" as meaning:

1. Abduction;

2. Arson in the first degree;

3. Assault in the first or second degree;

4. Burglary in the first, second or third degree;

5. Carjacking and armed carjacking;

6. Escape in the first degree;

7. Kidnapping;

8. Voluntary manslaughter;

9. Maiming as previously proscribed under Art. 27-386;

10. Mayhem as previously proscribed under Art. 27-384;

11. Murder in the first or second degree;

12. Rape in the first or second degree;

13. Robbery;

14. Robbery with a dangerous weapon;

15. Sexual offense in the first, second or third degree;

16. An attempt to commit any of the crimes listed in 1-15;

17. Assault with intent to commit any of the crimes listed in 1-15; of the sub-section; or

18. A crime punishable by imprisonment for more than 1 year.

NOTE: Crimes of violence carrying mandatory sentences are also defined in CR 14-101(a).

Effective 10/1/2016

FIREARMS

Demonstration in Public Place

CR 4-208(a)(1)
MISDEMEANOR
$1,000.00 - 1 YEAR

3_5299

****FIREARM DEMONST PUB PLACE****

...did have on and about [his/her] person a firearm [at a demonstration in a public place/in a vehicle within 1000 feet of a demonstration in a public place] after being told by a law enforcement officer that a demonstration was occurring at the public place and being ordered by the law enforcement officer to leave the area of the demonstration.

NOTE: Law enforcement officers excepted.

CR 4-303
(PENALTY SEC. CR 4-306)
MISDEMEANOR
$5,000.00-3 YEARS

3_5250

****ASSAULT WEAPON POSS/SELL****

…did unlawfully [possess in/sell in/offer to sell in/transfer in/purchase in/receive in/transport into] Maryland, an assault weapon, to wit: _____ (describe weapon).

Note: See CR 4-303(b) for exceptions.

Note: An assault weapon includes an assault long gun, an assault pistol, or a copy cat weapon. See CR 4-301 for definitions and list of applicable firearms.

Effective 10/1/2016

CR 4-305
PENALTY CR 4-306
MISDEMEANOR
$5,000.00 - 3 YEARS

3_5255

****DETACH MAG OVER 10 RNDS****

...did unlawfully [manufacture/sell/offer for sale/purchase/ receive/transfer] a detachable magazine with a capacity of more than 10 rounds of ammunition.

Note: See CR 4-305(a) for exceptions.

CR 4-306(b)(1)
MISDEMEANOR
PENALTY - See Notes

3_5260

****ASSAULT WEAPON/ MAG. USE****

...did use [an assault weapon/a magazine with a capacity of more than 10 rounds of ammunition] in the commission of [a felony, to wit: _____/any crime of violence as defined in CR 14-101, to wit: _____].

NOTE: To be charged under this section, the weapon must be an assault weapon as defined in CR 4-301.

NOTE: Subsequent Offense Penalties:

1. 1st Offense: 5 to 20 years (minimum 5 years, no part suspended.)

2. 2nd or Subsequent Offense: 10 to 20 years (minimum 10 years served consecutively to any other sentence.)

Effective 10/1/2016

Manufacturer's Register; Inspection of Stock

CR 4-403
MISDEMEANOR
$100.00

3_5200

****MCHNGUN: FAIL KEEP REGISTER****

…did as a manufacturer of machine guns, fail to maintain a register of each machine gun [manufactured/handled] containing the information required under CR 4-403(a).

CR 4-403(b)
MISDEMEANOR
$100.00

3_5201

****MCHN GUN: FAIL SHOW REGISTER****

…did, after demand by _____ (name and title of Police Officer, Marshal, or Sheriff) of _____ (county/city), [refuse/fail]to produce for inspection the register of machine guns required to be kept under CR 4-403(a) of the Annotated Code of Maryland.

NOTE: CR 4-403 applies to manufacturers only.

Effective 10/1/2016

Use for Crime

CR 4-404
FELONY
20 YEARS
PRELIMINARY HEARING

2_5299

****MACHINE GUN-USE FOR CRIME****

...did [possess/use] a machine gun in the [perpetration/ attempted perpetration] of a crime of violence, to wit: _____.

NOTE: Machine gun is defined as a weapon, loaded or unloaded, from which more than one shot or bullet may be automatically discharged from a magazine by a single function of the firing device.

Crimes of Violence under CR 4-401 includes perpetration or attempt to perpetrate murder, manslaughter, rape, kidnapping, mayhem, assault in the first degree, robbery under CR 3-402 or 403, burglary in any degree, home invasion, theft, and escape in the first degree.

Effective 10/1/2016

Use for Aggressive Purpose

CR 4-405(a)
MISDEMEANOR
10 YEARS

1_1314

****MACH GUN AGGRESSIVE PURPOSE****

...did possess and use a machine gun, to wit: ____ (describe weapon), for an aggressive and offensive purpose (choose appropriate wording below):

1. in that the said machine gun was not registered as required by CR 4-403 of the Annotated Code of Maryland;

2. in that the said machine gun was on premises not owned or rented by the defendant;

3. in that shells for the said machine gun were found in the immediate vicinity of the said machine gun (see note below);

4. in that the said machine gun was in the possession of an unnaturalized foreign-born person, to wit: _____ (name);

5. in that the said machine gun was in the possession of defendant, who had been previously convicted of a crime of violence, to wit: _____ (name crime);

NOTE: See CR 4-402(b) for exceptions.

NOTE: There is no precise definition of "aggressive" or "offensive" purpose in the statute. In CR 4-405, a machine gun is presumed to be possessed for such a purpose under certain circumstances. These are presented in the first five choices in the above charge. If the machine gun was possessed or used in a crime of violence as defined in CR 4-401, the defendant should be charged under CR 4-404. If the machine gun was possessed or used in the perpetration of any other crime or attempted crime, the defendant should be charged under CR 4-405.

NOTE: Under CR 4-405, if the machine gun was found in close proximity to shells, it does not matter whether the shells were empty or loaded as long as they could be used in that machine gun.

Effective 10/1/2016

DESTRUCTIVE DEVICES

NOTE: The Acts of 1997 revised the laws on explosives to consolidate the law on this subject and to ensure that the creation of any device intended to cause damage to property or injury to persons by way of explosion, fire, or poison is covered by the law. This revision does not prohibit or regulate any materials that are currently legal and commonly used in households and in business. This subheading would apply to such materials only when they are intentionally combined with a delivery system so as to create a destructive capacity for which they were never intended. Items that have legitimate uses become subject to the provisions of this subheading when a person uses them for a criminal purpose.

CR 4-503(a)(1)
FELONY
$250,000.00 - 25 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

1_0720

****DEST DEVICE MAN/POS/DIST****

...did knowingly [manufacture/transport/possess/control/store/sell/distribute/use] _____ a destructive device.

NOTE: See CR 4-503(b)(3) for additional admistrative penalties.

NOTE: "Destructive Device" means explosive, incendiary, or toxic material that has been combined with a delivery or detonating apparatus so as to be capable of inflicting injury to persons or damage to property.

Effective 10/1/2016

CR 4-503(a)(2)
FELONY
$250,000.00 - 25 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

1_0725

****POSS EXPL/INCEND W/INTENT****

...did possess [explosive/incendiary/toxic] material with intent to create a destructive device.

NOTE: "Explosive material" means material which explodes when detonated and has a destructive capability, including: dynamite, ammonium nitrate, natural gas, oxygen cannisters.

"Incendiary material" means a flammable or combustible liquid, and includes gasoline, acetone, benzene, butane, jet fuel, fuel oil, kerosene, and diesel fuel.

"Toxic material" is defined as material which is capable of causing death or serious bodily injury almost immediately on being absorbed through the skin, inhaled, or ingested. It includes nerve gas, mustard gas, cyanide gas, chlorine gas, sulphuric acid, their precursors, and biological substances containing disease organisms. See CR 4-501 for complete definitions and exclusions.

Effective 10/1/2016

Section 5-202 of the Criminal Law Article allows the Maryland Department of Health and Mental Hygiene (the "Department") to add substances to the schedule list of controlled dangerous substances. If a substance is adopted as a controlled dangerous substance by the the Department, it may apply to CDS charges under Title 5 of the Criminal Law Article.

Opiates-Without Prescription Schedule II

CR 5-501
MISDEMEANOR
1ST: $1,000.00
2ND: $2,000.00
MORE THAN 2ND
OFFENSE - 18 MONTHS

1_0031

****CDS OPIATE W/O PRESCRIPT.****

...did dispense a [controlled dangerous substance/controlled dangerous substance analogue] of schedule ____, to wit: ____, without a valid prescription from a duly authorized prescriber in this state.

Effective 10/1/2016

Note: The Commissioner Education Committee advises that no probable cause should be found and persons should not be charged with violations of CR 5-601, 5-619, and 5-620 if ALL of the circumstances specified in CP 1-201(b) and CP 1-201(c) are applicable. Please see below.

CP 1-210(b)
A person who, in good faith, seeks, provides, or assists with the provision of medical assistance for a person reasonably believed to be experiencing a medical emergency after ingesting or using alcohol or drugs shall be immune from criminal arrest, charge, or prosecution for a violation of CR 5-601, 5-619, 5-620, 10-114, 10-116, and 10-117 if the evidence for the criminal arrest, charge, or prosecution was obtained solely as a result of the person's seeking, providing, or assisting with the provision of medical assistance.

CP 1-210(c)
A person who reasonably believes that the person is experiencing a medical emergency after ingesting or using alcohol or drugs shall be immune from criminal arrest, charge, or prosecution for a violation of CR 5-601, 5-619, 5-620, 10-114, 10-116, and 10-117 if the evidence for the criminal arrest, charge, or prosecution was obtained solely as a result of the person seeking or receiving medical assistance.

Effective 10/1/2016

CR 5-601
MISDEMEANOR
$25,000.00 - 4 YEARS

1_0247

****CDS: ADMIN - NOT MARIJUANA****

...did administer to _____ (name) a controlled dangerous substance of schedule ____, to wit: _____.

CR 5-601
MISDEMEANOR
$1,000.00 – 1 YEAR

1_0567

****CDS: ADMINISTER - MARIJUANA****

...did administer to _____ (name) a controlled dangerous substance of schedule ____, to wit: _____.

See note on page 118.

CR 5-601(a)(1)
MISDEMEANOR
$1,000.00 - 1 YEAR

1_0573

****CDS: POSS–MARIJUANA 10 GM+****

...did possess a controlled dangerous substance of Schedule I, to wit: Marijuana, in an amount of _____grams (10 grams or more).

NOTE: Eff 10-1-2014, under CR 5-601.1, possession or use of marijuana under 10 grams is a civil offense and may not be charged criminally.

CR 5-601(a)(1)
MISDEMEANOR
$25,000.00 - 4 YEARS

4_3550

****CDS: POSSESS-NOT MARIJUANA****

...did possess a controlled dangerous substance of schedule _____, to wit: _____.

Effective 10/1/2016

See note on page 118.

CR 5-601(a)(2)
MISDEMEANOR
$25,000.00 - 4 YEARS

1_0248

****CDS: OBTAIN BY FRAUD****

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: ____/a controlled dangerous substance of Schedule ____, to wit: _____] by fraud, deceit, mispresentation and subterfuge.

CR 5-601(a)(2)
MISDEMEANOR
$1,000.00 - 1 YEAR

1_0568

****OBTAIN MARIJUANA BY FRAUD****

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: ____/a controlled dangerous substance of Schedule ____, to wit:_____] by fraud, deceit, mispresentation and subterfuge.

CR 5-601(a)(2)(ii)
MISDEMEANOR
$25,000.00 - 4 YEARS

1_0249

****CDS OBTN BY ALTER PRESCRIP****

...did [obtain/attempt to obtain] [controlled parapharnalia, to wit: _____/a controlled dangerous substance of Schedule ___, to wit: _____] by [forging/altering] a [prescription/written order].

Effective 10/1/2016

See note on page 118.

CR 5-601(a)(2)(ii)
MISDEMEANOR
$1,000.00 - 1 YEAR

1_0570

****MARIJUANA OBTN BY ALTR PRES****

...did [obtain/attempt to obtain] [controlled parapharnalia, to wit: _____/a controlled dangerous substance of Schedule ___, to wit: _____] by [forging/altering] a [prescription/written order].

Effective 10/1/2016

See note on page 118.

CR 5-601(a)(2)(iii)(iv)
MISDEMEANOR
$25,000.00 - 4 YEARS

1_0250

****CDS OBTN BY CONCEAL FLS ID****

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: ____/a controlled dangerous substance of Schedule ____, to wit: ____] by [the concealment of material facts/the use of a false name and address].

CR 5-601(a)(2)(iii)(iv)
MISDEMEANOR
$1,000.00 - 1 YEAR

1_0571

****OBTN MARIJUANA CONCL FLS ID****

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: ____/a controlled dangerous substance of Schedule ____, to wit: ____] by [the concealment of material facts/the use of a false name and address].

CR 5-601(a)(2)(v)
MISDEMEANOR
$25,000.00 - 4 YEARS

1_0251

****CDS: OBTAIN BY PERSONATION****

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: ____/a controlled dangerous substance of Schedule ____, to wit: _____] by [falsely assuming the title of/representing himself to be] a [manufacturer/distributor/practitioner].

Effective 10/1/2016

See note on page 118.

CR 5-601(a)(2)(v)
MISDEMEANOR
$1,000.00 - 1 YEAR

1_0569

****MARJIUANA OBTN BY PERSONATN****

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: ____/a controlled dangerous substance of Schedule ____, to wit: _____] by [falsely assuming the title of/representing himself to be] a [manufacturer/distributor/practitioner].

CR 5-601(a)(2)(vi)
MISDEMEANOR
$25,000.00 - 4 YEARS

1_0252

****CDS OBTN BY MAKE FRGE PRES****

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: ____/a controlled dangerous substance of Schedule ____, to wit: ____] by [making/uttering] a [false/forged] [prescription/ written order].

NOTE: The wording herein above set out may also be used where one procures or attempts to procure the administration of a controlled dangerous substance or Controlled Paraphernalia by merely substituting the wording "[procure/attempt to procure] the administration", in lieu of "[obtain/attempt to obtain]".Unlawful Possession, etc.; obtain etc. Substance by Fraud, etc.; Forged Labels, etc.

CR 5-602
FELONY
$15,000.00 - 5 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

1_0233

****CDS POSS W/INT TO DIST****

...did unlawfully possess a [controlled dangerous substance/controlled dangerous substance analogue] of schedule ____, to wit: ____ in sufficient quantity to indicate an intent to distribute the same.

NOTE: DO NOT USE FOR SCHEDULE I OR SCHEDULE II NARCOTICS (I.E., CRACK, COCAINE), LSD OR PCP.

Effective 10/1/2016

CR 5-602
PENALTY SECTION 5-609
FELONY
$20,000.00 - 20 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

1_0696

****CDS: DIST-PCP/LSD****

...did unlawfully distribute to _____(name) a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule _____, to wit: _____ . (See List Below)

NOTE: USE THIS CODE FOR PCP OR LSD. DO NOT USE FOR NARCOTICS OR OTHER CDS.

SCHEDULE II:

1. Phencyclidine
2. 1-[-phenylcyclohexyl] piperidine
3. 1-phenylcyclohexyla-mine
4. 1-piperidinocyclhexanecarbonitrile

SCHEDULE I:

1. N-ethyl-1-phenylcyolohexylamine
2. 1-[1-phenylcyclohexy]-pyrrolidine
3. 1-[1-[2-thienyl]-cyclohexy]piperidine
4. Lysergic Acid Diethylamide

Effective 10/1/2016

CR 5-602
FELONY
PENALTY SECTION 5-609
$20,000.00 - 20 YEARS
PRELIMINARY HEARING

2_0233

****CDS: POS W/I DIST: PCP/LSD****

...did possess a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule _____, to wit: _____ in sufficient quantity to indicate an intent to distribute the same.

NOTE: USE THIS CODE FOR SCHEDULE I AND II PCP OR LSD. DO NOT USE FOR NARCOTICS (I.E., CRACK, COCAINE) OR OTHER CDS.

CR 5-602
FELONY
$15,000.00 - 5 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

2_3550

****CDS DIST - OTHER****

...did unlawfully distribute to ____(name) a [controlled dangerous substance/controlled dangerous substance analogue] of schedule ____, to wit: ____.

NOTE: DO NOT USE FOR NARCOTICS (I.E., CRACK, COCAINE), LSD OR PCP.

Effective 10/1/2016

CR 5-602(1)
FELONY
$25,000.00 - 20 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

2_0696

****CDS DIST-NARC****

...did unlawfully distribute to ____ a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule ____, to wit: _____, a [narcotic drug/narcotic drug analogue].

NOTE: USE THIS CODE FOR SCHEDULE I OR SCHEDULE II NARCOTICS (I.E., CRACK, COCAINE). DO NOT USE FOR OTHER CDS, LSD, OR PCP.

NOTE: See CR 5-608 for enhanced penalties.

CR 5-602(2)
FELONY
$25,000.00 - 20 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

3_0233

****CDS: POSS W/I DIST: NARC****

...did unlawfully possess a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule ____, to wit: _____, a [narcotic drug/narcotic drug analogue], in sufficient quantity to indicate an intention to distribute same.

NOTE: USE THIS CODE FOR SCHEDULE I AND SCHEDULE II NARCOTICS (I.E., CRACK, COCAINE). DO NOT USE FOR OTHER CDS, LSD, OR PCP.

NOTE: See CR 5-608 for enhanced penalties.

Effective 10/1/2016

CR 5-603
FELONY
$15,000.00 - 5 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

1_0660

****MANUFACTURE CDS ****

...did unlawfully manufacture a controlled dangerous substance to wit: _____(describe).

NOTE: See CR 5-607 for subsequent offense penalties.
NOTE: Do not use for violations involving schedule I or II narcotic drugs listed under CR 5-608 (i.e. crack, cocaine) or certain hallucinogenic substances under CR 5-609 (i.e. LSD or PCP).

CR 5-603
FELONY
$25,000.00 - 20 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

1_0661

****MANUFACTURE CDS - NARCOTIC ****

...did unlawfully manufacture a controlled dangerous substance to wit: _____(describe).

NOTE: USE THIS CODE FOR SCHEDULE I OR II NARCOTICS (I.E., CRACK, COCAINE). DO NOT USE FOR OTHER CDS, LSD, OR PCP.

NOTE: See CR 5-608 for enhanced penalties.

Effective 10/1/2016

CR 5-603
FELONY
PENALTY SECTION 5-609
$20,000.00 - 20 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

1_0662

****MANUFACTURE CDS - PCP/LSD ****

...did unlawfully manufacture a controlled dangerous substance to wit: _____(describe).

NOTE: See CR 5-609 for applicable hallucinogenic substances and subsequent offenses.

NOTE: USE THIS CODE FOR PCP OR LSD. DO NOT USE FOR NARCOTICS (I.E., CRACK, COCAINE) OR OTHER CDS.

CR 5-603
FELONY
$15,000.00 - 5 YEARS
PRELIMINARY HEARING

1_0237

****CDS: PRODUCTION EQUIPMENT****

...did unlawfully [manufacture/distribute/possess] _____ (describe equipment) adopted for the production of a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule _____ , to wit: ____, under circumstances reasonably indicating an intention to use same to produce such [controlled dangerous substance/controlled dangerous substance analogue].

NOTE: DO NOT USE FOR SCHEDULE I OR II NARCOTICS (I.E., CRACK, COCAINE), LSD OR PCP.

Effective 10/1/2016

CR 5-603
PENALTY SECTION 5-609
FELONY
$20,000.00 - 20 YEARS
PRELIMINARY HEARING

2_0237

****CDS: PROD EQUIP: PCP/LSD****

...did unlawfully [manufacture/ distribute/possess] _____ (describe equipment) adopted for the production of a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule _____, to wit: _____ under circumstances reasonably indicating an intention to produce the same.

NOTE: USE THIS CODE FOR PCP OR LSD. DO NOT USE FOR NARCOTICS (I.E., CRACK, COCAINE) OR OTHER CDS.

CR 5-603
FELONY
$25,000.00 - 20 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

3_0237

****NARC: PRODUCTION EQUIP****

...did unlawfully [manufacture/possess/distribute to _____] a _____ (describe equipment) adopted for the production of a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule ____, to wit: _____, a [narcotic drug/narcotic drug analogue], under circumstances reasonably indicating an intention to use same to produce and distribute the said drug.

NOTE: USE THIS CODE FOR SCHEDULE I OR II NARCOTICS (I.E., CRACK, COCAINE). DO NOT USE FOR OTHER CDS, LSD, OR PCP.

NOTE: See CR 5-608 for enhanced penalties.

Effective 10/1/2016

CR 5-604
FELONY
$15,000.00 - 5 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

1_0234

****CDS/COUNTRFT CREATE/DISTR****

...did [create/distribute to] ____(name) a counterfeit controlled dangerous substance of schedule ____, to wit: ____.

CR 5-604
FELONY
$15,000.00 - 5 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

1_0235

****CDS/COUNTRFT POS W/INT DIS****

...did possess with intent to distribute a counterfeit controlled dangerous substance of schedule ____, to wit: ____.

Effective 10/1/2016

CR 5-604
FELONY
$15,000.00 - 5 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

1_0236

****CDS/COUNTERFEIT: EQUIPMENT****

…did [manufacture/distribute/possess] equipment that is designed to [print/imprint/reproduce] an [authentic/imitation] [trademark/trade name/identifying mark/imprint/number/device of ___] onto a [drug/container of a drug/label of a drug] rendering the drug a counterfeit substance.
NOTE: See CR 5-607 for subsequent offense penalties.
NOTE: Do not use for violations involving narcotic drugs listed under CR 5-608 or certain hallucinogenic substances under CR 5-609.
NOTE: All three of the above charges deal with counterfeit controlled dangerous substances, as defined in CR5-604. These are substances that have been made to look like a substance that is legally sold, or to resemble some other manufacturer's product. These sections should not be used to charge a violation dealing with a non-controlled substance which has been made to look like an illegal controlled dangerous substance. That charge is found in CR5-604. See the definitions contained in CR 5-604 if you have questions.

CR 5-604(b)(1)
FELONY
$25,000.00 - 20 YEARS
PRELIMINARY HEARING

3_0234

****CDS: DIST CNTRFT NARC****

...did [create/distribute to ____(name)] a counterfeit controlled dangerous substance of Schedule ____, to wit: _____, a counterfeit of a narcotic drug.

CR 5-604(b)(1)
FELONY
$20,000.00 - 20 YEARS
PRELIMINARY HEARING

1_0933

****CDS: DIST CNTRFT LSD/PCP****

...did [create/distribute to ____(name)] a counterfeit controlled dangerous substance of Schedule ____, to wit: _____.

Effective 10/1/2016

CR 5-604(b)(2)
FELONY
$25,000.00 - 20 YEARS
PRELIMINARY HEARING

3_0235

****NARC/COUNTRFIT POS W/I DIS****

...did possess with intent to distribute a counterfeit controlled dangerous substance of Schedule [I/II] ____, to wit: ____, a counterfeit of a narcotic drug.

CR 5-604(b)(2)
FELONY
$20,000.00 - 20 YEARS
PRELIMINARY HEARING

1_0934

****PCP/LSD/COUNTRFIT POS W/I DIS****

...did possess with intent to distribute a counterfeit controlled dangerous substance of Schedule [I/II] ____, to wit: ____.

CR 5-604(c)
FELONY
$25,000.00 - 20 YEARS
PRELIMINARY HEARING

3_0236

****NARC/COUNTERFIT EQUIPMENT****

...did [manufacture/distribute/possess] ____ (describe equipment) for the purpose of rendering [a drug/a counterfeit of a narcotic drug], a controlled dangerous substance of Schedule _____, to wit: _____.

CR 5-604(c)
FELONY
$20,000.00 - 20 YEARS
PRELIMINARY HEARING

1_0936

****PCP/LSD/COUNTERFIT EQUIPMENT****

...did [manufacture/distribute/possess] ____ (describe equipment) for the purpose of rendering [a drug/a counterfeit of], a controlled dangerous substance of Schedule _____, to wit: _____.

Effective 10/1/2016

CR 5-605
PENALTY SECTION 5-607
FELONY
$15,000.00 - 5 YEARS
PRELIMINARY HEARING

1_0238

****COMM NUIS/ADMINISTER CDS****

...did keep and maintain a common nuisance, to wit: _____ (describe, see note) resorted to by drug abusers for purposes of illegally administering [controlled dangerous substance/controlled dangerous substance analogue].

NOTE: See CR 5-607 for subsequent offense penalties.

NOTE: Do not use for violations involving narcotic drugs listed under CR 5-608 or certain hallucinogenic substances under CR 5-609.

NOTE: A common nuisance can be any building, structure, vessel, vehicle, airplane, or any place whatsoever controlled by the defendant. Give an address if a building, or describe the vehicle, vessel, etc., and its location at the time and date charged.

Effective 10/1/2016

CR 5-605
PENALTY SECTION 5-607
FELONY
$15,000.00 - 5 YEARS
PRELIMINARY HEARING

1_0239

****COMM NUIS/DISTRIB CDS****

...did keep and maintain a common nuisance, to wit: ____ (describe) for the illegal [manufacture/distribution/dispensing/storage/concealment] of a [controlled dangerous substance/controlled dangerous substance analogue/controlled paraphernalia].

NOTE: See CR 5-607 for subsequent offense penalities.

NOTE: Do not use for violaitons involving narcotic drugs listed under CR 5-608 or certain hallucinogenic substances under CR 5-609.

CR 5-605
PENALTY SECTION 5-608
FELONY
$20,000.00 - 20 YEARS
PRELIMINARY HEARING

2_0300

****CDS: COM NUIS: ADMIN PCP/LSD****

...did keep and maintain a common nuisance, to wit: _____ (describe, see note below) resorted to by drug abusers for purposes of illegally administering a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule ____, to wit: _____ .

NOTE: A common nuisance can be any building, structure, vessel, vehicle, airplane, or any place controlled by the defendant. Give an address if a building, or describe the vehicle, vessel, etc., and its location at the time and date charged.

CR 5-605
PENALTY SECTION 5-608
FELONY
$20,000.00 - 20 YEARS
PRELIMINARY HEARING

2_0301

****CDS: COM NUIS: DIST. PCP/LSD****

...did keep and maintain a common nuisance, to wit: ____ (describe, see note above) for the illegal [manufacturing/distribution/dispensing/storage/ concealment] of a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule _____, to wit: _____.

Effective 10/1/2016

CR 5-605(a)(1)
PENALTY SECTION 5-608
FELONY
$25,000.00 - 20 YEARS
PRELIMINARY HEARING

2_0325

****CDS: COM NUIS: ADMIN NARC****

...did keep and maintain a common nuisance, to wit: _____ (describe, see note below), resorted to by drug abusers for purposes of illegally administering a [narcotic controlled dangerous substance/narcotic controlled dangerous substance analogue] of Schedule _____, to wit: _____.

NOTE: A common nuisance can be a building, structure, vessel, vehicle, airplane, or any place whatsoever controlled by defendant. Give an address if a building, or describe the vehicle, vessel, etc., and its location at the time and date charged.

NOTE: See CR 5-608 for enhanced penalties.

Effective 10/1/2016

CR 5-605(a)(2)
PENALTY SECTION 5-608
FELONY
$20,000.00 - 20 YEARS
PRELIMINARY HEARING

2_0330

****CDS: COM NUIS: DIST. NARC****

...did keep and maintain a common nuisance, to wit: ____ (describe, see note above), for the illegal [manufacturing/distribution/dispensing/ storage/concealment] of a [narcotic controlled dangerous substance/narcotic controlled dangerous substance analogue] of Schedule _____, to wit: _____.

NOTE: See CR 5-608 for enhanced penalties.

CR 5-612
FELONY
5 YR MANDATORY MIN
NO MAX JAIL TIME IN STATUTE
$100,000.00 Max Fine
NO MAX
PRELIMINARY HEARING
RELEASE RESTRICTION

1_0879

****CDS MANUF - LG AMT****

...did unlawfully manufacture a controlled dangerous substance of Schedule _____, to wit: _____, in the amount of _____. (see note)

NOTE: Substance and unlawful amount must fall under CR 5-612 to charge.

CR 5-612(a) – Unlawful Amounts

1. 50 pounds or more of marijuana;
2. 448 grams or more of cocaine;
3. 448 grams or more of any mixture containing a detectable amount of cocaine;
4. 50 grams or more of cocaine base, commonly known as "crack";
5. 28 grams or more of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium;
6. any mixture containing 28 grams or more of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium;
7. 1,000 dosage units or more of lysergic acid diethylamide;
8. any mixture containing the equivalent of 1,000 dosage units of lysergic acid diethylamide;
9. 16 ounces or more of phencyclidine in liquid form;
10. 448 grams or more of any mixture containing phencyclidine;
11. 448 grams or more of methamphetamine; or
12. any mixture containing 448 grams or more of methamphetamine.

NOTE: For the purpose of determining the quantity of a controlled dangerous substance involved in individual acts of manufacturing, the acts may be aggregated if each of the acts occurred within a 90-day period.

NOTE: A person convicted of this charge faces a mandatory miniumum sentence of 5 years imprisonment and a fine not exceeding $100,000. There is no statutory maximum for imprisonment.

Effective 10/1/2016

CR 5-612
FELONY
5 YR MANDATORY MIN
NO MAX JAIL TIME IN STATUTE
$100,000.00 Max Fine
NO MAX
PRELIMINARY HEARING
RELEASE RESTRICTION

1_0880

****CDS DIST/DISPENSE- LG AMT****

...did unlawfully [distribute/dispense] a controlled dangerous substance of Schedule _____, to wit: _____, in the amount of _____. (see note)

NOTE: Substance and unlawful amount must fall under CR 5-612 to charge.

CR 5-612(a) – Unlawful Amounts

1. 50 pounds or more of marijuana;
2. 448 grams or more of cocaine;
3. 448 grams or more of any mixture containing a detectable amount of cocaine;
4. 50 grams or more of cocaine base, commonly known as "crack";
5. 28 grams or more of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium;
6. any mixture containing 28 grams or more of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium;
7. 1,000 dosage units or more of lysergic acid diethylamide;
8. any mixture containing the equivalent of 1,000 dosage units of lysergic acid diethylamide;
9. 16 ounces or more of phencyclidine in liquid form;
10. 448 grams or more of any mixture containing phencyclidine;
11. 448 grams or more of methamphetamine; or
12. any mixture containing 448 grams or more of methamphetamine.

NOTE: For the purpose of determining the quantity of a controlled dangerous substance involved in individual acts of distributing/dispensing, the acts may be aggregated if each of the acts occurred within a 90-day period.
NOTE: A person convicted of this charge faces a mandatory miniumum sentence of 5 years imprisonment and a fine not exceeding $100,000. There is no statutory maximum for imprisonment.

Effective 10/1/2016

CR 5-612
FELONY
5 YR MANDATORY MIN
NO MAX JAIL TIME IN STATUTE
$100,000.00 Max Fine
NO MAX
PRELIMINARY HEARING RELEASE RESTRICTION

1_0881

****CDS POSSESS - LG AMT****

...did unlawfully possess a controlled dangerous substance of Schedule _____, to wit: _____, in the amount of _____. (see note)

NOTE: Substance and unlawful amount must fall under CR 5-612 to charge.

CR 5-612(a) – Unlawful Amounts

1. 50 pounds or more of marijuana;
2. 448 grams or more of cocaine;
3. 448 grams or more of any mixture containing a detectable amount of cocaine;
4. 50 grams or more of cocaine base, commonly known as "crack";
5. 28 grams or more of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium;
6. any mixture containing 28 grams or more of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium;
7. 1,000 dosage units or more of lysergic acid diethylamide;
8. any mixture containing the equivalent of 1,000 dosage units of lysergic acid diethylamide;
9. 16 ounces or more of phencyclidine in liquid form;
10. 448 grams or more of any mixture containing phencyclidine;
11. 448 grams or more of methamphetamine; or
12. any mixture containing 448 grams or more of methamphetamine.

NOTE: For the purpose of determining the quantity of a controlled dangerous substance involved in individual acts of possession, the acts may be aggregated if each of the acts occurred within a 90-day period.
NOTE: A person convicted of this charge faces a mandatory miniumum sentence of 5 years imprisonment and a fine not exceeding $100,000. There is no statutory maximum for imprisonment.

Effective 10/1/2016

Controlled Dangerous Substance Drug Kingpin

CR 5-613
FELONY
$1,000,000.00 20-40 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

1_0488

****CDS-DRUG KINGPIN****

...did as an [organizer/supervisor/financier/manager] in a consiracy with ___, to [manufacture/distribute/bring into the State/transport into the State] a controlled dangerous substance of Schedule ___to wit:___, in the amount of ____(see note).

NOTE: The type of CDS and the amount must equal one or more of the types and amounts set out in CR 5-613. The amount may be calculated on the basis of the aggregate amount of CDS involved in the conspiracy within a 90 day period.

NOTE: A District Court Commissioner may not authorize the pre-trial release of a defendant charged as a drug kingpin under this section.

Effective 10/1/2016

Controlled Dangerous Substance Bring Into State

CR 5-614
FELONY
$50,000.00 - 25 YEARS
PRELIMINARY HEARING

3_3550

****CDS: IMPORT INTO STATE****

...did unlawfully bring into this State (choose one):

[at least 45 kilograms of marijuana, a controlled dangerous substance of Schedule I./ at least 28 grams of cocaine, a controlled dangerous substance of Schedule II./ a mixture containing at least 28 grams of cocaine, a controlled dangerous substance of Schedule II./ at least 4 grams of [morphine/opium], a controlled dangerous substance of Schedule I./ at least 4 grams of a [derivative/salt/isomer/salt of an isomer] of [morphine/ opium] a controlled dangerous substance of Schedule I./ at least 1000 dosage units of Lysergic Acid Diethylamide, a controlled dangerous substance of Schedule I./ a mixture containing the equivalent of at least 1000 dosage units of lysergic acid diethylamide, a controlled dangerous substance of Schedule I./at least 28 grams of phencyclidine, a controlled dangerous substance of Schedule II./ at least 112 grams of a mixture containing phencyclidine, a controlled dangerous substance of Schedule II./at least 1000 dosage units of methaqualone, a controlled dangerous substance of Schedule I./ at least 28 grams of methamphetamine,a controlled dangerous substance of Schedule II./ a mixture containing at least 28 grams of methamphetamine, a controlled dangerous substance of Schedule II./ at least 4 grams of [fentanyl /fentanyl analogue] a controlled dangerous substance of Schedule II.]

Effective 10/1/2016

CR 5-614(b)
FELONY
$10,000.00 - 10 YEARS
PRELIMINARY HEARING

1_0730

****CDS: IMPORT 5 - 45 KILO MARI****

...did unlawfully bring into this state at least five kilograms, and less than 45 kilograms of marijuana.

Effective 10/1/2016

Noncontrolled Substances Distribution

CR 5-617
FELONY
$15,000.00 - 5 YEARS
PRELIMINARY HEARING

1_0246

****FAKE CDS: DIST/POSS W/I DIST****

...did [distribute to _____/ attempt to distribute to _____/ possess with the intent to distribute] a non-controlled substance [represented to be a controlled dangerous substance of Schedule _____, to wit: _____/intended for use and distribution as a controlled dangerous substance of Schedule ____, to wit: _____/under circumstances where one reasonably should know that the said substance would be used and distributed for use as a controlled dangerous substance of Schedule____, to wit: _____].

Effective 10/1/2016

CR 5-618
MISDEMEANOR
$500.00 - 1 YEAR

1_0691

****CDS POS/PUR NONCONT SUBST****

...did [possess/purchase] a noncontrolled substance reasonably believed to be a controlled dangerous substance.

NOTE: "Elements"

Noncontrolled substance packaged in a manner normally used for illegal distribution of controlled dangerous substance.

Noncontrolled substance purchased and amount of consideration was substantially greater than the reasonable value of the non controlled substance.

Physical appearance or noncontrolled substance substantially identical to that of a controlled dangerous substance.

Effective 10/1/2016

See note on page 118.

Controlled Dangerous Substance Paraphernalia/Use or Possession W/Intent to Use - Deliver/Sell, Etc. - Delivery to Minor -Advertise

CR 5-619(c)(2)
MISDEMEANOR
$500.00
SUB. OFFENSE
$2,000.00 - 2 YEARS

5_3550

****CDS: POSS PARAPHERNALIA****

...did [use/possess with intent to use] drug paraphernalia, to wit: _____ (describe paraphernalia), used to [plant/propagate/cultivate/grow/harvest/manufacture/ compound/convert/produce/process/prepare/test/analyze/pack/r epack/store/contain/conceal/inject/ingest/inhale/ introduce into the human body by _____ (describe method)] a controlled dangerous substance of Schedule _____, to wit: _____.

Note: Effective 2-20-2016, this charge **DOES NOT** apply to the use or possession of drug paraphernalia involving the use or possession of marijuana under CR 5-619 (c)(1).

CR 5-619(d)(1)
MISDEMEANOR
$500.00
SUB. OFFENSE
$2,000.00 - 2 YEARS

6_3550

****CDS: DIST PARAPHERNALIA****

...did [deliver and sell to ____/ possess with the intent to deliver and sell/manufacture with the intent to deliver and sell] drug paraphernalia, to wit: ____ (describe paraphernalia) [knowing/under circumstances where one reasonably should know] that the said paraphernalia would be used to [plant/propagate/cultivate/grow/harvest/manufacture/compound /convert/produce/process/prepare/test/analyze/pack/repack/store /contain/conceal/inject/ ingest/inhale/introduce into the human body by _____ (describe method)] a controlled dangerous substance of Schedule ____, to wit: _____.

Effective 10/1/2016

See note on page 118.

CR 5-619(d)(4)
MISDEMEANOR
$15,000.00 - 8 YEARS

7_3550

****CDS PARA-DELIVERY TO MINOR****

...did, being 18 years of age or over, deliver to ____ (name), a person under 18 years of age and at least 3 years his junior, drug paraphernalia to wit: ___ [knowing/under circumstances where one reasonably should know] that it would be used to [plant/propagate/cultivate/grow/harvest/manufacture/compound/convert/produce/process/prepare/test/analyze/pack/repack/store/contain/conceal/ inject/ingest/inhale/introduce into the human body by ____ (describe)] a controlled dangerous substance of Schedule _____, to wit: _____.

CR 5-619(e)
MISDEMEANOR
$500.00
SUB. OFFENSE
$2,000.00 - 2 YEARS

9_0082

****CDS PARA-ADVERTISE****

...did unlawfully advertise [by sound truck/in ____(describe publication)] [knowing/under circumstances where one reasonably should know] that a purpose of the advertisement was to promote the sale and delivery of drug paraphernalia as described in CR 5-619(e).

Effective 10/1/2016

See note on page 118.

CR 5-620
MISDEMEANOR
$25,000.00 - 4 YEARS

1_0257

****CDS MFG MAT POSS/DIST-NOT MARI****

...did [possess/distribute to _____] controlled paraphernalia, to wit: _____under circumstances to reasonably indicate its use for illegal [manufacture/distribution/ dispensing] of a controlled dangerous substance to wit: _____.

NOTE: Do not use for violations of Marijuana.

CR 5-620
MISDEMEANOR
$1,000.00 – 1 YEAR

1_1287

****CDS MFG MAT POSS/DIST-MARIJUANA****

...did [possess/distribute to _____] controlled paraphernalia, to wit: _____under circumstances to reasonably indicate its use for illegal [manufacture/distribution/ dispensing] of a controlled dangerous substance to wit: Marijuana.

CR 5-620(a)(2)
MISDEMEANOR
$25,000.00 - 4 YEARS

1_0255

****CDS ADMIN EQUIP POSS/DIST****

...did [possess/distribute to ___] controlled paraphernalia to wit:___(describe, see CR 5-101), under circumstances which reasonable indicate an intention to use said controlled paraphernalia for purposes of illegally adminstering a controlled dangerous substance to wit: ___(describe).

NOTE: Do not use for violaitons involving marijuana.

Effective 10/1/2016

See note on page 118.

CR 5-620(a)(2)
MISDEMEANOR
$25,000.00 - 4 YEARS

1_0256

****CDS PACK MATERL POSS/DISTR****

... did [possess/distribute to _____(name)] controlled paraphernalia to wit: _____(describe) under circumstances which reasonably indicate an intention to use the controlled paraphernalia for purposes of illegally administering a controlled dangerous substance.

CR 5-620(a)(2)
MISDEMEANOR
$1,000.00 - 1 YEAR

1_0566

****MARIJUANA PACKING POSS/DIS****

... did [possess/distribute to _____(name)] controlled paraphernalia to wit: _____ under circumstances which reasonably indicate an intention to use the controlled paraphernalia for purposes of illegally administering a controlled dangerous substance to wit: _____Marijuana.

Effective 10/1/2016

CR 5-621(b)(1)
FELONY
20 YEARS
PRELIMINARY HEARING

1_0493

****FIREARM/DRUG TRAF CRIME**

...did, during and in relation to a drug trafficking crime, possess a firearm, to wit: _____, under sufficient circumstances to constitute a nexus to the drug trafficking crime.

NOTE: See CR 5-621(c) for enhanced, minimum, and subsequent offense penalties.

NOTE: The minimum mandatory penalties of this offense are doubled if certain types of firearms are used in the offense, if a machine gun is used in the offense, or if a firearm silencer or muffler is used on any type firearm in the offense. SEE CR 4-301 or PS 5-101 for the types of firearms that would enhance the penalties.

NOTE: A "drug trafficking crime" is defined in CR 5-621 and includes all felonies or conspiracies to commit a felony under the controlled dangerous substances subtitle (CR 5-621). It does not include misdemeanor drug possession.

Effective 10/1/2016

Controlled Dangerous Substance Distribute, Etc. W/Firearm

CR 5-621(b)(2)
FELONY
FIRST OFFENSE - 20 YEARS
SUB OFFENSE - 20 YEARS
PRELIMINARY HEARING
THE MINIMUM SENTENCES ARE MANDATORY AND CONSECUTIVE

1_0487

****CDS: DISTR ETC. W/FIREARM****

...did while engaged in a drug trafficking crime use, wear, carry, and transport a firearm, to wit: _____.

Possession of Firearms

CR 5-622
FELONY
$10,000.00 - 5 YEARS
PRELIMINARY HEARING

1_0692

****CDS-POSS OF FIREARMS****

...did [possess/own/carry/transport] a firearm after being convicted of: _____ (select from the list below):

1. a felony under title 5 of the criminal law article;

2. a crime under the laws of the United States that would be a felony if committed in this State;

3. [conspiracy/attempt] to commit [a felony under title 5 of the criminal law article/a crime under the laws of the United States that would be a felony if committed in this State.]

NOTE: In this section the term "firearm" includes handgun, antique firearm, rifle, shotgun, shot barrelled shotgun and short barrelled rifle as defined in CR 4-207, a pistol, revolver and antique pistol or revolver as defined in Art. 27, Sec. 481E, and a machine gun as defined in CR 4-101, Annotated Code of Maryland.

Effective 10/1/2016

Proceeds from Offenses

CR 5-623(b)
FELONY
FIRST OFFENSE
$250,000.00 - 5 YEARS
OR TWICE VALUE OF
PROCEEDS WHICHEVER
IS GREATER
SUB OFFENSE $500,000.00
- 10 YEARS
OR 5 TIMES VALUE OF
PROCEEDS WHICHEVER
IS GREATER
PRELIMINARY HEARING

1_0673

****CDS-PROCEEDS FROM OFFENSE****

...did, with the intent to promote an offense/conceal and disguise the [nature/location/source/ownership/control of proceeds] of an offense involving a controlled dangerous substance of Schedule _____, to wit: _____, did [receive/acquire/engage in/conduct financial transactions involving proceeds], knowing that the proceeds were derived from a controlled dangerous substance offense.

NOTE: See CR 5-623(c) for penalty section and subsequent offense penalty of 10 years and/or the greater of $500,000 or 5 times the value of proceeds involved in the financial transaction.

NOTE: "Proceeds" means money or any other property with a value greater than $10,000.00. NOTE: Each financial transaction is a separate offense.

Effective 10/1/2016

CR 5-623(b)(3)(4)(5)
FELONY
$250,000.00 - 5 YEARS
PRELIMINARY HEARING

1_0675

****CDS-PROCEEDS FROM OFFENSE****

...did, with the intent to [promote an offense/conceal and disguise the nature, location, source, ownership and control of proceeds of an offense] involving a controlled dangerous substance of Schedule ____, to wit: _____, did [give/sell/ transfer/trace/invest/conceal/transport/maintain] an interest in proceeds and did [direct/promote/plan/organize/ initiate/finance/manage/supervise/facilitate]the transportation and transfer of proceeds, knowing that the proceeds were derived from a controlled dangerous substance offense.

NOTE: "Proceeds" means money or any other property with a value greater than $10,000.00.

NOTE: Each financial transaction is a separate offense.

Effective 10/1/2016

CR 5-624(b)(1)
MISDEMEANOR
$2,500.00 - 1 YEAR

2_0710

****CDS ADM W/VIOLENT CRIME****

...did administer a [controlled dangerous substance / other drug] to wit: _____ to _____ (name) without [his/her] knowledge and did commit against _____ (name person) _____ (name crime), a crime of violence as defined under CR 14-101 of the Annotated Code of Maryland.

CR 5-624(b)(2)
MISDEMEANOR
$2,500.00 - 1 YEAR

2_0715

****CDS ADM W/SEX OFFENSE****

...did administer a [controlled dangerous substance / other drug] to wit: _____ to _____ (name) without [his/her] knowledge and did commit against _____ (name person), a sexual offense in the third degree under CR 3-307 of the Annotated Code of Maryland .

NOTE: A sentence imposed under this section may be imposed separate from and consecutive to or concurrent with a sentence for any offense based on the act or acts establishing the violation of this section.

NOTE: "Drug" means:

1. Substances recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; and

2. Substances intended for use in the diagnosis, cure, mitigaton, treatment, or prevention of disease in man or other animals and

3. Substances (other than food) intended to affect the structure or any function of the body of man or other animals and

4. Substances intended for use as a component of any article specified in clauses (1), (2), or (3) of this paragraph; but does NOT include devices or their components, parts, or accessories.

Effective 10/1/2016

CR 5-627(a)
FELONY
$20,000.00 - 20 YEARS
SUB OFFENSE $40,000.00 - 40 YEARS
PRELIMINARY HEARING

1_0483

****CDS DIST: SCHOOL PROP/BUS****

...did [manufacture/distribute to _____/conspire with ____ to distribute] a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule _____, to wit: _____ [on a school bus/on the property/within 1000 feet of the property] of _____ (name or identify school).

NOTE: See CR 5-627(c) for subsequent offense penalties.

NOTE: Any elementary or secondary school, public or private, will satisfy this section, whether or not in session. Colleges and Universities are not covered by this section.

CDS Distribution on or Near School Property

CR 5-627(a)
FELONY
$20,000.00 - 20 YEARS
SUB OFFENSE $40,000.00 - 40 YEARS
PRELIMINARY HEARING

1_0484

****CDS: P W/I DIST: SCHL BUS/PROP****

...[did/did conspire with ___(name) to] possess a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule ____, to wit: _____ in sufficient quantity to indicate an intent to distribute the said substance [on a school bus/on the property/ within 1000 feet of the property] of _____ (name or identify school).

NOTE: See CR 5-627(c) for subsequent offense penalties.

NOTE: Any elementary or secondary school, public or private, will satisfy this section, whether or not in session. Colleges and Universities are not covered by this section.

Effective 10/1/2016

CR 5-628(a)(1)
FELONY
$20,000.00 - 20 YEARS
PRELIMINARY HEARING

1_5409

****HIRE ETC MINOR: DIST CDS****

...did unlawfully [hire/solicit/engage/use] _____, a minor, on behalf of _____ (defendant), for the purpose of[manufacturing/distributing/delivering] a [controlled dangerous substance/conrolled dangerous substance analogue] of Schedule _____, to wit: _____, in sufficient quantity to reasonably indicate under all the circumstances an intent to distribute the said substance.

CR 5-628(a)(2)
FELONY
$20,000.00 - 20 YEARS
PRELIMINARY HEARING

1_0489

****IMPORT MINOR: DRUG FELONY****

...did transport, carry, and bring _____(name), a minor, into the State of Maryland for the purpose of using said minor in the commission of a felony, to wit: _____.

NOTE: Only CDS violations under CR 5-602, 5-603, 5-604, 5-605, 5-606, 5-612, 5-613, 5-617, 5-627 will qualify to permit a defendant to be charged under this section.

Effective 10/1/2016

CR 5-701(d)(1)
MISDEMEANOR
$1,000.00 - 2 YEARS

1_0010

****PRESC: ILLEGAL MANUFAC****

...did unlawfully [manufacture/distribute] a prescription drug, to wit: _____.

CR 5-701(d)(1)
MISDEMEANOR
$1,000.00 - 2 YEARS

1_0264

****PRES ILL POS W/IN DIST****

...did unlawfully possess a prescription drug, to wit: ____, in sufficient quantity to indicate an intent to distribute said drug.

CR 5-701(d)(2)
MISDEMEANOR
$1,000.00 - 2 YEARS

1_0270

****PRESCRIP/FALSE LABEL****

...did unlawfully affix a [false/forged] label to a [package/ container/other receptacle] containing a prescription drug.

Effective 10/1/2016

CR 5-701(d)(3)
MISDEMEANOR
$1,000.00 - 2 YEARS

1_0271

****PRESCRIP/REMOVE LABEL****

...did unlawfully [omit/remove/alter/obliterate] a [label/ symbol] on a prescription drug as required by [Federal/State/local] law.

CR 5-701(d)(4)(i)
MISDEMEANOR
$1,000.00 - 2 YEARS

1_0265

****PRESCR OBTAIN BY FRAUD****

...did unlawfully [obtain/attempt to obtain] _____, a prescription drug, by [fraud/decei/misrepresentation] to wit: _____ (describe scheme).

CR 5-701(d)(4)(ii)
MISDEMEANOR
$1,000.00 - 2 YEARS

1_0267

****PRESC OBTN ALTER ORDER****

...did unlawfully [obtain/attempt to obtain] ____, a prescription drug, by [forging/altering] a [prescription/written order].

Effective 10/1/2016

CR 5-701(d)(4)(iii)(iv)
MISDEMEANOR
$1,000.00 - 2 YEARS

1_0266

****PRESC OBTN CONCEAL/FALSE INFO****

...did unlawfully [obtain/attempt to obtain] ____, a prescription drug, by [concealing a material fact/using a false name/using a false address].

CR 5-701(d)(4)(v)
MISDEMEANOR
$1,000.00 - 2 YEARS

1_0268

****PRESC OBTN IMPERSONATN****

...did unlawfully [obtain/attempt to obtain] _____, a prescription drug, by [representing [himself/herself] to be _____(name)/falsely assuming the title of_____(name)] a [manufacturer/distributor/practitioner].

CR 5-701(d)(4)(vi)
MISDEMEANOR
$1,000.00 - 2 YEARS

1_0269

****PRESC OBTN MKE FORGERY****

...did unlawfully [obtain/attempt to obtain] ____ a prescription drug, by [making/uttering] a [false/forged] [prescription/ written order].

Effective 10/1/2016

CR 5-702(2)
MISDEMEANOR
$500.00 - 12 MONTHS

1_0018

****CDS-SELL SUBSTITUTE DRUG****

...did, being engaged in the business, knowingly sell and deliver to ____ (person) a [drug/medicine/chemical preparation for medicinal use] different from the [prescription drug/controlled dangerous substance/medicine/chemical preparation] [order by the said _____(name)/required by the said prescription].

NOTE: Applies to pharmacists and any other person or corporation in the business of selling prescription drug, controlled dangerous substance, medicines, chemicals or preparations for medical use.

NOTE: DOES NOT apply to pharmacist supplying generic version of name-brand drug w/physician's permission.

CR 5-703(b)
MISDEMEANOR
$500.00 - 6 MONTHS

1_0025

****CDS-UNSOLICIT MAILING****

...did mail ____ [prescription drug/controlled dangerous substance/medicine] by mail, addressed to ["resident"/ "occupant"] ____ (name person) who did not request such drugs, etc., to be mailed to [him/her].

Effective 10/1/2016

Smelling/Inhaling Harmful Substance-Prohibited

CR 5-708(b)(1)(2)
MISDEMEANOR
$500.00 - 6 MONTHS

1_5599

****CDS-INHALE HARM SUBSTANCE****

...did deliberately [smell/inhale] _____, a [drug,noxious substance/chemical] containing [ketones / aldehydes / butane/ butyl nitrate / nitrous oxide / menthyl benzene / organic acetates / ether / chlorinated hydrocarbons / fluorinated hydrocarbons / solvents releasing toxic vapors] in such quantities as to cause [intoxication/inebriation/excitemen/stupefaction/a dulling of the brain or nervous system].

Smelling/Inhaling Harmful Substance-Prohibited

CR 5-709(b)(1)(2)
MISDEMEANOR
$1,000.00 - 18 MONTHS

1_0272

****CDS POSS FOR DISTRIBUTION****

...did possess ____, a [drug/noxious substance/chemical] containing _____ (See CR 5-708), with the intent to distribute it for unlawful use.

Effective 10/1/2016

Smelling/Inhaling, Etc. Distribution/Possession W/Intent

CR 5-709(b)(1)(2)
MISDEMEANOR
$1,000.00 - 18 MONTHS

1_3500

****CDS DIST TO INHALE****

...did distribute ____(name substance), a [drug/noxious substance/chemical] containing _____ (see CR 5-708) to ____, [with the intent to induce the said _____(name) to unlawfully inhale same/ knowing the said _____(name), would unlawfully inhale same].

CR 5-709(c)(1)
MISDEMEANOR
$1,000.00 - 18 MONTHS

1_0273

****CDS INSTRUCT INHALING****

...did instruct ____(name), in the unlawful inhaling of ____, (drug/noxious substance/chemical, etc.).

CR 5-709(c)(2)
MISDEMEANOR
$1,000.00 - 18 MONTHS

1_0735

****DIST BUTANE CAN TO MINOR****

...did distribute a butane canister to, _____(name), a minor.

Effective 10/1/2016

CR 5-902(a)(1)
MISDEMEANOR
$100,000.00 - 2 YEARS

1_0259

****CDS REGIS. REMOV/ALTR LABL****

...did [knowingly/intentionally][omit/remove/alter/obliterate] ____ (symbol) required by federal law.

CR 5-902(a)(2)
MISDEMEANOR
$100,000.00 - 2 YEARS

1_0260

****CDS REGIS. RECORDS FAILURE****

...did [knowingly/intentionally] [refuse/fail] to [make/keep/ furnish] a [record/ notification/order from/statement/invoice/information] required under Title 5 of the Criminal Law Article.

CR 5-902(a)(3)
MISDEMEANOR
$100,000.00 - 2 YEARS

1_0261

****CDS REGIS REFUS AUTHR INSP****

...did [knowingly/intentionally] refuse to permit _____ (name), an authorized person,to enter premises required by law to be inspected.

Effective 10/1/2016

CR 5-902(a)(4)(i)(ii)
MISDEMEANOR
$100,000.00 - 2 YEARS

1_0262

****CDS REGIS/NUISANCE LOCATN****

...did, as a [registrant/authorized person], [knowingly/intentionally] [keep/maintain] a [store/shop/warehouse/dwelling house/building, etc.], which is [resorted to by drug abusers for the purpose of using controlled dangerous substance/used for the keeping and selling of controlled dangerous substance contrary to law].

CR 5-902(b)
MISDEMEANOR
$100,000.00 - 2 YEARS

1_3550

****UNAUTH CDS-DIST/MAN/DIS REG****

… did as a registrant and without authorization under [his/her] registration, [manufacture/distribute/dispense] a controlled dangerous substance to wit: _____(describe) to _____ (name) another [registrant/authorized person] without

NOTE: This section applies only to Controlled Dangerous Substances of Schedules I and II.

CR 5-903(a)
FELONY
$100,000.00 - 10 YEARS

1_0263

****CDS USE OF INV REGIS NMBR****

...did willfully use a registration number which is [fictitious/revoked/ suspended/issued to another person] in the course of the manufacture and distribution of a controlled dangerous substance of Schedule ____, to wit: ____.

Effective 10/1/2016

Unlawful Acts - Registrants

CR 5-904(a)
MISDEMEANOR
$100,000.00 - 2 YEARS
$50,000.00 - CIVIL FINE

1_0258

****CDS TO UNAUTHOR REGISTRANT****

...did distribute to _____ another [registrant/unauthorized person], a controlled dangerous substance of Schedule ____, to wit: _____, not authorized by [his/her] registration.

CR 5-904(a)
MISDEMEANOR
$100,000.00 - 2 YEARS
$50,000.00 - CIVIL FINE

8_3550

****CDS REGISTRANT UNAUTH MFG****

...did manufacture a controlled dangerous substance of Schedule ____, to wit: _____, which substance was not authorized by registration.

Distribution by Registrants W/O Order Form, Etc. Registration Number

CR 5-904(a)(2)
FELONY
$100,000.00 - 10 YEARS
PRELIMINARY HEARING

9_3550

****CDS REGISTRNT DIST NO FORM****

...did, as a registrant, in the course of [his/her] legitimate business, distribute to _____ a controlled dangerous substance of Schedule [I/II], to wit: _____, without an order form.

Effective 10/1/2016

ARSON AND BURNING

NOTE: "Dwelling: means a structure, regardless of whether an individual is actually present, any portion of which has been adapted for overnight accommodation of individuals, including any kitchen, shop, barn, adjoining the structure.

"Maliciously" describes an act done with intent to harm a person or property.

"Occupied structure" means a structure, other than a dwelling in or on which at the time of the offense another individual who is not a participant in the offense is present.

"Structure" means a building, other construction, vehicle, or watercraft, including any barn, stable, garage, pier, wharf, boathouse, and any facility attached to a pier or wharf; any shop, storehouse, warehouse, factory, mill, house of worship, meeting house, courthouse, workhouse, school, tent, public building, or public bridge; and any motor vehicle, aircraft, boat, ship, and railroad car.

"Willfully" describes an act which is done intentionally, knowingly, and purposely.

If a structure is divided into separately owned or leased units, each unit shall be considered a separate structure for purposes of a prosecution under this subheading.

CR 6-102(a)
FELONY
$50,000.00 - 30 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION
SUB. CONVICTION,
ENHANCED PENALTY

1_6500

****ARSON-FIRST DEGREE****

...did wilfully and maliciously [set fire/burn] a [dwelling/occupied structure], to wit: _____, (give address or describe structure as in "the dwelling house of _____(name)," or "the occupied barn of ____ (name)," or "the occupied garage of (name).") in violation of CR 6-102(a) of the Annotated Code of Maryland.

NOTE: The dwelling or occupied structure may belong to the accused or another. Any structure that is attached to a dwelling house, such as an attached garage or shed, is a part of the dwelling house. Any structure not attached to a dwelling house must be an "Occupied Structure" (see definition, previous page) to qualify for this section. Any burning or charring of any portion of the dwelling or occupied structure will satisfy the statute.

Effective 10/1/2016

CR 6-103
FELONY
$30,000.00 - 20 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

1_6501

****ARSON 2ND DEGREE****

...did wilfully and maliciously [set fire to/burn] a structure, to wit: _____(give address or otherwise describe structure, as in above section), in violation of CR 6-103 of the Annotated Code of Maryland.

NOTE: The property may belong to the accused, or another.

CR 6-104(b)
FELONY
$5,000.00 - 5 YEARS
PRELIMINARY HEARING

1_6502

****MALICIOUS BURNING/1ST DEG****

...did wilfully and maliciously [set fire to/burn] the personal property of _____ (name), to wit: _____ (brief description of property), the damage to the property being $1,000.00 or more, in violation of CR 6-104(b) of the Annotated Code of Maryland.

Effective 10/1/2016

CR 6-105(b)
MISDEMEANOR
$500.00 - 18 MONTHS

1_6503

****MALICIOUS BURNING/2ND DEG****

...did wilfully and maliciously [set fire to/burn] the property of_____ (name), to wit: _____ (briefly describe property), the damage to the property being less than $1,000.00, in violation of CR 6-105(b) of the Annotated Code of Maryland.

CR 6-106
MISDEMEANOR
$5,000.00 - 5 YEARS

1_6504

****MALICIOUS BURN/FRAUD****

...did, with intent to defraud, [set fire to/burn] property, to wit: _____ (describe property), in violation of CR 6-106 of Annotated of Code of Maryland.

NOTE: This section may be charged with any other arson or malicious burning section if there is also evidence of an intent to defraud (such as a fraudulent claim for damages or insurance). A separate sentence may be imposed concurrently or consecutively.

Effective 10/1/2016

CR 6-107
MISDEMEANOR
$10,000.00 - 10 YEARS

1_6505

****ARSON/THREAT****

...did threaten [verbally/in writing] to [set fire to and burn/explode a destructive device] [in/on/under] a structure, to wit: ____(describe structure) in violation of CR 6-107 of the Annotated Code of Maryland.

NOTE: A destructive explosive device is defined in CR 4-501.

NOTE: Structure includes occupied and unoccupied for this section.

CR 6-108
MISDEMEANOR
$500.00 - 30 DAYS

2_2003

****ARSON-TRASH CONTAINER****

...did wilfully and maliciously [set fire to/burn] the contents of a [dumpster/trash containe/trash receptacle] belonging to another person in violation of CR 6-108 of the Annotated Code of Maryland.

NOTE: This applies to the contents only, and the trash container must belong to someone other than the defendant. It is not necessary to allege who it did belong to, merely that it did not belong to the defendant.

Effective 10/1/2016

Burglary

CR 6-202(a)
FELONY
20 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

2_3000

****BURGLARY-FIRST DEGREE****

...did break and enter the dwelling house of _____ (owner, lessee, etc.), located at _____, with the intent to commit theft in violation of CR 6-202 of the Annotated Code of Maryland.

NOTE: "Theft" includes both misdemeanor and felony theft.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for purposes of a prosecution under this subheading, unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

NOTE: A vehicle such as a motor home or RV, or a tent, is not normally viewed as a "dwelling" within the meaning of this statute. However, if a tent or vehicle is being used as a dwelling it may qualify as such under this subheading.

CR 6-202(b)
FELONY
25 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

1_1338

****HOME INVASION ****

...did break and enter the dwelling house of _____ (owner, lessee, etc.), located at _____, with the intent to commit a crime of violence in violation of CR 6-202 of the Annotated Code of Maryland.

NOTE: For a list of crimes of violence, see CR 14-101.

Effective 10/1/2016

CR 6-203(a)
FELONY
15 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

2_3010

****BURGLARY/2ND DEGREE/GENERAL****

...did break and enter the storehouse of _____ (owner, lessee, etc), located at _____, with the intent to commit [a theft/ a crime of violence/arson in the second degree] in violation of CR 6-203 of the Annotated Code of Maryland.

NOTE: For a list of crimes of violence, see Part I.

NOTE: "Storehouse" retains its judicially determined meaning and also means any building, other construction, or watercraft, including: any barn, stable, garage, pier, wharf, boathouse and any facility attached to a pier or wharf; any shop, storeroom, warehouse, factory, mill, house of worship, meetinghouse, courthouse, workhouse, school, or public building and any trailer, aircraft, boat, ship, or railroad car.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for purposes of a prosecution under the subheading,unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

Effective 10/1/2016

CR 6-203(b)
FELONY
20 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

2_3015

****BURGLARY/2ND DEGREE/FIREARM****

...did break and enter the storehouse of _____ (owner, lessee), with the intent to steal, take and carry away a firearm, to wit: ___, in violation of CR 6-203(b) of the Annotated Code of Maryland.

NOTE: "Firearm" retains its statutorily provided definitions of:

1. Handgun, antique firearm, rifle, shotgun, short-barreled shotgun, and short-barreled rifle, and those terms are defined in CR 4-201;

2. Pistol, revolver, and antique pistol or revolver, as those terms as are defined in CR 4-201;

3. Machine gun, as defined in CR 4-401;

4. Any other firearm that has not been modified to render it permanently inoperative.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for purposed of a prosecution under this subheading, unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

Effective 10/1/2016

CR 6-204
FELONY
10 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

2_3020

****BURGLARY-THIRD DEGREE****

...did break and enter the dwelling of _____ (owner,lessee, etc.), located at _____ to commit a crime, to wit: _____, in violation of CR 6-204 of the Annotated Code of Maryland.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for purposes of a prosecution under this subheading, unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

NOTE: The violation created under this section is a lesser included offense of a violation under CR6-202. Accordingly, if a violation arising out of the same criminal incident is charged under CR 6-202, there is no need to charge specifically under this section unless there is evidence that the defendant had the specific intent to commit two crimes, one of which would qualify under CR 6-202 and the other of which would not.

CR 6-205(a)
MISDEMEANOR
3 YEARS

2_3030

****BURGLARY-FOURTH DEGREE-DWELLING****

...did break and enter the dwelling of _____(owner, lessee, etc), located at _____, in violation of CR 6-205(a) of the Annotated Code of Maryland.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for purposes of a prosecution under the subheading, unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

NOTE: The violation created under this section is a lesser included offense of any violation under sections 202, 203 and 204. Accordingly, if a violation arising from the same criminal incident is charged under those sections, there is no need to charge specifically under this section UNLESS criminal tools were used. See Burglary 4th Degree/Tools.

Effective 10/1/2016

CR 6-205(b)
MISDEMEANOR
3 YEARS

1_1130

****BURGLARY-FOURTH DEGREE-STOREHOUSE****

...did break and enter the storehouse of _____(owner, lessee, etc), located at _____, in violation of CR 6-205(b) of the Annotated Code of Maryland.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for purposes of a prosecution under the subheading, unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

NOTE: The violation created under this section is a lesser included offense of any violation under sections 202, 203 and 204. Accordingly, if a violation arising from the same criminal incident is charged under those sections, there is no need to charge specifically under this section UNLESS criminal tools were used. See Burglary 4th Degree/Tools.

Effective 10/1/2016

CR 6-205(c)
MISDEMEANOR
3 YEARS

2_3040

****BURGLARY-4TH DEGREE THEFT****

...was [in/on] the [dwelling/storehouse/yard/garden/other area, to wit: ____] of _____ (owner, lessee, etc) located at _____, with the intent to commit theft in violation of CR 6-205(c) of the Annotated Code of Maryland.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for the purpose of a prosecution under this subheading, unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

NOTE: A person convicted of a violation of CR 7-104 may not also be convicted of violating this part of CR 6-205(c), based on the act or acts establishing the violation of CR 7-104.

CR 6-205(d)
MISDEMEANOR
3 YEARS

2_3045

****BURGLARY-4TH DEGREE/PERMIT TOOL USE****

...did permit the use of burglar's tools; to wit: _____, in the commission of a burglary.

CR 6-205(d)
MISDEMEANOR
3 YEARS

2_3050

****BURGLARY-4TH DEGREE/TOOLS****

...did possess burglar's tools, to wit: ____, with the intent to use them in the commission of a burglary.

NOTE: "Burglar's Tools" means a picklock, key, crowbar, prybar, jack, or bit; nitroglycerin, dynamite, gunpowder, or other explosive material; an acetylene torch, electric arc, burning bar, thermal lance, oxygen lance, or similar device capable of burning through metal, concrete, or other solid material; or any other tool, instrument, or device that has been adapted, designed, or used for committing or facilitating the commission of a burglary offense.

Effective 10/1/2016

CR 6-206(a)
MISDEMEANOR
3 YEARS

2_3080

****BURG TOOLS-MOT. VEH/POSS****

...did possess burglar's tools, to wit: _____ with the intent to use the same in the commission of a crime involving the breaking and entering of a motor vehicle.

CR 6-206(b)
MISDEMEANOR
3 YEARS

2_3090

****ROGUE AND VAGABOND****

...was [in/on] the motor vehicle of ____ (owner, lessee, etc.), with the intent to commit theft of [the vehicle/ property within the motor vehicle/property on the motor vehicle].

Effective 10/1/2016

CR 6-207
FELONY
20 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

2_3060

****BURGLARY WITH EXPLOSIVES****

...did commit burglary in the [first/second/third] degree at _____ (location) and did [open/attempt to open] a [vault/safe/secure repository] by the use of a destructive device, as defined in Section 4-501 of this article, in violation of CR 6-207 of the Annotated Code of Maryland.

NOTE: Since an explosive is a burglar's tool, a separate charge of "Burglary 4th Degree/Poss. Tools (2-3050) should normally accompany this section.

NOTE: A sentence for violation of this section may be imposed separate from and consecutive to or concurrent with a sentence for any other offense arising from the same criminal incident.

NOTE: Section 4-501 defines "Destructive Device" as explosive, incendiary, or toxic material that has been combined with a delivery or detonating apparatus so as to be capable of inflicting injury to persons or damage to property. "Destructive Devices" include devices which are primarily designed and manufactured for military purposes as instrumentalities of destruction, including any bomb, grenade, mine, shell, missile, flame-thrower, or poison gas; and any explosive, incendiary, or toxic material which has been delibrately modified, containerized or otherwise equipped with any sort of special delivery, activation or detonation component so as to give it the destructive characteristics of a military ordnance, including a molotov cocktail, pipe bomb, or petroleum soaked ammonium nitrate.

Effective 10/1/2016

CR 6-208
FELONY
$5,000.00 - 5 YEARS
PRELIMINARY HEARING

2_3070

****B & E RESEARCH FACILITY****

...did break and enter into ____, a research facility, without the permission of said research facility, to [obtain unauthorized control over/alter or eradicate/ damage or deface/move research property in a manner intended to cause harm to/ destroy or remove/and engage in conduct that results in the removal of] research property, to wit: _____, in violation of CR 6-208 of the Annotated Code of Maryland.

NOTE: "Research Facility" means any enclosure or separately secure yard, pad, pond, laboratory, pasture, or pen, the purpose of which is to conduct research, house research subjects, or store supplies, records, data, prototypes, or equipment necessary to or derived from research.

NOTE: "Research Property" means any property related to research in a research facility, regardless of value, including any sample, specimen, research subject, record, data, test result, or proprietary information.

Effective 10/1/2016

CR 6-301
MISDEMEANOR
$500.00 - 60 DAYS

3_4025

****MAL DESTR PROP/ VALUE - $1,000****

...did willfully and maliciously [destroy/injure/deface]_____ (describe), the [real/personal] property of _____ (owner/lessee, etc.), the amount of damage having a value of less than $1,000.

CR 6-301
MISDEMEANOR
$2,500.00 - 3 YEARS

3_4030

****MAL DESTR PROP VALUE $1,000+****

...did willfully and maliciously [destroy/injure/deface] ____ (describe), the [real/personal] property of ____ (owner/lessee, etc.), the amount of damage having a value of $1,000 or more.

CR 6-301(e)
MISDEMEANOR
$2,500.00 - 3 YEARS

3_4035

****MAL DES-SCHEME/VALU $1,000+****

...did, pursuant to one scheme and continuing course of conduct, wilfully and maliciously destroy, injure, deface and molest _____ (list all property damaged), the property of (list all owners or lessees), the owners and lessees of the same, having an aggregate value of over $1,000.

NOTE: The State may use this charge to combine the value of all damaged property to achieve an aggregate value of over $500.

NOTE: CR 6-301 specifically provides that malicious destruction can be committed by commission of an "act of graffiti." An act of "Graffiti" means a violation of this section by permanent drawing, permanent painting or making of any permanent mark or inscription on the real or personal property of another without their permission.

In addition to the penalties provided, a person who violates this section shall be ordered to pay restitution or perform community service or both.

Effective 10/1/2016

Throwing Missiles - Occupied Vehicle of Instrumentality of Public Transportation

CR 6-302
MISDEMEANOR
$500.00 - 1 YEAR

1_2903

****MAL DEST MISSILES AT VEH.****

...did unlawfully and willfully [throw/shoot/propel] a _____ (describe object, see note) at or into a vehicle to wit: _____ (describe) occupied by _____ (see note).

NOTE: Item thrown or propelled may be a rock, stone, brick, a piece of iron steel, or other like metal; or any dangerous or deadly missile.

NOTE: The Acts of 1997 strike the term "fire bomb" from this section. A fire bombing as previously proscribed under this section is punishable under CR 4-501(b).

To qualify under this section, the vehicle can be any vehicle or instrumentality of transportation.

To qualify under this section, the vehicle must be occupied by one or more persons. If one, state name. If more than one, state all names if known, or the name of driver, owner, or complainant followed by the words " ....and _____ other persons.

Effective 10/1/2016

Electric Companies -Unauthorized Connections, Etc.; Tampering, Etc.

CR 6-303(1)(2)
MISDEMEANOR
$500.00 - 6 MONTHS

1_2608

****ELEC CO TAMPER W/CONDUCTOR****

...did wilfully [connect/disconnect] an electrical conductor belonging to ____, an electric company, for the purpose of [using/ wasting] the electric current.

CR 6-303(c)(3)
MISDEMEANOR
$500.00 - 6 MONTHS

1_0215

****ELECTR CO: TAMPER W/METER****

...did wilfully tamper with a meter used to register electric current consumed, belonging to ____, an electric company.

CR 6-303(1)(3)
MISDEMEANOR
$500.00 - 6 MONTHS

1_0216

****ELEC CO TAMPER W/CO EQUIP****

...did wilfully interfere with the operation of a [dynamo/other such electrical appliance _____(specify)] of ____, an electric company.

CR 6-303(1)(3)
MISDEMEANOR
$500.00 - 6 MONTHS

1_0217

****ELEC CO TMPR W/POLES LINES****

...did wilfully tamper with and interfere with the [materials/equipment] of _____, an electric company.

NOTE: Section does not apply to employees, authorized agents, etc. of electric company.

Effective 10/1/2016

CR 6-304(a)
MISDEMEANOR
$250.00 - 6 MONTHS

2_2699

****GAS CO TAMPER W/EQP: DAMAGE****

...did wrongfully and maliciously [damage/connect/disconnect/tap/interfere with /tamper with] [materials/equipment/facilities] belonging to ____(name of company), a company using and engaged in the [manufacture/ supply] of gas for light, heat and power.

Gas Companies - Tapping or Tampering, Etc., Pipes, Etc.

CR 6-304(2)(c)
MISDEMEANOR
$250.00 - 6 MONTHS

1_0213

****GAS CO TMPR W/LINE DEFRAUD****

...did, with intent to injure and defraud ___ (gas company), [connect/cause to be connected] to a main service pipe, other pipe, tube and___ (other instrument) for conducting and supplying gas to a burner without passing through the meter provided for measuring and registering the quantity of gas consumed.

CR 6-304(2)(i)(ii)
MISDEMEANOR
$250.00 - 6 MONTHS

1_0212

****GAS CO MKE BYPAS PIPE DEFR****

...did, with intent to injure and defraud ____ (gas company), [make/cause to be made] a [pipe/ tube/ ___ (other instrument)] for conducting and supplying gas to a burner without passing through the meter for measuring and registering the quantity of gas consumed.

Effective 10/1/2016

CR 6-305(c)(1)
MISDEMEANOR
$500.00 - 6 MONTHS

1_0188

****WATER SUP CONNECT UNLAWFUL****

...did make a connection with a water equipment for the purpose of [wasting/using] water supplied by _____ (company).

Water Company Meters and Equipment

CR 6-305(c)(1)
MISDEMEANOR
$500.00 - 6 MONTHS

1_2699

****WTR SUP PROP/EQUIP: TAMPER****

...did wrongfully and maliciously [connect/disconnect/tap/interfere with/tamper with] water equipment belonging to ____ (name company), using and engaging in the supplying of water for [domestic/agricultural/manufacturing] purposes.

CR 6-305(c)(2)
MISDEMEANOR
$500.00 - 6 MONTHS

1_0189

****WATER SUPPLY METER: TAMPER****

...did wrongfully and maliciously tamper with a meter used by _____ to measure water consumed.

Effective 10/1/2016

MANUFACTURED ARTICLES

Removing/Defacing Serial Numbers

CR 6-306(a)
MISDEMEANOR
$500.00 - 18 MONTHS

2_2800

****MAN SERIAL#: REMOV/OBLIT****

...did [remove/deface/obliterate] the manufacturer's serial number [punched/affixed by plate] to _____ (article or product), with the intent of preventing the [tracing/identification] of said article or product.

CR 6-306(b)
MISDEMEANOR
$500.00 - 18 MONTHS

1_0291

****MAN SERIAL# RETAIN ITEM****

...did knowingly[keep/offer for sale] ____ (article or product-see TR 14-107(m) for exceptions), from which the manufacturer's serial number had been [removed/defaced/obliterated].

CR 6-307(a)(1)
MISDEMEANOR
$500.00 - 18 MONTHS

2_2810

****SELL/POSSES STOLEN MANF NO****

...unlawfully did [sell/possess] stolen [manufactured serial numbers/vehicle identification plates/labels].

Effective 10/1/2016

CR 6-307(a)(2)
MISDEMEANOR
$500.00 - 18 MONTHS

2_2820

****POSS SERIAL #/FRAUD PURPOSES****

...unlawfully did possess [manufactured serial numbers/vehicle indentification plates/labels] with the intent for the [serial numbers/ vehicle identification plates/labels] to be [affixed to stolen property/ to be used for fraudulent purposes].

TRESPASS

On Posted Property

CR 6-402
MISDEMEANOR
$500.00 - 90 DAYS

2_2210

****TRESPASS-POSTED PROPERTY****

...did trespass and enter upon the property of _____(owner) said property being posted against trespassers in a conspicuous manner.

NOTE: The previous requirement that the prosecution be brought by the landowner or tenant has been eliminated. The posting requirements are included as part of subsection (a)(1) of CR 6-402.

NOTE: See CR 6-402 regarding definition of "conspicuous".

NOTE: See CR 6-402(b) for subsequent violations.

Effective 10/1/2016

CR 6-403
MISDEMEANOR
$500.00 - 90 DAYS

2_2220

****TRESPASS: PRIVATE PROPERTY****

...did [enter upon/remain upon/cross over] the private property, and premises of _____ (owner) after having been duly notified not to do so by _____, the [owner/agent of the owner].

NOTE: See CR 6-403(c) for subsequent violations.

Wanton Trespass/Private Land/Vessel, etc., Prohibit Denial/Accommodations

CR 6-403
MISDEMEANOR
$500.00 - 90 DAYS

2_2230

****TRESPASS: BOAT****

...did [board/remain upon] the marine vessel of _____ (owner) after having been duly notified not to do so by _____, the [owner/agent of the owner].

NOTE: Subsection applies to property used as a housing project and operated by a housing authority or another state public body, if required notification given by duly authorized agent of the housing authority or other state public body.

NOTE: Exception is provided for the Mayor and City Council of Baltimore to enact legislation respecting public accommodations.

NOTE: See CR 6-403(c) for subsequent violations.

Effective 10/1/2016

Operation Off-Road Vehicle On Public/Private Property

CR 6-404(b)
MISDEMEANOR
$500.00 - 90 DAYS

2_2240

****OFF-ROAD VEHICLE ON PROPERTY****

… did unlawfully [operate/use] an off-road vehicle to wit: _____(describe vehicle not listed under CR 6-404(a)), on an area of private property that was not a clearly designated driveway located at _____(address), without having in [his/her] possession, the written consent of _____, the [owner/tenant] of the property.

NOTE: Name in blank refers to private owner, lessee, etc.

CR 6-405
MISDEMEANOR
$500.00 - 90 DAYS

2_2250

****OFF-ROAD VEH/GOV PROPERTY****

...did unlawfully [operate/use] an off-road vehicle to wit: _____(describe vehicle not listed under CR 6-405(b)), on property knowlingly owned and leased by the State of Maryland and any political subdivision.

NOTE: Definition of off road vehicle as in CR 6-401.

CR 6-406
MISDEMEANOR
$500.00 - 90 DAYS

2_2270

****TRESPASS-CULTIVATED LAND****

...did, without permission from the [owner/agent of the owner] wantonly enter upon the cultivated land of _____(name).

NOTE: "Cultivated Land" means land which has been cleared of its natural vegetation and is planted with a crop or orchard.

Effective 10/1/2016

Entering/Remaining in Stable Area Of Race Track After Notice

CR 6-407
MISDEMEANOR
$500.00 - 90 DAYS

2_2260

****TRESPASS-RACE TRACK/STABLE****

...did [enter/remain in] the stable of _____, a race track, after having been notified by ____, a [track official/security guard/ policeman] that [he/she] is not allowed in that area.

Trespass to Look into Window, etc.

CR 6-408
MISDEMEANOR
$500.00 - 90 DAYS

2_2280

****TRESPASS-PEEPING TOM****

...did enter upon the land and premises of _____ (owner) for the purpose of invading the privacy of the occupant of said premises by looking into said premises.

NOTE: Facts must show that it would be possible to see in, i.e., it is presumed that one cannot see into a dark room (lights out) in the dark of night.

Effective 10/1/2016

Refuse Leave Public Building Or Grounds Upon Request

CR 6-409(a)(2)
MISDEMEANOR
$1,000.00 - 6 MONTHS

3_5707

****TRESPAS PUB AGNCY AFTER HR****

...did [refuse/fail to leave] _____, a property of the _____, a public agency, during regular closing hours, having no lawful business therein and having been requested to leave by _____(name) an authorized employee.

NOTE: It must show that the acts took place after regular hours and while the property was closed. The facts must clearly demonstrate a lack of lawful business, but lawful business could cover a wide range of business or interests. There must have been an actual notice given. The unlawful activity must be clearly and specifically described.

Effective 10/1/2016

CR 6-409(b)
MISDEMEANOR
$1,000.00 - 6 MONTHS

1_0344

****TREPASS PUB AGNCY DUR HRS****

...did [refuse/fail to leave] _____, a property of _____, a public agency, during regular business hours upon being requested to do so by an authorized employee and when the defendant [had no apparent lawful business to pursue/was acting in a manner disruptive of and disturbing to the conduct of normal business].

NOTE: It must show that the acts took place during regular business hours. The facts must clearly describe "no lawful business", or the acts complained of must clearly specify how the normal business was disrupted and disturbed. Mere entrance into a public building, following a prior notification, does not amount to a criminal trespass under this section.

Effective 10/1/2016

CR 6-410
MISDEMEANOR
$1,000.00 - 6 MONTHS

2_2290

****TRESPASS GOVERNMENT HOUSE****

...did wantonly trespass on the property of Government House.

NOTE: No requirement that the property of Government House be posted against unlawful entry or trespass.

RAILROADS

CR 6-502(b)(1)
FELONY
$5,000.00 - 10 YEARS
PRELIMINARY HEARING

3_5750

****RR: INTENT OBSTRUCT ETC.****

...did [break/damage] _____ (railroad) by _____ (manner) with the intent to [obstruct/derail] from the tracks a railroad vehicle, to wit: _____ (describe vehicle).

NOTE: "railroad vehicle" includes a car, carriage engine, locomotive, or tender.

NOTE: In this section, "railroad includes a switch, frog, rail, roadbed, sleeper. Viaduct, bridge, trestle, culvert, embankment, structure, or appliance that pertains to or connects with a railroad.

Effective 10/1/2016

Obstructing/Breaking Railroad to Overthrow Railroad Vehicle

CR 6-502(b)(2)
FELONY
$5,000.00 - 10 YEARS
PRELIMINARY HEARING

3_5740

****RR: INTENT OBSTRUCT ETC.****

...did [place /caused to be placed] _____ (describe object) on _____ (railroad), with the intent to [obstruct/derail] from the tracks of said railroad a railroad vehicle, to wit: _____ (describe vehicle).

Getting on Engine, etc., W/O Authority; Free Transportation of Convicted Persons

CR 6-503
MISDEMEANOR
$25.00 - 1 MONTH

1_0589

****RR: ON EQUIPT W/O AUTHORITY****

...unlawfully was [on/in] a railroad vehicle.

NOTE: Statute requires that the railroad vehicle be upon a railroad track during the offense. This law does NOT prohibit being on a railroad track. Use trespass laws for that offense if tracks are posted.

Interfering W/Signals / Giving Unauthorized Signals

CR 6-504
MISDEMEANOR
6 MONTHS

8_5500

****RR: INTERFERE W/SIGNALS****

...did, without authorization, give a train signal to [start a stopped train / stop a moving train].

Effective 10/1/2016

Shooting/Throwing at Train

CR 6-505(b)
MISDEMEANOR
$1,000.00 - 5 YEARS

3_5312

****RR: SHOOT/THROW AT****

...did wilfully and maliciously [shoot at/throw ____ at/cause ____ to fall upon/cause ___ to strike against] a [locomotive/motor/ tender/car] used upon a [railroad/electric railway] using [wood/stone/other matter _____ (describe)/ a thing ____ (describe)].

Unauthorized Buying/Selling of Tickets

CR 6-506(a)(1)
MISDEMEANOR
$100.00 - 6 MONTHS

3_2800

****RR: UNAUTH BUY/SELL TCKTS****

…did, without authorization, [buy/sell/engage in the business of buying /engage in the business ofselling] [railroad tickets/unused portions of a railroad tickets].

CR 6-506(a)(2)
MISDEMEANOR
$100.00 - 6 MONTHS

2_0264

****RR: VENDR/BROKR-ACT W/O AUT****

...did, without authorization, act as a [vendor/broker] of [whole/partial] railroad tickets.

Effective 10/1/2016

CR 6-506(a)(3)
MISDEMEANOR
$100.00 - 6 MONTHS

2_0265

****RR: TCKTS BUY/SELL NO AUTH****

...did, without authorization, solicit for the unlawful [buying/selling] of railroad tickets [personally/by sign/by advertisement/by other _____(describe)].

CR 6-506(a)(4)
MISDEMEANOR
$100.00 - 6 MONTHS

2_0266

****RR: TKTS AID/ABET TO BUY/SL****

...did [aid/abet] in the unlawful [buying/selling] of railroad tickets.

Effective 10/1/2016

Theft

Commissioners and Police Officers processing a theft charge involving theft of motor fuel dispensed into a vehicle should insert an "F" in the CJIS code in order to effect appropriate reporting in the event of a conviction.

CR 7-104
FELONY
DISTRICT COURT
$25,000.00 – 25 YEARS

1_0624

****THEFT: $100,000 PLUS****

...did steal _____ (property or service stolen) of _____ (owner) having a value of _____, $100,000 or more, in violation of CR 7-104 of the Annotated Code of Maryland.

NOTE: An "owner" can be anyone in possession, lawful or otherwise. See the definition of "owner" in CR 7-101(g) if in doubt. If the owner and the victim are two different people and both names are known, it is permissible to add to the charge wording as shown below: ...steal (the property) of ____ (owner) from _____ (victim)….

NOTE: Violations of CR 7-104 through 108 are tried in the District Court, whether a felony or a misdemeanor. A person who obtains property or services by uttering a bad check may be immediately prosecuted under "theft", if the person uttering the check was the drawer and did not have an account with the drawee at the time of utterance.

NOTE: Venue - A person who violates this section by use of an interactive computer service may be prosecuted in any county in which the victim resides or the electronic communication originated or was received.

Effective 10/1/2016

CR 7-104
FELONY
DISTRICT COURT
$15,000.00 – 15 YEARS

1_0623

****THEFT: $10,000 TO UNDER $100,000****

...did steal _____ (property or service stolen) of _____ (owner) having a value of _____, at least $10,000 but less than $100,000, in violation of CR 7-104 of the Annotated Code of Maryland.

CR 7-104
FELONY
DISTRICT COURT
$10,000.00 – 10 YEARS

1_0622

****THEFT: $1,000 TO UNDER $10,000****

...did steal _____ (property or service stolen) of _____ (owner) having a value of _____, at least $1,000 but less than $10,000, in the violation of CR 7-104 of the Annotated Code of Maryland.

CR 7-104
MISDEMEANOR
$500.00 - 18 MONTHS

1_0621

****THEFT: LESS $1,000 VALUE****

...did steal _____ (property or service stolen) of _____ (owner) having a value of _____, less than $1,000.00 , in violation of CR 7-104 of the Annotated Code of Maryland.

NOTE: A person who has two or more prior convictions under this subtitle and is convicted of theft of property or services with a value of less than $1,000 is subject to a maximum penalty of $5,000.00 or 5 years or both.

NOTE: It is suggested that you charge each misdemeanor offense separately and then charge all of the offense as "one scheme" and "a continuing course of conduct", provided there is not a break in the chain of events. Furthermore, the charge pursuant to "one scheme" and "a continuing course of conduct" is synonymous with an aggregate theft charge.

CR 7-104(3)
MISDEMEANOR
$500.00 - 90 DAYS

1_0521

****THEFT LESS THAN $100.00****

…did steal _____ (property or service) of _____ (owner) having a value of less than $100.00.

Effective 10/1/2016

CR 7-104
MISDEMEANOR
$500.00 - 18 MONTHS

1_0631

****THEFT-SCHEME: LESS $1,000****

...did, between the dates of _____ and _____, pursuant to one scheme and continuing course of conduct, steal ____ (property or services stolen) of ____ (owner) having a value of less than $1000, in violation of CR 7-104 of the Annotated Code of Maryland.

CR 7-104
FELONY
DISTRICT COURT
$10,000.00 - 10 YEARS

1_0632

****THEFT-SCHEME: $1,000 TO UNDER $10,000****

...did, between the dates of _____ and _____, pursuant to one scheme and continuing course of conduct, steal ____ (property or services stolen) of ____ (owner) having a value of at least $1,000 but less than $10,000, in violation of CR 7-104 of the Annotated Code of Maryland.

CR 7-104
FELONY
DISTRICT COURT
$15,000.00 - 15 YEARS

1_0633

****THEFT-SCHEME: $10,000 TO UNDER $100,000****

...did, between the dates of _____ and _____, pursuant to one scheme and continuing course of conduct, steal ____ (property or services stolen) of ____ (owner) having a value of at least $10,000 but less than $100,000, in violation of CR 7-104 of the Annotated Code of Maryland.

Effective 10/1/2016

CR 7-104
FELONY
DISTRICT COURT
$25,000.00 - 25 YEARS

1_0634

****THEFT-SCHEME: $100,000 PLUS**

...did, between the dates of _____ and _____, pursuant to one scheme and continuing course of conduct, steal ____ (property or services stolen) of ____ (owner) having a value of $100,000 or more, in violation of CR 7-104 of the Annotated Code of Maryland.

Motor Vehicle Theft

CR 7-105
FELONY
DISTRICT COURT
$5,000.00 - 5 YEARS
(SEE NOTE)

2_0480

****MOTOR VEH/UNLAWFUL TAKING****

...did unlawfully, knowingly, and wilfully take out of _____'s (victim's) lawful [custody/control/use], a motor vehicle, to wit: _____ (describe), without the consent of said _____ (victim), in violation of CR 7-105, of the Annotated Code of Maryland.

NOTE: "Motor Vehicle" is defined in Transportation Article, Sec. 11-135.

NOTE: All theft charges are within the exclusive original jurisdiction of the District Court, regardless of whether they are misdemeanor or felony, and do not receive a preliminary hearing.

Effective 10/1/2016

CR 7-106
MISDEMEANOR
$500.00 - 60 DAYS

2_0455

****NEWSPAPER THEFT****

...did [wilfully/knowingly] [obtain/exert] unauthorized control over newspapers, to wit: _____ (name paper and number of copies) with the intent to prevent others from reading the said newspapers.

NOTE: "Newspaper" includes any periodical distributed on a complementary or compensatory basis.

Effective 10/1/2016

EMBEZZLING PROPERTY AND WRITINGS

Fraudulent Misappropriation By Fiduciary

CR 7-113(1)
MISDEMEANOR
5 YEARS

1_2799

****EMBEZZLE MISAPPROPRIATE****

...did, being a fiduciary of the [estate/trust] of _____(name), fraudulently and wilfully appropriate to a use not in the due and lawful execution of [his/her] trust _____ [money/thing of value] received by [him/her] in their fiduciary capacity.

CR 7-113(2)
MISDEMEANOR
5 YEARS

1_0460

****EMBEZZLE-MISAPPROPRIATE****

...did, being a fiduciary of the [estate/trust] of ____(name), secrete____, the [money/thing[s] of value] received by [him/her] in their fiduciary capacity, with the intent to appropriate same to a use not in the due and lawful execution of [his/her] trust.

Fraud - Failure to Deliver Drafts for Stored Merchandise

CR 7-116
MISDEMEANOR
$5,000.00 - 10 YEARS

6_2610

****FRAUD/FAIL DELIV RECEIPTS****

...did for [his/her] own benefit and in violation of trust after having been entrusted with [money/drafts/checks] in the amount of _____, an advance against stored merchandise, to wit: _____, [refuse/fail] to deliver the same and the shipment documents for said merchandise to ____ (victim) as soon as the shipment was completed.

Removal from Store Premises, Etc.

CR 7-201(b)(i)
MISDEMEANOR
$25.00

1_2411

****GROCERY CARTS-REMOVAL****

...did remove from _____, a [grocery store/store/market], without the consent of the owner of said [grocery store/store/market] or his agents, a wheeled cart or similar device _____ (specify) provided by said owner for the purpose of carrying materials.

NOTE: Applies only when cart is taken from the store or parking lot, except that destruction may be on the premises and the destroyer need not have taken the cart. The cart must be marked with the owner's name and address. Notice of the law must be prominently posted at the public exits.

Effective 10/1/2016

APPROPRIATING PROPERTY BY BAILEE

CR 7-202
MISDEMEANOR
$100.00 - 6 MONTHS

1_2800

****APPROP PROP - W/O CONSENT****

...did wilfully [appropriate and use/permit ____(person) to appropriate and use] _____(name property), which is the subject matter of a bailment, without the consent of _____ (owner), _____ (defendant) being [a bailee/an employee/a servant/an agent of a bailee].

LARCENY - HORSES, BOATS OR VEHICLES

Unauthorized Use

CR 7-203
MISDEMEANOR
$100.00 - 4 YEARS

2_2411

****UNAUTH REMOVAL OF PROPERTY****

...did without permission, take and carry away [from the premises/out of the control/from the use of] of _____(name) a _____(name item, see note below) with the intent to temporarily deprive _____ (name person deprived) of the use and possession of said property.

NOTE: See CR 7-203(b)(1) for minimum penalty of 6m-$50 if convicted.

NOTE: Property subject to this section includes: a vehicle, a motor vehicle, a vessel, or livestock.

Effective 10/1/2016

Hires - Rental of Motor Vehicle Abandoning/Refusing to Return

CR 7-205
MISDEMEANOR
$500.00 - 1 YEAR

1_0220

****VEHICL/RENTED: ABANDON****

...did abandon a motor vehicle, to wit: ____ after [leasing/renting] same under an agreement to return said motor vehicle at the termination of the period for which it was [leased/ rented].

NOTE: This may not be charged until 5 days after written demand described in CR 7-205(b)(1) is sent and the demand is not met.

CR 7-205
MISDEMEANOR
$500.00 - 1 YEAR

1_2405

****VEHICL/RENTD: FAIL RETURN****

...did [abandon/refuse to return/willfully neglect to return] a motor vehicle to wit:_____, after [leasing/renting] said motor vehicle from _____(lessor of motor vehicle) under an agreement to return said motor vehicle at the end of the [leasing/rental] period.

NOTE: This may not be charged until 5 days after written demand described in CR 7-205(b)(1) is sent and the demand is not met.

Effective 10/1/2016

ELECTRONIC THEFT DEVICE

CR 7-301(c)
MISDEMEANOR
$1000 - 1 YEAR

1_1472

****ELECTRONIC THEFT DEVICE ****

...did knowingly possess with the intent to commit theft a device _____ (device name) intended to shield merchandise from detection by an electronic security system.

CR 7-301(d)
MISDEMEANOR
$1000 - 1 YEAR

1_1473

****ELECTRONIC THEFT - TOOL****

...did knowingly possess A [tool/device] designed to allow the [de-activation/removal from merchandise] [an electronic security system/device] used as part of an electronic security system with the intent to [de-activate the security system/remove the device from merchandise] without permission.

Effective 10/1/2016

Computers - Illegal Access

CR 7-302(c)(1)(i)
MISDEMEANOR
$1,000.00 - 3 YEARS

1_2804

****COMPUTERS ILLEGAL ACCESS****

...did intentionally, willfully, and without authorization [access/ attempt to access/cause access to/exceed authorized access to] [a computer/computer network/computer software/computer control language/computer system/computer services/computer data base].

CR 7-302(c)(1)(ii)
MISDEMEANOR
$1,000.00 – 3 YEARS

1_0914

****COPY/POSSESS DATABASE****

… did intentionally, willfully, and without authorization [copy/attempt to copy/possess/attempt to possess] the contents of [all/part of] a computer database accessed in violation of CR 7-302(1)(I).

Effective 10/1/2016

CR 7-302(c)(2)(i)
LOSS LESS THAN $10,000
(barcode 1-0470)
MISDEMEANOR
$5,000.00 - 5 YEARS
LOSS MORE THAN
$10,000.00
(barcode 1-0495)
FELONY
$10,000.00 - 10 YEARS
PRELIMINARY HEARING

1_0470
1_0495

****COMPUTER/ILL. ACC/DAMAGE****

...did intentionally, willfully, and without authorization [access/ attempt to access/cause access to / exceed authorized access to] a [computer/ computer network/computer software/computer control language/ computer system/computer services/computer data base/a part thereof] to [cause the malfunction/interrupt the operation] of the said equipment and software.

Effective 10/1/2016

CR 7-302(c)(2)(ii)
LOSS LESS THAN
$10,000.00
(barcode 1-0471)
MISDEMEANOR
$5,000.00 - 5 YEARS
LOSS MORE THAN
$10,000.00
(barcode 1-0496)
FELONY
$10,000.00 - 10 YEARS
PRELIMINARY HEARING

1_0471
1_0496

****COMPUTER/ILL. ACC/ALTER DATA****

...did intentionally, willfully, and without authorization [access/ attempt to access/ cause access to / exceed authorized access] to all or part of a [computer/ computer network/computer software/computer control language/ computer system/computer service/computer database] with intent to [alter/damage/destroy] [all/any part of] [data/a computer program] therein.

Effective 10/1/2016

CR 7-302(c)(3)
LOSS LESS THAN $10,000
(barcode 1-0472)
MISDEMEANOR
$5,000.00 - 5 YEARS
LOSS MORE THAN
$10,000.00
(barcode 1-0497)
FELONY
$10,000.00 - 10 YEARS
PRELIMINARY HEARING

1_0472
1_0497

****COMPUTER/PUBLISH ACCESS CODE****

...did intentionally, willfully, and without authorization [possess / identify/ attempt to identify/distribute to ____, an unauthorized person/ publicize to unauthorized persons] a valid access code.

Effective 10/1/2016

CR 7-302(c)(4)
LOSS LESS THAN $50,000
(barcode 1-0638)
MISDEMEANOR
$25,000.00 - 5 YEARS
LOSS MORE THAN
$50,000.00
(barcode 1-0639)
FELONY
$25,000.00 - 10 YEARS
PRELIMINARY HEARING

1_0638
1_0639

****INTERRUPT STATE GOV OR SERVICE ****

...did with intent, [interrupt/impair] the functioning of_____

1. the State Government by ____(describe act).
2. A [service/device/system] related to the [production/transmission/delivery/storage] of [electricity/natural gas] in the State that is [owned/operated/controlled] by _____(name), a person other than a public service company 1-101 by _____(describe act).
3. A service provided in the State by a public service company by_____(describe act)

See PUC 1-101 for definition of Publice Service Company.

Effective 10/1/2016

CR 7-303
MISDEMEANOR
$5,000.00 - 5 YEARS

2_0290

****FRAUD-CABLE TV-FOR PAY.****

...did for [pay/offer of pay], [destroy/damage/cut/tamper with/install/tap/remove/displace/make a connection] with a [wire/conduit/apparatus/ equipment] of ____ [cable TV company/private cableTV company], with the intent to receive cable TV services without payment.

CR 7-303
MISDEMEANOR
$5,000.00 – 5 YEARS

2_0291

****CABLE TV PREVNT PROG FOR PAY****

...did for [payment/offer of payment], [prevent/obstruct/delay] the [sending/conveyance/distribution/receipt] of programming material transmitted by a [franchised cable television company/a private cable television company].

CR 7-303
MISDEMEANOR
$5,000.00 - 5 YEARS

2_0292

****CABLE TV RECV SERV-FRAUD-PAY****

...did, for [payment/offer of payment]with the intent to deprive (name company) of lawful compensation for services provided, [receive/attempt to receive/assist another to receive] cable television service by [trick/use of a decoder/other fraudulent means to wit: _____].

Effective 10/1/2016

CR 7-303
MISDEMEANOR
$5,000.00 - 5 YEARS

2_0293

****SAT CABLE TV RECV-BY FRAUD-PAY****

...did, for [payment/offer of payment] with the intent to deprive (name company) of lawful compensation for services provided, [receive/attempt to receive/assist another to receive] satellite cable programming that is [offered for sale in the person's area through an unauthorized marketing system/received by decoding encrypted satellite cable programming].

CR 7-303
MISDEMEANOR
$5,000.00 - 5 YEARS

2_0294

****CABLE TV CON W/O AUTH-PAY****

...did, for [payment/offer of payment], connect with a [cable/wire/component/other device] used for the distribution of cable television service without authority from the cable television company.

CR 7-303
MISDEMEANOR
$5,000.00 - 5 YEARS

2_0295

****SAT TV MODIFY EQUIP FOR PAY****

...did for [payment/offer of payment] modify and alter [a device installed with the authorization of a cable television company/equipment capable of decoding encrypted satellite cable programming] in order to intercept and receive, [a program/service carried by the company/satellite cable programming].

Effective 10/1/2016

CR 7-303
MISDEMEANOR
$5,000.00 - 5 YEARS

4_0248

****CABL TV SEL/RNT DEV-FOR PAY****

...did for [payment/offer of payment] [sell/offer for sale/rent/offer for rent] to a person, a [device/plan for a device] with knowledge that the person intends to use the [device/plan] to do an act prohibited by CR 7-303.

CR 7-303(b)(1)
MISDEMEANOR
$1,000.00 - 6 MONTHS
SUB OFFENSE
$2,500.00 - 1 YEAR

3_2999

****FRAUD-CABLE TV-TAMPER ETC.****

...did [destroy/damage/cut/tamper with/install/tap/remove/displace/make a connection] with a [wire/conduit/apparatus/ equipment] of ____ [cable TV company/private cableTV company], with the intent to receive cable TV services without payment.

NOTE: See CR 7-303(d)(1)(ii) for subsequent offense penalty of $2,500-1 year if convicted.

CR 7-303(c)(i)
MISDEMEANOR
$1,000.00 - 6 MONTHS
SUB OFFENSE
$2,500.00 - 1 YEAR

2_0244

****CABLE TV RECV SERV BY FRAUD****

...did, with the intent to deprive _____(name company) of lawful compensation for services provided, [receive/attempt to receive/assist another to receive] cable television service by [trick/use of a decoder/other fraudulent means to wit: _____].

Effective 10/1/2016

CR 7-303(c)(ii)
MISDEMEANOR
$1,000.00 - 6 MONTHS
SUB OFFENSE
$2,500.00 - 1 YEAR

2_0245

****SAT CABLE TV RECV BY FRAUD****

...did, with the intent to deprive _____(name company) of lawful compensation for services provided, [receive/attempt to receive/assist another to receive] satellite cable programming that is [offered for sale in the person's area through an unauthorized marketing system/received by decoding encrypted satellite cable programming].

CR 7-303(c)(2)
MISDEMEANOR
$1,000.00 - 6 MONTHS
SUB OFFENSE
$2,500.00 - 1 YEAR

2_0243

****CABLE TV PREVNT OBST PROG****

...did [prevent/obstruct/delay] the [sending/conveyance/distribution/

receipt] of programming material transmitted by a [franchised cable television company/a private cable television company].

Cable TV-Tampering Etc

CR 7-303(4)
MISDEMEANOR
$1,000.00 - 6 MONTHS

2_0246

****CABLE TV CON W/O AUTHORITY****

...did connect with a [cable/wire/component/other device] used for the distribution of cable television service without authority from the cable television company.

Effective 10/1/2016

CR 7-303(5)(ii)
MISDEMEANOR
$1,000.00 - 6 MONTHS
SUB OFFENSE
$2,500.00 - 1 YEAR

2_0247

****SAT. CABLE TV MODIFY EQUIP****

...did modify and alter [a device installed with the authorization of a cable television company/equipment capable of decoding encrypted satellite cable programming] in order to intercept and receive, [a program/service carried by the company/satellite cable programming].

CR 7-303(6)
MISDEMEANOR
$1,000.00 - 6 MONTHS
SUB OFFENSE
$2,500.00 - 1 YEAR*

2_0248

****CABL TV SEL/RNT DEV/MISUE****

...did [sell/offer for sale/rent/offer for rent] to a person, a [device/plan for a device] with knowledge that the person intends to use the [device/plan] to do an act prohibited by CR 7-303.

Effective 10/1/2016

RECORDED MATERIAL - UNAUTHORIZED COPIES

Transfer Recorded Sound W/O Consent of Owner Of Master Device

CR 7-308(b)
PENALTY SEC. CR 7-309
MISDEMEANOR
$2,500.00 - 1 YEAR
SUB OFFENSE $10,000.00 - 3 YEARS

3_2602

****RECORDING: UNAUTHORIZ COPY****

...did knowingly [transfer/cause to be transferred] sounds [recorded/otherwise stored] on a recorded article onto another recorded article with the intent to [sell/cause to be sold] [for profit/to promote the sale of _____(product)] and without the consent of the owner thereof.

NOTE: The above wording shall only apply to sound recordings initially fixed prior to February 15, 1972.

NOTE: "Owner" refers to copy right owner.

CR 7-308(c)(2)
(PENALTY SEC. CR 7-309)
MISDEMEANOR
$2,500.00 - 1 YEAR

1_0330

****RECORD/UNAUTH PERFORMANCE****

...did knowingly [transfer/cause to be transferred] to a recorded article a performance by _____ (artist) with the intent [to [sell/cause to be sold] said recording for profit/ that said recording be used to promote the sale of ____ (product)] without the consent of said performer.

Effective 10/1/2016

CR 7-308(d)(2)
(PENALTY SEC. CR 7-309)
MISDEMEANOR
$2,500.00 - 1 YEAR

1_0331

****RECORDG/UNAUTH SELL, ETC.****

...did knowingly [sell/rent/distribute/circulate/offer for [sale/rental distribution/circulation]/possess for [sale/distribution/circulation]/ cause to be [sold/rented/distributed/circulated]] a recorded article to wit: ____ (name or describe) [on which sounds have been transferred without the consent of the owner/embodying a performance without the consent of the performer.

NOTE: "Owner" means copyright owner.

CR 7-308(d)(2)(i)(ii)
(PENALTY SEC. CR 7-309)
MISDEMEANOR
$2,500.00 - 1 YEAR

1_0332

****RECORDING: SELL, ETC.****

...did knowingly [sell/rent/distribute/circulate/offer for [sale/ rental/distribution/circulation]/possess for [sale/rental distribution/circulation]] a recorded article on which [sounds/images] have been [transferred/stored], such recorded article, etc., not having contained the name and address of the transferor and the name of the performer in a prominent place on its outside face or package.

NOTE: This section applies to persons, firms, corporations,associations, partnership.

This section does not apply to:

1. Any radio or TV broadcaster or cable radio or TV operator who transmits in regular business.

2. Any person transferring sound or images for his own use.

Effective 10/1/2016

CR 7-308(e)
MISDEMEANOR
$2,500.00 - 1 YEAR

1_0336

****RECORDING/UNAUTHORIZED-MOVE THEATER****

…did knowingly operate an audiovisual recording function of a device in motion picture theater without the consent of the [owner/lessee] of the theater.

NOTE: This section does not apply to the lobby area of a motion picture theater.

TELECOMMUNICATION SERVICES

CR 7-315
PENALTY SEC. CR 7-316
MISDEMEANOR
$2,500.00 - 3 YEARS

1_0590

****TELECOM SERVICE - FRAUD****

…did [possess/use/manufacture/distribute/transfer/sell/ offer/promote/advertise for sale, use and distribution] an [unlawful telecommunication device/access code] for the commission of a theft of telecommunication service.

CR 7-315
PENALTY SEC. 7-3169a)
FELONY
$10,000.00 - 10 YEARS

1_0591

****TELECOM SERV - FELONY****

...did [possess/use/manufacture/distribute/transfer/sell/ offer/promote/advertise for sale, use and distribution] more than 100 [unlawful telecommunication devices/access codes] for the commission of a theft of telecommunication service.

Effective 10/1/2016

BAD CHECKS

CR 8-103
PENALTY SEC. 8-106
FELONY
DISTRICT COURT
$10,000 – 10 YEARS

1_1218

****BDCKS/30 DY PLOT/NSF****

...did, between _____ (date) and ____ (date, see note), unlawfully and knowingly obtain _____ (property or services) from _____ (name of supplier) of the value of $_____, by [issuing/passing] _____ (number of checks, see note) to _____(name of person or company receiving checks) numbered _____ (check numbers) drawn on _____ (name of bank and account #) knowing that there were insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the [passing/issuance] that payment would be refused by the drawee upon presentation.

NOTE: Each check issued must be less than $1,000 and issued within a 30 day period. The cumalitive value of property or services must be $1,000 or more.

Effective 10/1/2016

CR 8-103
PENALTY SEC. 8-106
FELONY
DISTRICT COURT
$10,000 – 10 YEARS

1_1219

****BDCK/30 DY PLOT/STOP PAY****

...did, between _____ (date) and _____ (date, see note), unlawfully and knowingly obtain _____ (property or services) from _____ (name of supplier) of the value of $_____ (see note), by [issuing/passing] _____ (number of checks, see note) to _____ (name of person or company receiving checks) numbered _____ (check numbers), drawn on _____ (name of bank and account number), knowing that the drawee thereof at the time of [passing/issuance] intended to stop payment of the checks without the consent of the payee and payment was refused by the drawee upon presentation of the checks.

NOTE: This section does not apply to any holder of an instrument who gives to the maker a bona fide reasonable notice of dishonor and warning of criminal prosecution under Sec. 8-101 through 8-107 of this Article.

NOTE: Each check issued must be less than $1,000 and issued within a 30 day period. The cumalitive value of property or services must be $1,000 or more.

If multiple bad checks are passed or issued to the same victim, and one or more exceeds a value of $1,000, it is suggested that each bad check be charged separately. The State's Attorney may later add a cumulative charge for those checks not exceeding $1,000 in value in their discretion.

If multiple bad checks are passed or issued to the same victim over a period of time exceeding 30 days, it is suggested that two or more charges be used, one for the first 30 days, and an additional cumulative charge for each ensuing 30-day period or portion thereof.

NOTE: The sworn application for Statement of Charges (DC/CR 1 or DC/CR 44) is the affadivit under Commercial Law Article 15-802.

Effective 10/1/2016

CR 8-103(a)
PENALTY SEC. CR 8-106(d)
FELONY- DISTRICT CT
$25,000.00 – 25 YEARS

1_1220

****BD CHECK/ISSUE /NSF 100K +****

…did unlawfully and knowingly obtain ___ (property or service) having a value of ____, belonging to ____ (owner) by issuing a certain bad check numbered ____, drawn on ____ (drawee) knowing that there were insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the issuance that payment would be refused by the drawee upon presentation, and the payment was refused by the drawee upon presentation.

CR 8-103(a)
PENALTY SEC. CR 8-106(d)
FELONY- DISTRICT CT
$15,000.00 – 15 YEARS

1_1221

****BD CHECK/ISSUE /NSF 10K-<100K****

…did unlawfully and knowingly obtain ___ (property or service) having a value of ____, belonging to ____ (owner) by issuing a certain bad check numbered ____, drawn on ____ (drawee) knowing that there were insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the issuance that payment would be refused by the drawee upon presentation, and the payment was refused by the drawee upon presentation.

Effective 10/1/2016

CR 8-103 (a)
PENALTY SEC. 8-106
FELONY 1K to <10K
DISTRICT COURT
$10,000 – 10 YEARS

1_1222

****BD CK/ISSUE /NSF/$1,000 TO <$10K****

...did unlawfully and knowingly obtain____ (property or service obtained) having a value of _____, belonging to ____, (victim) by issuing a certain bad check numbered _____, drawn on _____ (drawee), knowing that there were insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the issuance that payment would be refused by the drawee upon presentation, and payment was refused by the drawee upon presentation.

NOTE TO COMMISSIONERS:

In all except employee situations (see below), there are two ways to violate CR 8-103 by issuing a bad check or by passing a bad check. There are also two ways for a check to be bad, insufficient funds (NSF) or a deliberate stop payment order.

The person that wrote a bad check is called the "Drawer." When he or his representative gives that check to another to obtain goods, services, or money, that check has been ISSUED. Choose the appropriate wording under BD CK/ISSUE, depending upon the value of the check and whether it was refused by the bank for NSF or because of a stop payment order. The term service may also include the use of computer, data processing or other equipment.

Effective 10/1/2016

CR 8-103 (a)
MISDEMEANOR
$500 - 18 MONTHS

1_1223

****BD CK/ISSUE /NSF/UND $1,000****

...did unlawfully and knowingly obtain ____ (property or service obtained) having a value of ____, belonging to ____, (victim) by issuing a certain bad check numbered ___, drawn on _____ (drawee) knowing that there were insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the issuance that payment would be refused by the drawee upon presentation, and payment was refused by the drawee upon presentation.

CR 8-103(a)
PENALTY SEC. CR 8-106(d)
MISDEMEANOR
$500.00 - 90 DAYS

1_1141

****BD CHECK/ISSUE/NSF LESS $100****

…did unlawfully and knowingly obtain ___ (property or service) having a value of ____, belonging to ____ (owner) by issuing a certain bad check numbered ____, drawn on ____ (drawee) knowing that there were insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the issuance that payment would be refused by the drawee upon presentation, and the payment was refused by the drawee upon presentation.

Effective 10/1/2016

CR 8-103(b)
PENALTY SEC. CR 8-106(d)
FELONY – DISTRICT CT
$25,000 – 25 YEARS

1_1224

****BAD CHECK/STOP PAY/ $100K +****

…did unlawfully and knowingly obtain ___ (property or service) having a value of ____, belonging to ____ (owner) by issuing a certain bad check numbered ____, drawn on ____ (drawee) knowing that the drawer therof at the time of issuance intended to stop payment of the check without the consent of the payee and the payment was refused by the drawee upon presentation of the check.

CR 8-103(b)
PENALTY SEC. CR 8-106(d)
FELONY – DISTRICT CT
$15,000 – 15 YEARS

1_1225

****BAD CHECK/STOP PAY/$10K TO <$100K ****

…did unlawfully and knowingly obtain ___ (property or service) having a value of ____, belonging to ____ (owner) by issuing a certain bad check numbered ____, drawn on ____ (drawee) knowing that the drawer therof at the time of issuance intended to stop payment of the check without the consent of the payee and the payment was refused by the drawee upon presentation of the check.

Effective 10/1/2016

CR 8-103(b)
PENALTY SEC. 8-106
FELONY -DISTRICT CT
$1,000.00 - 15 YEARS
$10,000 – 10 YEARS

1_1226

****BD CK/ISSUE/STP PAY/$1K TO < $10K ****

...did unlawfully and knowingly obtain ____ (property or service obtained), having the value of ____, belonging to (victim) by issuing a certain check numbered ____, drawn on _____ (drawee) knowing that the drawer thereof at the time of issuance intended to stop payment of the checks without the consent of the payee and payment was refused by the drawee upon presentation of the check.

CR 8-103(b)
PENALTY SEC. 8-106
MISDEMEANOR
$500 – 18 MONTHS

1_1227

****BD CK/ISSUE/STOP PAY/UND $1,000****

...did unlawfully and knowingly obtain ____(property or service obtained), having the value of ____, belonging to (victim) by issuing a certain check numbered _____, drawn on _____ (drawee) knowing that the drawer thereof at the time of issuance intended to stop payment of the checks without the consent of the payee and payment was refused by the drawee upon presentation of the check.

Effective 10/1/2016

CR 8-103(b)
PENALTY SEC. CR 8-106(d)
MISDEMEANOR
$500.00 - 90 DAYS

1_1143

****BAD CHECK/STOP PAY/LESS THAN $100****

did unlawfully and knowingly obtain ____ (property or service) having a value of ____, belonging to ___ (owner) by issuing a certain bad check numbered ___, drawn on ____ (drawee) knowing that the drawer thereof at the time of issuance intended to stop payment of the check without the consent of the payee and the payment was refused by the drawee upon presentation of the check

CR 8-103 (c)
PENALTY SEC. CR 8-106(d)
FELONY
DISTRICT COURT
$25,000.00 –25 YEARS

1_1228

****BAD CHECK/EMPLOYEE/$100K +****

…did unlawfully and knowingly issue a certain check numbered ____, drawn on ____ (drawee) to ___ (name of employee) for services knowing that the drawer thereof has insufficient funds with the drawee to cover the check and other outstanding checks and intending at the time of issuance that payment would be refused by the drawee upon presentatation.

Effective 10/1/2016

CR 8-103 (c)
PENALTY SEC. CR 8-106(d)
FELONY
DISTRICT COURT
$15,000.00 – 15 YEARS

1_1229

****BAD CHECK/EMPLOYEE/$10K TO <$100K ****

…did unlawfully and knowingly issue a certain check numbered ____, drawn on ____ (drawee) to ___ (name of employee) for services knowing that the drawer thereof has insufficient funds with the drawee to cover the check and other outstanding checks and intending at the time of issuance that payment would be refused by the drawee upon presentatation.

CR 8-103(c)
PENALTY SEC. 8-106
FELONY
DISTRICT COURT
$10,000 – 10 YEARS

1_1230

****BD CK/EMPLOYEE $1K TO <$10K****

...did unlawfully and knowingly issue a certain check numbered ____ drawn on ____ (drawee) to ____ (employee or independent contractor) for services knowing that the drawer thereof has insufficient funds with the drawee to cover the check and other outstanding checks and intending at the time of issuance that payment will be refused upon presentation, and ____ (employee or independent contractor) passed the check to _____ (third person) and payment was refused by the drawee upon presentation.

Effective 10/1/2016

CR 8-103(c)
PENALTY SEC. 8-106
MISDEMEANOR
$500 – 18 MONTHS

1_1231

****BD CK/EMPLOYEE/UND $1,000****

...did unlawfully and knowingly issue a certain check numbered _____ drawn on ____ (drawee) to ____ (employee or independent contractor) for services knowing that the drawer thereof has insufficient funds with the drawee to cover the check and other outstanding checks and intending at the time of issuance that payment will be refused upon presentation, and _____(employee or independent contractor) passed the check to _____(third person) and payment was refused by the drawee upon presentation, and ____ (employee or independent contractor) passed the check to _____ (third person) and payment was refused by the drawee upon presentation.

CR 8-103 (c)
PENALTY SEC. CR 8-106(d)
MISDEMEANOR
$500.00 - 90 DAYS

1_1144

****BAD CHECK/EMPLOYEE/LESS THAN $100****

did unlawfully and knowingly issue a certain check numbered ____, drawn on ____ (drawee) to _____ (name of employee) for services knowing that the drawer thereof has insufficient funds with the drawee to cover the check and other outstanding checks and intending at the time of issuance that payment would e refused by the drawee upon presentation.

Effective 10/1/2016

CR 8-103 (d)
PENALTY SEC. CR 8-106(d)
FELONY
DISTRICT COURT
$25,000 – 25 YEARS

1_1232

****BAD CHECK/PASS/NSF/ $100K + ****

…did unlawfully and knowingly obtain ___ (property or service) having a value of ____, belonging to ____ (owner) by passing a certain bad check numbered ____, drawn on ____ (drawee) knowing that the drawer thereof has insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the passing that the payment would be refused by the drawee upon presentation, and the payment was refused by the drawee upon presentation.

CR 8-103 (d)
PENALTY SEC. CR 8-106(d)
FELONY
DISTRICT COURT
$15,000 – 15 YEARS

1_1233

****BAD CHECK/PASS/NSF/$10K TO <$100K****

…did unlawfully and knowingly obtain ___ (property or service) having a value of ____, belonging to ____ (owner) by passing a certain bad check numbered ____, drawn on ____ (drawee) knowing that the drawer thereof has insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the passing that the payment would be refused by the drawee upon presentation, and the payment was refused by the drawee upon presentation.

Effective 10/1/2016

CR 8-103 (d)
FELONY
DISTRICT COURT
$10,000 – 10 YEARS

1_1234

****BD CK/PASS/NSF $1K TO <$10K****

...did unlawfully and knowingly obtain ____ (property or service obtained), having the value of _____, belonging to (victim) by passing a certain bad check numbered _____, drawn on _____(drawee) knowing that the drawer thereof has insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the passing that payment would be refused by the drawee upon presentation, and payment was refused by the drawee upon presentation.

CR 8-103 (d)
MISDEMEANOR
$100.00 - 18 MONTHS
$500 – 18 MONTHS

1_1235

****BD CK/PASS/NSF/UND $1,000****

...did unlawfully and knowingly obtain ____ (property or service obtained), having the value of ____, belonging to (victim) by passing a certain bad check numbered ____, drawn on _____, knowing that the drawer thereof has insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the passing that payment would be refused by the drawee upon presentation, and payment was refused by the drawee upon presentation.

Effective 10/1/2016

CR 8-103 (d)
PENALTY SEC. CR 8-106(d)
MISDEMEANOR
$500.00 - 90 DAYS

1_1142

****BAD CHECK/PASS/NSF/LESS THAN $100****

…did unlawfully and knowingly obtain ___ (property or service) having a value of ____, belonging to ____ (owner) by passing a certain bad check numbered ____, drawn on ____ (drawee) knowing that the drawer thereof has insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the passing that the payment would be refused by the drawee upon presentation, and the payment was refused by the drawee upon presentation.

CR 8-103(e)
PENALTY SEC. 8-106
FELONY
DISTRICT COURT
$25,000.00 – 25 YEARS

1_1236

****BD CK/PASS/STP PAY/$100K + ****

...did unlawfully and knowingly obtain ___(property or service obtained), having the value of ____, belonging to (victim) by passing a certain check numbered _____, drawn on _____(drawee) knowing that payment of the check has been stopped and payment was refused by the drawee upon presentation of the check.

Effective 10/1/2016

CR 8-103(e)
PENALTY SEC. 8-106
FELONY
DISTRICT COURT
$15,000.00 – 15 YEARS

1_1237

****BD CK/PASS/STP PAY/$10K TO <100K + ****

...did unlawfully and knowingly obtain ___(property or service obtained), having the value of ____, belonging to (victim) by passing a certain check numbered _____, drawn on _____(drawee) knowing that payment of the check has been stopped and payment was refused by the drawee upon presentation of the check.

CR 8-103(e)
PENALTY SEC. 8-106
FELONY
DISTRICT COURT
$10,000 – 10 YEARS

1_1238

****BD CK/PASS/STOP PAY $1K TO <$10K****

...did unlawfully and knowingly obtain____ (property or service obtained), having the value of _____, belonging to (victim) by passing a certain check numbered _____, drawn on ____ (drawee) knowing that payment of the check has been stopped and payment was refused by the drawee upon presentation of the check.

Effective 10/1/2016

CR 8-103(e)
PENALTY SEC. 8-106
MISDEMEANOR
$500 – 18 MONTHS

1_1239

****BD CK/PASS/STP PAY/UND $1,000 ****

...did unlawfully and knowingly obtain ___(property or service obtained), having the value of ____, belonging to (victim) by passing a certain check numbered _____, drawn on _____(drawee) knowing that payment of the check has been stopped and payment was refused by the drawee upon presentation of the check.

CR 8-103(e)
PENALTY SEC. 8-106
MISDEMEANOR
$500.00 – 90 DAYS

1_1240

****BD CK/PASS/STP PAY/UND $100 ****

...did unlawfully and knowingly obtain ___(property or service obtained), having the value of ____, belonging to (victim) by passing a certain check numbered _____, drawn on _____(drawee) knowing that payment of the check has been stopped and payment was refused by the drawee upon presentation of the check.

CR 8-108
MISDEMEANOR
$100.00 - 60 DAYS

1_0616

****BAD CHECK: FINES/COURT COSTS****

…did pay a [fine/cost] imposed by a court by delivering a check issued by _____(name), knowing that payment of the check had not been provided for, and payment of the check was refused by the drawee on presentment.

Effective 10/1/2016

CREDIT CARD OFFENSES

CR 8-203
MISDEMEANOR
$500.00 - 18 MONTHS

1_2607

****CRED CRD APLY FOR/FALSE ID****

...did [make/cause to be made] a false written statement to _____ (company or company representative)with respect to [his/ her] identity/the identity of another person, to wit: _____] knowing it to be false and with the intent that it be relied upon for the purpose of procuring the issuance of a credit card.

CR 8-204(a)(i)
MISDEMEANOR
$500.00 - 18 MONTHS

1_2399

****CRED CARD: STEAL ANOTHER'S****

did [take/take possession of/take custody of/take control of] a credit card belonging to _____cardholder name) without [his/her] consent].

CR 8-204(a)(ii)
MISDEMEANOR
$500.00 - 18 MONTHS

2_2803

****CRED CARD/STOLEN: RECEIVE****

...did receive a credit card belonging to _____, knowing it to have been stolen, with the intent to [use it/sell it/ transfer it] to a person other than _____ (issuer/or card holder).

Effective 10/1/2016

CR 8-204(b)
MISDEMEANOR
$500.00 - 18 MONTHS

1_2899

****CRED CRD LOST RECV/RETAIN****

...did receive and retain possession of a credit card belonging to ____, knowing it to have been [lost/mislaid/delivered under a mistake as to identity or address of cardholder], with intent [that it be used by/sell it to/transfer it to] a person other than _____ (issuer or cardholder).

CR 8-204(c)
MISDEMEANOR
$500.00 - 18 MONTHS

1_2605

****CRED CRD SELL/BUT UNLAWFUL****

...did [sell to/buy from] _____, a credit card issued to _____, knowing that the [seller/purchaser] was not the issuer.

CR 8-204(d)
MISDEMEANOR
$500.00 - 18 MONTHS

1_2803

****CRED CRD RECEIV UNLAWFULLY****

...did receive a credit card, to wit: _____ (describe card) knowing it to have been [stolen/illegally procured/sold by a person other than the issuer/issued pursuant to a false written statement/illegally retained].

Effective 10/1/2016

CR 8-205(b)
FELONY
DISTRICT COURT
$1,000.00 - 15 YEARS

1_0196

****CREDIT CARD: COUNTERFEIT****

...did, with intent to defraud ____ (issuer of card), falsely [make/emboss/transfer/possess] a purported credit card, to wit: _____ (describe card).

NOTE: See definition of "falsely made," and "falsely emboss" in Section CR 8-205.

CR 8-205(c)
FELONY
DISTRICT COURT
$1,000.00 - 15 YEARS

1_0198

****CRED. CARD SIGN ANOTHER'S****

...did, with intent to defraud ____, sign a credit card issued to _____.

CR 8-206(a)(1)
MISDEMEANOR
$500.00 - 90 DAYS

1_0581

****CREDIT CARD/ANOTHER CHG L/T $100****

…did, with intent to defraud ____ (issuer of card), use a credit card issued to _____ (name) for the purpose of obtaining [money/goods/services/things of value] having a value of $100 or less, knowing the said card to have been [stolen/illegally purchased/illegally sold/lost/misdelivered].

Effective 10/1/2016

CR 8-206(a)(1)
MISDEMEANOR
$500.00 - 18 MONTHS

3_4120

****CRED CRD/ANOT. CHARG L/T $1,000****

...did, with intent to defraud _____ (issuer of card), use a credit card issued to _____ for the purpose of obtaining [money/goods/services/ things of value] having a value of less than $1,000, knowing the said card to have been [stolen/illegally purchased/illegally sold/lost/misdelivered].

CR 8-206(a)(1)
FELONY
DISTRICT COURT
$10,000 – 10 YEARS

1_1241

****CRED CRD/ANOT. CHARG $1K TO <10K****

…did, with intent to defraud _____ (issuer of card), use a credit card issued to _____ for the purpose of obtaining [money/goods/services/ things of value] having a value of ____(amount), at least $1,000 but below $10,000, knowing the said card to have been [stolen/illegally purchased/illegally sold/lost/misdelivered].

Effective 10/1/2016

CR 8-206(a)(1)
FELONY
DISTRICT COURT
$15,000.00 – 15 YEARS

1_1242

****CREDIT CARD/ANOTH CHG 10K TO <100K****

…did, with intent to defraud ____ (issuer of card), use a credit card issued to _____ (name) for the purpose of obtaining [money/goods/services/things of value] having a value of ____(amount), at least $10,000 but less than $100,000, knowing the said card to have been [stolen/illegally purchased/illegally sold/lost/misdelivered].

CR 8-206(a)(1)
FELONY
DISTRICT COURT
$25,000.00 – 25 YEARS

1_1243

****CREDIT CARD/ANOTH CHG 100K+****

…did, with intent to defraud ____ (issuer of card), use a credit card issued to _____ (name) for the purpose of obtaining [money/goods/services/things of value] having a value of ____(amount), $100,000 or more, knowing the said card to have been [stolen/illegally purchased/illegally sold/lost/misdelivered].

CR 8-206(a)(2)
FELONY
DISTRICT COURT
$25,0000 – 25 YEARS

1_1244

****OBT PROP BY CNTRFT $100K+****

...did, with intent to defraud ____(name), use a credit card issued to ____, for the purpose of obtaining [money/goods/services/thing of value] having a value of ____(amount), $100,000 or more, knowing said card to be counterfeit.

Effective 10/1/2016

CR 8-206(a)(2)
FELONY
DISTRICT COURT
$15,0000 – 15 YEARS

1_1245

****OBT PROP BY CNTRFT $10K TO <$100K****

...did, with intent to defraud ____(name), use a credit card issued to ____, for the purpose of obtaining [money/goods/services/thing of value] having a value of ____(amount), at least $10,000 but less than $100,000, knowing said card to be counterfeit.

CR 8-206(a)(2)
FELONY
DISTRICT COURT
$10,000 – 10 YEARS

1_1246

****OBT PROP BY CNTRFEIT $1K TO <10K****

...did, with intent to defraud ____(name), use a credit card issued to ____, for the purpose of obtaining [money/goods/services/thing of value] having a value of ____(amount), at least $1,000 but less than $10,000, knowing said card to be counterfeit.

NOTE: See 8-206(c) for appropriate penalty information.

CR 8-206(a)(2)
MISDEMEANOR
$500.00 - 18 MONTHS

3_4130

****OBT PROP BY COUNTERFEIT UND $1,000****

...did with intent to defraud ____(name), use a credit card issued to ____, for the purpose of obtaining [money/goods/services/thing of value] having a value of less than $1,000, knowing said card to be counterfeit.

Effective 10/1/2016

CR 8-206(a)(2)
MISDEMEANOR
$500.00 - 90 DAYS

1_0582

****OBT PROP BY COUNTERFEIT L/T $100****

...did, with intent to defraud ____(name), use a credit card issued to ____, for the purpose of obtaining [money/goods/services/thing of value] having a value that does not exceed $100, knowing said card to be counterfeit.

CR 8-206(b)
FELONY
DISTRICT COURT
$25,000 – 25 YEARS

1_1247

****CRED CRD-PERSONATN/ $100K +****

…did, with intent to defraud _____ obtain [money/goods/services/things of value] having a value of ____(amount), $100,000 or more, by [representing himself to be _____, the specified holder of a credit card, without the said ____ consent/ representing himself to be the holder of a non-issued credit card].

CR 8-206(b)
FELONY
DISTRICT COURT
$15,000.00 – 15 YEARS

1_1248

****CRED CRD-PERSONATN/$10K TO <$100K****

...did, with intent to defraud _____ obtain [money/goods/services/things of value] having a value of ____(amount), at least $10,000 but less than $100,000, by [representing himself to be _____, the specified holder of a credit card, without the said ____ consent/ representing himself to be the holder of a non-issued credit card].

Effective 10/1/2016

CR 8-206(b)
MISDEMEANOR
$500.00 - 18 MONTHS

3_4140

****CRED CRD-PERSONATN/L/T $1,000****

...did, with intent to defraud _____ obtain [money/goods/services/things of value] having a value of less than $1,000 by [representing himself to be _____, the specified holder of a credit card, without the said ____ consent/ representing himself to be the holder of a non-issued credit card].

CR 8-206(b)
FELONY
DISTRICT COURT
$10,000 – 10 YEARS

1_1249

****CRED CARD PERSONATN $1K TO <$10K****

...did, with intent to defraud _____ obtain [money/goods/services/things of value] having a value of ____(amount), at least $1,000 but less than $10,000, by [representing himself to be _____, the specified holder of a credit card, without the said ____ consent/ representing himself to be the holder of a non-issued credit card].

CR 8-206(b)
MISDEMEANOR
$500.00 – 90 DAYS

1_0583

****CRED CRD-PERSONATN/L/T $100****

...did, with intent to defraud _____ (name) obtain [money/goods/services/things of value to wit:___] having a value of $100 or less by [representing himself to be _____, the specified holder of a credit card, without the said ____ consent/ representing himself to be the holder of a non-issued credit card].

Effective 10/1/2016

CR 8-207(a)(1)
FELONY
DISTRICT COURT
$25,000 – 25 YEARS

1_1250

****CRD CRD SELL UNL USE $100K+****

...did, with intent to defraud ____, furnish [money/goods/services/things of value] having a value of ____ (amount), $100,000 or more, to ____ upon presentation of a credit card issued to ____, knowing the said card to have been [stolen/forged/illegally purchased/illegally sold/counterfeited].

CR 8-207(a)(1)
FELONY
DISTRICT COURT
$15,000 – 15 YEARS

1_1251

****CRD CRD SELL UNL USE $10K TO <$100K****

...did, with intent to defraud ____, furnish [money/goods/services/things of value] having a value of ___(amount), at least $10,000 but less than $100,000, to ____ upon presentation of a credit card issued to ____, knowing the said card to have been [stolen/forged/illegally purchased/illegally sold/counterfeited].

CR 8-207(a)(1)
MISDEMEANOR
$500.00 - 18 MONTHS

3_4150

****CRED CRD SELL USER/L/T $1,000****

...did, with intent to defraud ____, furnish [money/goods/services/things of value] having a value of ___(amount), less than $1,000, to ____ upon presentation of a credit card issued to ____, knowing the said card to have been [stolen/forged/illegally purchased/illegally sold/counterfeited].

Effective 10/1/2016

CR 8-207(a)(1)
FELONY
DISTRICT COURT
$10,000 – 10 YEARS

1_1252

****CRD CRD SELL UNLW USE $1K - <$10K****

...did, with intent to defraud ____, furnish [money/goods/services/things of value] having a value ____(amount), at least $1,000 but less than $10,000 to ____ upon presentation of a credit card issued to ____, knowing the said card to have been [stolen/forged/illegally purchased/illegally sold/counterfeited].

CR 8-207(a)(1)
MISDEMEANOR
$500 – 90 DAYS

1_0584

****CRD CRD SELL UNLWF USE L/T $100****

...did, with intent to defraud ____, furnish [money/goods/services/things of value] having a value of less than $100, to ____ upon presentation of a credit card issued to ____, knowing the said card to have been [stolen/forged/illegally purchased/illegally sold/counterfeited].

Effective 10/1/2016

CR 8-207(a)(2)
FELONY
DISTRICT COURT
$25,000 – 25 YEARS

1_1253

****CRD CRD FALSE CLM-SL $100K +***

…did, having been authorized by ____ (issuer) to furnish ____ [money/goods/service/anything of value] having the value of _____, to_____ (authorized cardholder), with the intent to defraud, represent in writing that [he/she] supplied _____(money, etc.) which [he/she] failed to supply as represented in the writing, the difference being ____ (amount).

CR 8-207(a)(2)
FELONY
DISTRICT COURT
$15,000 – 15 YEARS

1_1254

****CRD CRD FALSE CLM-SL $10K TO <$100K***

...did, having been authorized by ____ (issuer) to furnish ____ [money/goods/service/anything of value] having the value of _____, to_____ (authorized cardholder), with the intent to defraud, represent in writing that [he/she] supplied _____(money, etc.) which [he/she] failed to supply as represented in the writing, the difference being ____ (amount).

CR 8-207(a)(2)
MISDEMEANOR
$500.00 - 18 MONTHS

3_4160

****CRD CRD FALSE CLM-SL L/T $1,000***

...did, having been authorized by ____ (issuer) to furnish ____ [money/goods/service/anything of value] having the value of _____, to_____ (authorized cardholder), with the intent to defraud, represent in writing that [he/she] supplied _____(money, etc.) which [he/she] failed to supply as represented in the writing, the difference being ____ (amount).

Effective 10/1/2016

CR 8-207(a)(2)
FELONY
DISTRICT COURT
$10,000 – 10 YEARS

1_1365

****CRD CRD FLS CLM SELL $1K TO <$10K****

...did, having been authorized by ____ (issuer) to furnish ____ [money/goods/service/anything of value] having the value of _____, to_____ (authorized cardholder), with the intent to defraud, represent in writing that [he/she] supplied _____(money, etc.) which [he/she] failed to supply as represented in the writing, the difference being ____ (amount).

CR 8-207(a)(2)
MISDEMEANOR
$500.00 – 90 DAYS

1_0585

****CRD CRD FALSE CLM-SL L/T $100 ***

...did, having been authorized by ___(issuer) to furnish [money/goods/services/thing of value to wit:____] on presentation of a credit card by ___(cardholder), fail to furnish said [money/goods/ services/ thing of value to wit: ___] having a value of $100 or less, to ____(authorized cardholder), which was represented in writing to the issuer that said [money/goods/services/ thing of value to wit:___] was furnished.

Effective 10/1/2016

CR 8-208(b)(1)
FELONY
DISTRICT COURT
$1,000.00 - 15 YEARS

1_0199

****CRED. CARD INCOMP. POSSESS****

...did possess an incomplete credit card issued to _____, with the intent to complete same without the consent of _____, the issuer.

CR 8-208(b)(2)
FELONY
DISTRICT COURT
$1,000.00 - 15 YEARS

1_0200

****CRED. CARD EQUIP TO PRODUC****

...did knowingly possess [machinery/plates/other contrivance, to wit: ____] designed to produce credit cards of _____, without his consent.

CR 8-209(a)
FELONY
DISTRICT COURT
$25,000 – 25 YEARS

1_1255

****FALSE CRD CRD: CHRG GOOD $100K+****

...did receive [money/goods/services/things of value] to wit: ___ having a value of ____(amount) , $100,000 or more, obtained by means of a forged or misrepresented credit card issued to ____ and negotiated by ____, knowing the said [money/goods, etc.] was illegally obtained.

Effective 10/1/2016

CR 8-209(a)
FELONY
DISTRICT COURT
$15,000 – 15 YEARS

1_1256

****FLSE CRD CRD CHRG GOOD $10K -<$100K****

...did receive [money/goods/services/things of value] to wit: ___ having a value of ____(amount) , $100,000 or more, obtained by means of a forged or misrepresented credit card issued to ____ and negotiated by ____, knowing the said [money/goods, etc.] was illegally obtained.

CR 8-209(a)
FELONY
DISTRICT COURT
$10,000 – 10 YEARS

1_1257

****FALSE CRD CRD CHRG GOODS $1K TO <$10K****

…did receive,[money/goods/services/things of value] to wit: ___ having a value of ____(amount), at least $1,000 but less than $10,000, obtained by means of a forged or misrepresented credit card issued to ____ and negotiated by ____, knowing the said [money/goods, etc.] was illegally obtained.

NOTE: Per CJ 4-301 District Court has exclusive original jurisdiction whether felony or misdemeanor.

NOTE: If a person commits a violation of this section pursuant to one scheme or continuing course of conduct, from the same or several sources, the conduct may be considered as one offense and the value of the money, goods, services, or anything else of value may be aggregated in determining if the offense is a felony or a misdemeanor.

NOTE: PAYMENT DEVICE NUMBERS: The definition of credit card includes a payment device number, which is defined in Section 8-206 as meaning any code, account number, or other means of account access, other than a check, draft, or other similar paper instrument, that can be used to obtain money, etc., or to transfer funds.

Effective 10/1/2016

CR 8-209(a)
MISDEMEANOR
$500.00 – 18 MONTHS

3_4170

****FALSE CRD CRD: CHRG GOODS L/T $1,000****

…did receive [money/goods/services/things of value] to wit: ___ having a value less than $1,000 obtained by means of a forged or misrepresented credit card issued to ____ and negotiated by ____, knowing the said [money/goods, etc.] was illegally obtained.

CR 8-209(a)
MISDEMEANOR
$500.00 – 90 DAYS

1_0586

****FALSE CRD CRD: CHRG GOODS L/T $100****

… did, receive [money/goods/services/things of value, to wit: _____], having a value of $100 or less, obtained by means of a [counterfeited/misrepresented] credit card issued to ____ and negotiated by ____, knowing that said [money/goods] was illegally obtained.

Publish Number/Code of Telephone Credit Card

CR 8-210
MISDEMEANOR
$500.00 - 12 MONTHS

2_2605

****TELEPHONE CRED CARD FRAUD****

…did [publish/cause to be published] the _____(choose from below) with the [intent/knowledge] that the [number/code/system] may be used fraudulently to avoid paying a lawful toll charge.

1. [number/code] of a [an existing/a canceled/a revoked/an expired/a nonexistent] telephone credit card

2. [numbering/coding] system used to issue telephone credit cards

NOTE: The published credit card number may be existing, cancelled, revoked, expired or non-existent.

Effective 10/1/2016

CR 8-214
PENALTY SEC 8-216
FELONY
DISTRICT COURT
$1,000.00 - 15 YEARS

2_0550

****USE/DISCLOSE CREDIT CARD NOS**

...did unlawfully [use/disclose] a payment device number, to wit: _____ (identify and describe number).

CR 8-214
PENALTY SEC 8-216
FELONY
$1,000.00 - 15 YEARS
DISTRICT COURT

2_0560

****USE/DISCLOSE SIGNATURE****

...did unlawfully [use/disclose] the holder's signature of _____ (name holder)

NOTE: "Payment Device Number" means any code, account number, or other means of account access, other than a check, draft, or similar paper instrument, that can be used to obtain money, goods, services, or anything of value, or for purposes of initiating a transfer of funds.

"Holder's Signature" means the signature, including an electronically recorded signature of a holder in connection with a credit applications or credit card transaction. This definition includes, but is not limited to, credit card numbers, telephone calling card numbers, bank card P.I.N. numbers, and other numbers capable of use.

Effective 10/1/2016

CR 8-301(b)
FELONY
DISTRICT COURT
$25,000 – 25 YEARS

1_1258

**** FRAUD-PER. IDENT. INFO. THEFT $100K+ ****

...did knowingly, willfully, and with fraudulent intent [possess/help another to possess/obtain/help another person to obtain] personal identifying information of _____(name), without the consent of said _____(name), for the purpose of [using/selling/transferring] that information to [obtain a benefit/ obtain credit/obtain goods/obtain services/obtain other item of value/access health information/access health care].

NOTE: Venue - charges under this section may be prosecuted in a jurisdiction which an element of the crime occurred or in which the victim resides. (CR 8-301(p)).

CR 8-301(b)
FELONY
DISTRICT COURT
$15,000 – 15 YEARS

1_1259

**** FRAUD IDENT INFO THFT $10K-<$100K ****

...did knowingly, willfully, and with fraudulent intent [possess/help another to possess/obtain/help another person to obtain] personal identifying information of _____(name), without the consent of said _____(name), for the purpose of [using/selling/transferring] that information to [obtain a benefit/ obtain credit/obtain goods/obtain services/obtain other item of value/access health information/access health care].

NOTE: Venue - charges under this section may be prosecuted in a jurisdiction which an element of the crime occurred or in which the victim resides. (CR 8-301(p)).

Effective 10/1/2016

CR 8-301(b)
FELONY
DISTRICT COURT
$10,000 – 10 YEARS

1_1260

**** FRAUD IDENT INFO THFT $1K-<$10K ****

...did knowingly, willfully, and with fraudulent intent [possess/help another to possess/obtain/help another person to obtain] personal identifying information of _____(name), without the consent of said _____(name), for the purpose of [using/selling/transferring] that information to [obtain a benefit/ obtain credit/obtain goods/obtain services/obtain other item of value/access health information/access health care].

NOTE: Venue - charges under this section may be prosecuted in a jurisdiction which an element of the crime occurred or in which the victim resides. (CR 8-301(p)).

CR 8-301(b)
MISDEMEANOR
$500 – 18 MONTHS

1_1261

**** FRAUD IDENT INFO THFT UND $1,000****

...did knowingly, willfully, and with fraudulent intent [possess/help another to possess/obtain/help another person to obtain] personal identifying information of _____(name), without the consent of said _____(name), for the purpose of [using/selling/transferring] that information to [obtain a benefit/ obtain credit/obtain goods/obtain services/obtain other item of value/access health information/access health care].

NOTE: Venue - charges under this section may be prosecuted in a jurisdiction which an element of the crime occurred or in which the victim resides. (CR 8-301(p)).

Effective 10/1/2016

CR 8-301(b-1)
MISDEMEANOR
$500.00 – 18 MONTHS

1_1337

****INTERACT COMP SERV DISCL NUM ****

…did maliciously use an interactive computer service to [disclose/assist ____(name) to disclose] the [driver's license number/bank account number/financial institution account number/credit card number/payment device number/social security number/employee identification number] of _____(name of victim), without the consent of said person, and in order to [annoy/threaten/embarrass/harass] said person.

NOTE: "Interactive computer service" means an information service, system of access software provider that provides or enables computer access by multiple users to a computer service, including system that provides access to the internet and cellular telephones.

CR 8-301(c)(1)
MISDEMEANOR
$500 - 18 MONTHS

1_1262

****FRAUD-PER. IDENT. AVOID PROS****

...did knowingly and willfully assume the identity of _____(name), to avoid identification, apprehension or prosecution for a crime, to wit: _____.

NOTE: Personal identifying information means the name, address, telephone number, driver's license number, social security number, place of employment, employee identification number, mother's maiden name, bank or other financial institution account number, date of birth, personal identification number, credit card number of an individual or other payment device number.

NOTE: When violation is pursuant to one scheme or continuing course of conduct, whether from the same or several sources, the conduct may be considered as one offense and the value of the benefit, credit, goods, services, or other item may be aggregated in determining whether the violation is a felony or misdemeanor.

Effective 10/1/2016

CR 8-301(c)(2)(i)(ii)
FELONY
DISTRICT COURT
$25,000 – 25 YEARS

1_1263

**** FRAUD IDENT INFO THFT $100K+ ****

...did knowingly and willfully assume the identity of [another/ficticious person] to wit: _____(name) with fraudulent intent to [obtain a benefit/ obtain credit/obtain goods/obtain services/obtain other item of value/access health information/access health care], to wit: _____.

CR 8-301(c)(2)(i)(ii)
FELONY
DISTRICT COURT
$15,000 – 15 YEARS

1_1264

**** FRAUD IDENT INFO THFT $10K-<$100K ****

...did knowingly and willfully assume the identity of [another/ficticious person] to wit: _____(name) with fraudulent intent to [obtain a benefit/ obtain credit/obtain goods/obtain services/obtain other item of value/access health information/access health care], to wit: _____.

CR 8-301(c)(2)(i)(ii)
FELONY
DISTRICT COURT
$10,000 – 10 YEARS

1_1265

**** FRAUD IDENT INFO THFT $1K-<$10K ****

...did knowingly and willfully assume the identity of [another/ficticious person] to wit: _____(name) with fraudulent intent to [obtain a benefit/ obtain credit/obtain goods/obtain services/obtain other item of value/access health information/access health care], to wit: _____.

CR 8-301(c)(2)(i)(ii)
MISDEMEANOR
$500 – 18 MONTHS

1_1266

**** FRAUD IDENT INFO THFT UND $1,000****

...did knowingly and willfully assume the identity of [another/ficticious person] to wit: _____(name) with fraudulent intent to [obtain a benefit/ obtain credit/obtain goods/obtain services/obtain other item of value/access health information/access health care], to wit: _____.

Effective 10/1/2016

CR 8-301(c)(2)(iii)
FELONY
DISTRICT COURT
$25,000 – 25 YEARS

1_1267

**** FRAUD-PER IDENT AVOID PAY $100K+ ****

...did knowingly and willfully assume the identity of [another/fictitious person] to wit: _____(name), with fraudulent intent to avoid the payment of [a debt/other legal obligation], to wit: _____.

NOTE: Charges under this section may be prosecuted in a jurisdiction in which an element of the crime occurred OR in which the victim resides (CR 8-301(p)).

CR 8-301(c)(2)(iii)
FELONY
DISTRICT COURT
$15,000 – 15 YEARS

1_1268

**** FRAUD-PER ID AVOID PAY $10K -<100K ****

...did knowingly and willfully assume the identity of [another/fictitious person] to wit: _____(name), with fraudulent intent to avoid the payment of [a debt/other legal obligation], to wit: _____.

NOTE: Charges under this section may be prosecuted in a jurisdiction in which an element of the crime occurred OR in which the victim resides (CR 8-301(p)).

Effective 10/1/2016

CR 8-301(c)(2)(iii)
FELONY
DISTRICT COURT
$10,000 – 10 YEARS

1_1269

**** FRAUD-PER ID AVOID PAY $1K -<10K ****

...did knowingly and willfully assume the identity of [another/fictitious person] to wit: _____(name), with fraudulent intent to avoid the payment of [a debt/other legal obligation], to wit: _____.

NOTE: Charges under this section may be prosecuted in a jurisdiction in which an element of the crime occurred OR in which the victim resides (CR 8-301(p)).

CR 8-301(c)(2)(iii)
MISDEMEANOR
$500– 18 MONTHS

1_1270

**** FRAUD-PER ID AVOID PAY UND $1,000****

...did knowingly and willfully assume the identity of [another/fictitious person] to wit: _____(name), with fraudulent intent to avoid the payment of [a debt/other legal obligation], to wit: _____.

NOTE: Charges under this section may be prosecuted in a jurisdiction in which an element of the crime occurred OR in which the victim resides (CR 8-301(p)).

Effective 10/1/2016

CR 8-301(d)(1)
FELONY
DISTRICT COURT
$25,000.00 - 25 YEARS

1_1271

****ELECT DEV/MEDIUM OBT BENEFIT -$100K+****

… did knowingly, willfully with fraudulent intent to [obtain a benefit/ obtain credit/obtain goods/obtain services/obtain other item of value/access health information/access health care] to wit: _____(describe)], having a value of ____(amount), $100,000 or more, use [a re-encoder/electronic medium] to place information encoded on the magnetic [strip/stripe] from a card issued to _____(name) onto a card issued to _____(name) without consent of _____(name), the authorized cardholder.

Effective 10/1/2016

CR 8-301(d)(1)
FELONY
DISTRICT COURT
$15,000.00 - 15 YEARS

1_1272

****ELECT DEV/MED OBT BENE-$10K-<$100K****

… did knowingly, willfully with fraudulent intent to [obtain a benefit/ obtain credit/obtain goods/obtain services/obtain other item of value/access health information/access health care] to wit: _____(describe)], having a value of ____(amount), at least $10,000 but less than $100,000, use [a re-encoder/electronic medium] to place information encoded on the magnetic [strip/stripe] from a card issued to _____(name) onto a card issued to _____(name) without consent of _____(name), the authorized cardholder.

CR 8-301(d)(1)
FELONY
DISTRICT COURT
$10,000.00 - 10 YEARS

1_1273

****ELECT DEV/MED OBT BENE-$1K-<$10K****

… did knowingly, willfully with fraudulent intent to [obtain a benefit/ obtain credit/obtain goods/obtain services/obtain other item of value/access health information/access health care] to wit: _____(describe)], having a value of ____(amount), at least $1,000 but less than $10,000, use [a re-encoder/electronic medium] to place information encoded on the magnetic [strip/stripe] from a card issued to _____(name) onto a card issued to _____(name) without consent of _____(name), the authorized cardholder.

CR 8-301(d)(1)
MISDEMEANOR
$500 – 18 MONTHS

1_1274

****ELECT DEV/MED OBT BENE- UND $1,000****

… did knowingly, willfully with fraudulent intent to [obtain a benefit/ obtain credit/obtain goods/obtain services/obtain other item of value/access health information/access health care] to wit: _____(describe)], having a value of less than $1,000, use [a re-encoder/electronic medium] to place information encoded on the magnetic [strip/stripe] from a card issued to _____(name) onto a card issued to _____(name) without consent of _____(name), the authorized cardholder.

Effective 10/1/2016

CR 8-301(d)(2)
FELONY
DISTRICT COURT
$25,000.00 - 25 YEARS

1_1275

****SKIM DEV OBT BENEFIT - $100K +****

… did knowingly, willfully with fraudulent intent to [obtain a benefit/ obtain credit/obtain goods/obtain services/obtain other item of value/access health information/access health care] to wit: _____(describe)], having a value of ____(amount), $100,000 or greater, use a skimming device to [access/read/scan/obtain/memorize/store personal identification information/store payment device number] from the magnetic [strip/stripe] from a credit card issued to _____(name) without consent of _____(name), an individual authorized to use the credit card.

Effective 10/1/2016

CR 8-301(d)(2)
FELONY
DISTRICT COURT
$15,000.00 - 15 YEARS

1_1276

****SKIM DEV OBT BENEFIT - $10K - <$100K ****

… did knowingly, willfully with fraudulent intent to [obtain a benefit/ obtain credit/obtain goods/obtain services/obtain other item of value/access health information/access health care] to wit: _____(describe)], having a value of ____(amount), at least $10,000 but less than $100,000, use a skimming device to [access/read/scan/obtain/memorize/store personal identification information/store payment device number] from the magnetic [strip/stripe] from a credit card issued to _____(name) without consent of _____(name), an individual authorized to use the credit card.

CR 8-301(d)(2)
FELONY
DISTRICT COURT
$10,000.00 - 10 YEARS

1_1277

****SKIM DEV OBT BENEFIT - $1K - <$10K ****

… did knowingly, willfully with fraudulent intent to [obtain a benefit/ obtain credit/obtain goods/obtain services/obtain other item of value/access health information/access health care] to wit: _____(describe)], having a value of ____(amount), at least $1,000 but less than $10,000, use a skimming device to [access/read/scan/obtain/memorize/store personal identification information/store payment device number] from the magnetic [strip/stripe] from a credit card issued to _____(name) without consent of _____(name), an individual authorized to use the credit card.

CR 8-301(d)(2)
MISDEMEANOR
$500 – 18 MONTHS

1_1278

****SKIM DEV OBT BENEFIT – UND $1,000****

… did knowingly, willfully with fraudulent intent to [obtain a benefit/ obtain credit/obtain goods/obtain services/obtain other item of value/access health information/access health care] to wit: _____(describe)], having a value of less than $1,000, use a skimming device to [access/read/scan/obtain/memorize/store personal identification information/store payment device number] from the magnetic [strip/stripe] from a credit card issued to _____(name) without consent of _____(name), an individual authorized to use the credit card.

Effective 10/1/2016

CR 8-301(e)
MISDEMEANOR
$500 - 18 MONTHS

1_1279

****POSS ETC. RE-ENCODER/SKIMMING DEV****

… did knowingly, willfully with fraudulent intent [possess/obtain/help another to possess/help another to obtain] a [re-encoder/skimming] device for the unauthorized [use/sale/transfer] of [personal identifying information/payment device number].

CR 8-301(f)
MISDEMEANOR
$500 - 18 MONTHS

1_1280

****IDENTITY FRAUD - INDUCE ANOTH PROV****

… did knowingly and willfully claim to represent _____(name of victim) without [his/her] knowledge and consent, with the intent to [solicit/request/take action to induce another to provide] [personal identifying information/payment device number].

Effective 10/1/2016

CR 8-302(b)(1)
MISDEMEANOR
$2,000.00 - 2 YEARS
EACH CARD SEPARATE OFFENSE

1_0432

****FALSE ID/SALE-ISSUE****

...did [sell/issue/offer for sale/offer to issue] [an identification card/a document] which contained:

(Select appropriate language)

1. a blank space for a person's [age/date of birth];

2. an incorrect [age/date of birth] of a person.

NOTE: Each card or document is a separate violation of this section. The section contains an exception for manufacturers who deliver blank ID cards to governmental agencies, or for use as employee or patient identification cards.

CR 8-302(b)(2)
MISDEMEANOR
$2,000.00 - 2 YEARS
EACH CARD SEPARATE OFFENSE

1_1434

****KNOWING SALE/ISSUE FALSE ID****

...did knowingly [sell/issue/offer for sale/offer to issue] an [identification card/document] that contained [an incorrect name instead of a true name/an incorrect address].

NOTE: Each card or document is a separate violation of this section. The section contains an exception for manufacturers who deliver blank ID cards to governmental agencies, or for use as employee or patient identification cards.

Effective 10/1/2016

CR 8-303(b)(1)(2)
MISDEMEANOR
$500.00 - 6 MONTHS

1_1432

****POSSESS/USE FALSE GOVERNMENT IDENTIFICATION DOC***

…did, with fraudulent intent, [possess/display/cause/allow to be displayed] a fictitious or fraudulently altered government identification document to wit: _____(choose from below).

1. a passport;
2. an immigration visa;
3. an alien registration card;
4. an employment authorization card;
5. a birth certificate;
6. a Social Security card;
7. a military identification;
8. an adoption decree;
9. a marriage license;
10. a driver's license; or
11. a photo identification card.

CR 8-303(b)(3)(4)
MISDEMEANOR
$500.00 - 6 MONTHS

1_1433

****DISPLAY GOV'T ID OF ANOTHER****

…did, with fraudulent intent, [display/allow the use of/lend] a government identification document issued to _____ (name of document holder).

Effective 10/1/2016

Conversion of Partnership Money, Etc.

CR 8-401(a)(1)
MISDEMEANOR
$5,000.00 - 10 YEARS

2_2701

****FRAUD-PARTNERSHIP MONEY****

…did, as a partner in _____(name partnership), fraudulently [convert/appropriate] to [his/her] own use ____ (describe), [money/property] of _____ said partnership.

CR 8-401(a)(3)
MISDEMEANOR
$5,000.00 - 10 YEARS

3_2607

****FRAUD-PARTNERSHIP MONEY****

...did, as a partner, fraudulently [make/fail to make] entries of a partnership transaction in the books of ___ (name partnership) to show the true state of a transaction relating to the partnership business.

Misrepresentation/Corporate Officer or Agent

CR 8-402(a)(1)(2)
MISDEMEANOR
$10,000.00 – 3 YEARS

4_2607

****FRAUD MISREP BY CORP OFFCER****

…did as a corporate [officer/agent] of ____ (name corporation) fraudulently [sign/assent to] a publication for the public and shareholders containing untruthful representations of said corporation's affairs, assets, and liabilities to [enhance/depress] the market value of its [shares/corporate obligation]/thereby accomplishing fraud, to wit: ____ (describe fraudulent intent and name or describe victim(s).

Effective 10/1/2016

Pyramid Promotional Scheme

CR 8-404(b)
MISDEMEANOR
$10,000.00 - 1 YEAR

6_2600

****FRAUD-PYRAMID/PROM SCHEME****

...did [establish/advertise/promote] a pyramid promotional scheme.

NOTE: "Pyramid promotional scheme" means any plan or operation by which a participant gives consideration for the opportunity to receive compensation to be derived primarily from any person's introduction of other persons into a participation in the plan or operation rather than from the sale of goods, services, or other intangible property by the participant or other persons introduced into the plan or operation.

Effective 10/1/2016

Cargo, Wrongful Disposal/ Refusal to Pay Consideration

CR 8-405(b)(1)(2)
MISDEMEANOR
$1,000.00 - 1 YEAR

1_2701

****CARGO SEL DEFRD BOAT OWNER****

...did, being employed in the [management/navigation] of ____, a vessel operating exclusively on the waters of Maryland, [sell/give away/pledge/dispose of] its cargo, belonging to ____, the owner of the vessel, without the consent of and with the intent to defraud said owner.

NOTE: See CR 8-405(d) regarding minimum penalty of 6 months and/or $500 if convicted.

CR 8-405(c)
MISDEMEANOR
$1,000.00 - 1 YEAR

1_0194

****CARGO REC/KEEP $ FRM FALSE****

...did, being employed by _____, the owner of _____, a vessel operating exclusively on Maryland waters, for the [management/navigation] of the said vessel, receive $_____ in consideration for the sale of the cargo of said vessel, with the consent of its owner, and did [refuse/neglect] to pay such consideration to said owner, with the intent to defraud said owner.

NOTE: See CR 8-405(d) for minimum penalty of 6 months-$500 if convicted.

Breach of Trust, Bill of Lading Elevator or Warehouse Receipts

CR 8-406(a)
MISDEMEANOR
$5,000.00 - 10 YEARS

1_2602

****FRAUD-BREACH OF TRUST****

...did receive in trust from ____ (victim) a [warehouse receipt/bill of lading/document giving title/document giving the right of possession] to ____ (specify property) under a written contract, and did fail to perform the terms and conditions of the trust as expressed in the written contract.

NOTE: See CR 8-406(b) regarding minimum penalty of 1Y-$500 if convicted.

NOTE: This section does not cover the failure by an agent to deliver to the consignor the completed transfer documents or the payment for the shipment after the shipment or other transfer of goods or property has been completed. That failure should be charged under CR 7-116.

Effective 10/1/2016

Conversion/Leased or Rented Goods

CR 8-407
MISDEMEANOR
$1,000.00 - 60 DAYS

2_2399

****FRAUD CONVERSN/LEASE GOODS****

...did fraudulently convert to [his/her] own use, _____(describe item), a [good/thing] valued at $1,500.00 or more and received under a [written contract/written lease] entered into for the purpose of [renting/leasing] said [good/thing] for valuable consideration.

NOTE: Defendant must have received the item(s) under written lease, written contract, or written rental contract. If document contains option to buy, the agreement cannot be for longer than six months. If there is no option to buy, length of agreement does not matter. FAILURE TO RETURN OR ACCOUNT FOR THE ITEM AT THE END OF THE AGREED PERIOD IS PRIMA FACIE EVIDENCE OF A VIOLATION OF THIS SECTION, EXCEPT THAT, the victim must have sent via certified US Mail, a written, postpaid, return receipt requested demand for return of the item(s) and must wait 10 days for either return of item(s) or for the defendant to account for items(s) with the victim before charging.

NOTE: See section regarding written demand requirement.

Effective 10/1/2016

Welfare-Obtaining Public Assistance by Fraud

CR 8-503
MISDEMEANOR
$1,000.00 - 3 YEARS

7_2607

****FRAUD-WELFARE****

...did [fraudulently obtain/fraudulently attempt to obtain/aid in fraudulently obtaining/aid in fraudulently attempting to obtain] a benefit to which the person aided was not entitled, to wit: ____ (name benefit-see NOTE below), from _____ (name program), a [social /nutritional] program financed in whole and in part by the State of Maryland and administered by ____ (name State agency or political subdivision agency), and did so by:

NOTE: Use whichever of the following is applicable:

1. wilfully making a false [statement/representation] to ____ (agency).

2. wilfully failing to disclose to ____ material changes in [household/financial] conditions.

3. impersonating another person.

NOTE: The benefit sought or obtained can be money, property, food stamps, or any other assistance EXCEPT MEDICAID. SEE NEW SECTION 230 C for Medicaid Fraud.

NOTE: Any person who in making and signing the application for money, property, food stamps, or other assistance, under a social or nutritional program based on need, financed in whole or in part by the state and administered by the Department of Human Resources, the Department of Health and Mental Hygiene, or the local Department of Social Services makes a false or fraudulent statement with intent to obtain any such money, property, food stamps, or other assistance is guilty of perjury and on conviction is subject to the penalties provided by law for perjury. (CR 9-101)

NOTE: A prosecution for welfare fraud must be brought within 3 years after the offense was committed. Medical assistance does not include Medicaid as defined in CR 8-508.

Effective 10/1/2016

Appl. Written - False or Fraud State. Punished as Perjury, etc.

CR 8-504
MISDEMEANOR
10 YEARS

2_2607

****PUB ASST - FALSE APPLIC'N****

...did, in a signed application, make a [false/fraudulent] statement, with the intent to obtain [money/property/food stamps/ assistance] under a program based on need, financed in whole or in part by the State of Maryland and administered by the _____ [Department of Human Resources/Department of Health and Mental Hygiene/the _____ Department of Social Services].

NOTE: It is enough that the false statement be in the application. Nothing of value is required to be obtained as a result of the false statement.

Unauthorized Disposition/Conversion Donated Food Commodity

CR 8-505(a)
MISDEMEANOR
$500.00 - 6 MONTHS

1_2314

****FRAUD-UNAUTH DISP. FOOD****

...did, with intent to defraud, [make an unauthorized disposition of/not being an authorized recipient, convert to [his/her] use and benefit] a food commodity donated under a program of the United States Government, to wit: _____ (name program).

Effective 10/1/2016

FRAUD - STATE HEALTH PLANS

CR 8-509(1)
(PENALTY SEC. CR 8-516)
LOSS LESS THAN $1,000
(barcode 2-2110)
MISDEMEANOR
$50,000.00 - 3 YEARS
LOSS MORE THAN $1,000
(barcode 2-2115)
FELONY
$100,000.00 - 5 YEARS
PRELIMINARY HEARING
PENALTY 8-516

2_2110
2_2115

****DEFRAUD STATE HEALTH CARE****

...did knowingly and willfully defraud a State Health Plan, to wit: _____ (name plan), in the amount of _____ in connection with the delivery of and payment of health care services.

CR 8-509(1)
FELONY
$100,000.00 - 20 YEARS
PRELIMINARY HEARING

2_2120

****DEFRAUD HEALTH CARE-INJURE****

...did knowingly and willfully defraud a State Health Plan, to wit: _____ (name plan),which resulted in the serious injury of _____ (name person injured) in connection with the delivery of and payment of health care services.

Effective 10/1/2016

CR 8-509(1)
PENALTY SEC. 8-516
FELONY
$200,000.00 - LIFE
PRELIMINARY HEARING
RELEASE RESTRICTION

2_2125

****DEFRAUD HEALTH CARE-DEATH****

...did knowingly and willfully defraud a State Health Plan, to wit: _____ (name plan),which resulted in the death of _____ (name person) in connection with the delivery of and payment of health care services.

CR 8-509(1)
PENALTY SEC. 8-516
LOSS LESS THAN $1,000
(barcode 2-2130)
MISDEMEANOR
$100,000 EACH OFFENSE
LOSS MORE THAN $1,000
(barcode 2-2135)
FELONY
$250,000 EACH OFFENSE
PRELIMINARY HEARING

2_2130
2_2135

****DEFRAUD HEALTH CARE-BUSINESS****

...being a business entity, to wit: _____ (name business), did knowingly and willfully defraud a State Health Plan, to wit: _____ (name plan), in the amount of _____ in connection with the delivery of and payment of health care services.

Effective 10/1/2016

CR 8-509(1)
PENALTY SEC. 8-516
FELONY
$250,000.00 EACH OFFENSE
PRELIMINARY HEARING

2_2140

****FRAUD HLTH CARE-INJURE-BUS****

...being a business entity, to wit: _____ (name business), did knowingly and willfully defraud a State Health Plan, to wit: _____ (name plan),which resulted in the serious injury of _____ (name person injured) in connection with the delivery of and payment of health care services.

Effective 10/1/2016

CR 8-509(1)
(PENALTY SEC. CR 8-516)
FELONY
LIFE - $200,000.00
BUSINESS ENTITY
$250,000.00
PRELIMINARY HEARING

2_2145

****FRAUD HEALTH CARE-DEATH-BUS****

...being a business entity, to wit: _____ (name business), did knowingly and willfully defraud a State Health Plan, to wit: _____ (name plan),which resulted in the death of _____ (name person) in connection with the delivery of and payment of health care services.

CR 8-509(2)
(PENALTY SEC. CR 8-516)
LOSS LESS THAN $1,000
(barcode 2-2150)
MISDEMEANOR
$50,000.00 - 3 YEARS
LOSS MORE THAN $1,000
(barcode 2-2155)
FELONY
$100,000 - 5 YEARS
PRELIMINARY HEARING

2_2150
2_2155

****OBTAIN BENEFITS BY FALSE REP****

...did knowingly and willfully obtain by false representation, _____(name benefit) in connection with the delivery of and payment for health care services that are a benefit of a State health plan, to wit: _____ (name plan).

CR 8-509(2)
(PENALTY SEC. CR 8-516)
RESULTING SERIOUS INJURY
FELONY
$100,000 - 20 YEARS
PRELIMINARY HEARING

2_2160

****OBTAIN BEN-FALSE REP-INJURE****

...did knowingly and willfully obtain by false representation, _____(name benefit) in connection with the delivery of and payment for health care services that are a benefit of a State health plan, to wit: _____ (name plan) which resulted in the serious injury of _____ (name person injured).

Effective 10/1/2016

CR 8-509(2)
FELONY
$200,000.00 - LIFE
PRELIMINARY HEARING
RELEASE RESTRICTION

2_2165

****OBTAIN BEN-FALSE REP-DEATH****

...did knowingly and willfully obtain by false representation, _____(name benefit) in connection with the delivery of and payment for health care services that are a benefit of a State health plan, to wit: _____ (name plan) which resulted in the death of _____ (name person).

CR 8-509(2)
(PENALTY SEC. CR 8-516)
LOSS LESS THAN $1,000
(barcode 2-2170)
MISDEMEANOR
$100,000.00 EACH
LOSS MORE THAN $1,000
(barcode 2-2175)
FELONY
$250,000.00 EACH
PRELIMINARY HEARING

2_2170
2_2175

****OBTAIN BEN-FALSE REP-BUSINESS****

...being a business entity, to wit: _____ (name business), did knowingly and willfully obtain by false representation, _____(name benefit) in connection with the delivery of and payment for health care services that are a benefit of a State health plan, to wit: _____ (name plan).

Effective 10/1/2016

CR 8-509(2)
PENALTY SEC. CR 8-516
FELONY
$250,000.00 EACH
PRELIMINARY HEARING

2_2180

****BEN BY FALSE REP-INJURE-BUS****

...being a business entity, to wit: _____ (name business), did knowingly and willfully obtain by false representation, _____ (name benefit) in connection with the delivery of and payment for health care services that are a benefit of a State health plan, to wit: _____ (name plan) which resulted in the serious injury of _____ (name person injured).

CR 8-509(2)
(PENALTY SEC. CR 8-516)
$100,000.00 EACH
FELONY
$250,000.00 EACH
PRELIMINARY HEARING

2_2185

****BEN BY FALSE REP-DEATH-BUS****

...being a business entity, to wit: _____ (name business), did knowingly and willfully obtain by false representation, _____(name benefit) in connection with the delivery of and payment for health care services that are a benefit of a State health plan, to wit: _____ (name plan) which resulted in the death of _____ (name person).

Effective 10/1/2016

CR 8-509(3)
(PENALTY SEC.CR 8-516)
LOSS LESS THAN $1,000
(barcode 2-2190)
MISDEMEANOR
$50,000 - 3 YEARS
LOSS MORE THAN $1,000
(barcode 2-2195)
FELONY
$100,000.00 - 5 YEARS
PRELIMINARY HEARING

2_2190
2_2195

****DEFRAUD HEALTH PLAN-SERVICE****

...did knowingly and willfully defraud a State Health Plan, to wit: _____ (name plan), of the right to honest services, in the amount of _____.

CR 8-509(3)
(PENALTY SEC.CR 8-516)
FELONY
$100,000.00 - 20 YEARS
PRELIMINARY HEARING

2_2320

****DEFRAUD HEALTH-SERVICE-INJURE****

...did knowingly and willfully defraud a State Health Plan, to wit: _____ (name plan), of the right to honest services, which resulted in the serious injury of _____ (name person injured).

Effective 10/1/2016

CR 8-509(3)
(PENALTY SEC. CR 8-516)
FELONY
$200,000.00 - LIFE
PRELIMINARY HEARING
RELEASE RESTRICTION

2_2325

****DEFRAUD HEALTH-SERVICE-DEATH****

...did knowingly and willfully defraud a State Health Plan, to wit: _____ (name plan), of the right to honest services, which resulted in the death of _____ (name person).

CR 8-509(3)
(PENALTY SEC. CR 8-516)
LOSS LESS THAN $1,000
(barcode 2-2330)
MISDEMEANOR
$100,000.00
LOSS MORE THAN $1,000
(barcode 2-2335)
FELONY
$250,000.00
PRELIMINARY HEARING

2_2330
2_2335

****FRAUD HEALTH-SERVICE-BUSINESS****

...being a business entity, to wit: _____ (name business), did knowingly and willfully defraud a State Health Plan, to wit: _____ (name plan), of the right to honest services, in the amount of _____ .

Effective 10/1/2016

CR 8-509(3)
(PENALTY SEC. CR 8-516)
FELONY
$250,000.00
PRELIMINARY HEARING

2_2340

****FRAUD HLTH-SERVICE-INJURE-BUS****

...being a business entity, to wit: _____ (name business), did knowingly and willfully defraud a State Health Plan, to wit: _____ (name plan), of the right to honest services, which resulted in the serious injury of _____ (name person injured).

CR 8-509(3)
(PENALTY SEC. CR 8-516)
FELONY
$250,000.00
PRELIMINARY HEARING

2_2345

****FRAUD HLTH -SERVICE-DEATH-BUS****

...being a business entity, to wit: _____ (name business), did knowingly and willfully defraud a State Health Plan, to wit: _____ (name plan), of the right to honest services, which resulted in the death of _____ (name person).

Effective 10/1/2016

CR 8-509(4)
PENALTY SEC. 8-516
LOSS LESS THAN $1,000
(barcode 2-2350)
MISDEMEANOR
$50,000.00 - 3 YEARS
LOSS MORE THAN $1,000
(barcode 2-2355)
$100,000.00 - 5 YEARS
PRELIMINARY HEARING

2_2350
2_2355

****FLS REP-DEFRAUD HEALTH CARE****

...did, with the intent to defraud, make a false representation relating to [health care services, to wit: _____ / a State Health Plan, to wit: _____].

CR 8-509(4)
(PENALTY SEC. CR 8-516)
FELONY
$100,000.00 - 20 YEARS
PRELIMINARY HEARING

2_2360

****FLS REP-HEALTH CARE-INJURE****

...did, with the intent to defraud, make a false representation relating to [health care services, to wit: _____ / a State Health Plan, to wit: _____], which resulted in the serious injury of _____ (name person injured).

Effective 10/1/2016

CR 8-509(4)
PENALTY SEC. 8-516
FELONY
$200,000.00 - LIFE
PRELIMINARY HEARING
RELEASE RESTRICTION

2_2365

****FLS REP-HEALTH CARE-DEATH****

...did, with the intent to defraud, make a false representation relating to [health care services, to wit: _____ / a State Health Plan, to wit: _____], which resulted in the death of _____ (name person).

CR 8-509(4)
(PENALTY SEC. CR 8-516)
LOSS LESS THAN $1,000
(barcode 2-2370)
MISDEMEANOR
$100,000.00
LOSS MORE THAN $1,000
(barcode 2-2375)
FELONY
$250,000.00
PRELIMINARY HEARING

2_2370
2_2375

****FLS REP-HEALTH CARE--BUSINESS****

...being a business entity, to wit: _____ (name business), did, with the intent to defraud, make a false representation relating to [health care services, to wit: _____ / a State Health Plan, to wit: _____].

Effective 10/1/2016

CR 8-509(4)
(PENALTY SEC. CR 8-516)
FELONY
$250,000.00
PRELIMINARY HEARING

2_2380

****FLS REP-HLTH CARE-INJURE-BUS****

...being a business entity, to wit: _____ (name business), did, with the intent to defraud, make a false representation relating to [health care services, to wit: _____ / a State Health Plan, to wit: _____], which resulted in the serious injury of _____ (name person injured).

CR 8-509(4)
(PENALTY SEC. CR 8-516)
FELONY
$250,000.00
PRELIMINARY HEARING

2_2385

****FLS REP-HLTH CARE-DEATH-BUS****

...being a business entity, to wit: _____ (name business), did, with the intent to defraud, make a false representation relating to [health care services, to wit: _____ / a State Health Plan, to wit: _____], which resulted in the death of _____ (name person).

Effective 10/1/2016

CR 8-511(1)(2)
(PENALTY SEC. CR 8-516)
LOSS LESS THAN $1,000
(barcode 2-2975)
MISDEMEANOR
$50,000.00 - 3 YEARS
LOSS MORE THAN $1,000
(barcode 2-2980)
FELONY
$100,000.00 - 5 YEARS
PRELIMINARY HEARING

2_2975
2_2980

****KICKBACK-HEALTH PLAN SERV****

...did provide to _____ (name) [items/services] for which payment [is/may be] made from [federal/state] funds under a state health plan, to wit: _____ (name plan) and did [solicit /offer/make/receive] a [kickback/bribe] in connection with [providing items or services/making a payment/receiving a benefit].

Effective 10/1/2016

CR 8-511(1)(2)
(PENALTY SEC. CR 8-516)
FELONY
$100,000.00 - 20 YEARS
PRELIMINARY HEARING

2_2985

****KICKBACK-HEALTH PLAN-INJURE****

...did provide to _____ (name) [items/services] for which payment [is/may be] made from [federal/state] funds under a state health plan, to wit: _____ (name plan) and did [solicit /offer/make/receive] a [kickback/bribe] in connection with [providing items or services/making a payment/receiving a benefit], which resulted in serious injury to _____ (name person injured).

CR 8-511(1)(2)
(PENALTY SEC. CR 8-516)
FELONY
$200,000.00 - LIFE
PRELIMINARY HEARING
RELEASE RESTRICTION

2_2990

****KICKBACK-HEALTH PLAN-DEATH****

...did provide to _____ (name) [items/services] for which payment [is/may be] made from [federal/state] funds under a state health plan, to wit: _____ (name plan) and did [solicit /offer/make/receive] a [kickback/bribe] in connection with [providing items or services/making a payment/receiving a benefit], which resulted in the death of _____ (name person).

Effective 10/1/2016

CR 8-511(1)(2)
(PENALTY SEC. CR 8-516)
LOSS LESS THAN $1,000
(barcode 2-2992)
MISDEMEANOR
$100,000.00 EACH
LOSS MORE THAN $1,000
(barcode 2-2994)
FELONY
$250,000.00 EACH
PRELIMINARY HEARING

2_2992
2_2994

****KICKBACK-HLTH SERV-BUS****

...being a business entity, to wit: _____, did provide to _____ (name) [items/services] for which payment [is/may be] made from [federal/state] funds under a state health plan, to wit: _____ (name plan) and did [solicit /offer/make/receive] a [kickback/bribe] in connection with [providing items or services/making a payment/receiving a benefit].

CR 8-511(1)(2)
(PENALTY SEC. CR 8-516)
FELONY
$100,000.00 - 20 YEARS
PRELIMINARY HEARING

2_2995

****BUS KICKBCK-HLTH PLAN-INJURE****

...being a business entity, to wit: _____, did provide to _____ (name) [items/services] for which payment [is/may be] made from [federal/state] funds under a state health plan, to wit: _____ (name plan) and did [solicit /offer/make/receive] a [kickback/bribe] in connection with [providing items or services/making a payment/receiving a benefit], which resulted in serious injury to _____ (name person injured).

Effective 10/1/2016

CR 8-511(1)(2)
(PENALTY SEC. CR 8-516)
FELONY
$200,000.00 - LIFE
PRELIMINARY HEARING
RELEASE RESTRICTION

2_2996

****BUS KICKBCK-HLTH PLAN-DEATH****

...being a business entity, to wit: _____, did provide to _____ (name) [items/services] for which payment [is/may be] made from [federal/state] funds under a state health plan, to wit: _____ (name plan) and did [solicit /offer/make/receive] a [kickback/bribe] in connection with [providing items or services/making a payment/receiving a benefit], which resulted in the death of _____ (name person).

CR 8-512
(PENALTY SEC. 8-516)
LOSS LESS THAN $1,000
(barcode 2-2865)
MISDEMEANOR
$50,000.00 - 3 YEARS
LOSS MORE THAN $1,000
(barcode 2-2870)
FELONY
$100,000.00 - 5 YEARS
PRELIMINARY HEARING

2_2865
2_2870

****HEALTH BENEFIT-SOLICIT FEE****

...did [solicit/offer/make/receive] a rebate of a [fee/charge] for referring _____ (name) to _____ (person) to provide items and services for which payment [is/may be] made from [federal/state] funds under a State Health Plan, to wit: _____] in the amount of _____ .

Effective 10/1/2016

CR 8-512
(PENALTY SEC. CR 8-516)
FELONY
$100,000.00 - 20 YEARS
PRELIMINARY HEARING

2_2875

****HLTH BEN-SOLICIT FEE-INJURE****

...did [solicit/offer/make/receive] a rebate of a [fee/charge] for referring _____ (name) to _____ (person) to provide items and services for which payment [is/may be] made from [federal/state] funds under a State Health Plan, to wit: _____ , which resulted in the serious injury of _____ (name person injured).

CR 8-512
(PENALTY SEC. CR 8-516)
FELONY
$200,000.00 - LIFE
PRELIMINARY HEARING
RELEASE RESTRICTION

2_2880

****HLTH BEN-SOLICIT FEE-DEATH****

...did [solicit/offer/make/receive] a rebate of a [fee/charge] for referring _____ (name) to _____ (person) to provide items and services for which payment [is/may be] made from [federal/state] funds under a State Health Plan, to wit: _____ , which resulted in the death of _____ (name person).

Effective 10/1/2016

CR 8-512
(PENALTY SEC. CR 8-516)
LOSS LESS THAN $1,000
(barcode 2-2885)
MISDEMEANOR
$100,000.00
LOSS MORE THAN $1,000
(barcode 2-2890)
FELONY
$250,000.00
PRELIMINARY HEARING

2_2885
2_2890

****HLTH BEN-SOLICIT FEE-BUS****

...being a business entity, to wit: _____ (name business), did [solicit/offer/make/receive] a rebate of a [fee/charge] for referring _____ (name) to _____ (person) to provide items and services for which payment [is/may be] made from [federal/state] funds under a State Health Plan, to wit: _____] in the amount of _____ .

CR 8-512
(PENALTY SEC. CR 8-516)
FELONY
$100,000.00 - 20 YEARS
PRELIMINARY HEARING

2_2895

****HLTH BEN-SOLICIT-INJURE-BUS****

...being a business entity, to wit: _____ (name business), did [solicit/offer/make/receive] a rebate of a [fee/charge] for referring _____ (name) to _____ (person) to provide items and services for which payment [is/may be] made from [federal/state] funds under a State Health Plan, to wit: _____], which resulted in the serious injury of _____ (name person injured).

Effective 10/1/2016

CR 8-512
(PENALTY SEC. CR 8-516)
FELONY
$200,000.00 - LIFE
PRELIMINARY HEARING

2_2896

****HLTH BEN-SOLICIT-DEATH-BUS****

...being a business entity, to wit: _____ (name business), did [solicit/offer/make/receive] a rebate of a [fee/charge] for referring _____ (name) to _____ (person) to provide items and services for which payment [is/may be] made from [federal/state] funds under a State Health Plan, to wit: _____], which resulted in the death of _____ (name person).

CR 8-513
(PENALTY SEC. CR 8-516)
LOSS LESS THAN $1,000
(barcode 2-2910)
MISDEMEANOR
$50,000.00 - 3 YEARS
LOSS MORE THAN $1,000
(barcode 2-2920)
FELONY
$100,000.00 - 5 YEARS
PRELIMINARY HEARING

2_2910
2_2920

****INDUCE FALSE REP-HLTH PLAN****

...did knowingly and willfully [make / cause to be made/ induce the making of] a false representation with respect to the conditions and operation of a [facility /institution / State health plan], to help such to qualify to receive reimbursement under a State Health Plan, to wit: _____ in the amount of _____.

Effective 10/1/2016

CR 8-513
(PENALTY SEC. CR 8-516)
FELONY
$100,000.00 - 20 YEARS
PRELIMINARY HEARING

2_2925

****FALSE REP-HLTH PLAN-INJURE****

...did knowingly and willfully [make / cause to be made/ induce the making of] a false representation with respect to the conditions and operation of a [facility /institution / State health plan], to help such to qualify to receive reimbursement under a State Health Plan, to wit: _____ in the amount of _____ , which resulted in the serious injury of _____ (name person injured).

CR 8-513
(PENALTY SEC. CR 8-516)
FELONY
$200,000.00 - LIFE
PRELIMINARY HEARING
RELEASE RESTRICTION

2_2930

****FALSE REP-HLTH PLAN-DEATH****

...did knowingly and willfully [make /cause to be made/ induce the making of] a false representation with respect to the conditions and operation of a [facility /institution / State health plan], to help such to qualify to receive reimbursement under a State Health Plan, to wit: _____ in the amount of _____, which resulted in the death of _____ (name person).

Effective 10/1/2016

CR 8-513
(PENALTY SEC. CR 8-516)
LOSS LESS THAN $1,000
(barcode 2-2935)
MISDEMEANOR
$100,000.00
LOSS MORE THAN $1,000
(barcode 2-2940)
FELONY
$250,000.00
PRELIMINARY HEARING

2_2935
2_2940

****FALSE REP-HLTH PLAN-BUS****

...being a business entity, to wit: _____, did knowingly and willfully [make / cause to be made/ induce the making of] a false representation with respect to the conditions and operation of a [facility /institution / State health plan], to help such to qualify to receive reimbursement under a State Health Plan, to wit: _____ in the amount of _____.

CR 8-513
(PENALTY SEC. CR 8-516)
FELONY
$250,000.00 - 20 YEARS
PRELIMINARY HEARING

2_2945

****FALSE REP-INJURE-BUSINESS****

...being a business entity, to wit: _____, did knowingly and willfully [make / cause to be made/ induce the making of] a false representation with respect to the conditions and operation of a [facility /institution / State health plan], to help such to qualify to receive reimbursement under a State Health Plan, to wit: _____ in the amount of _____, which resulted in the serious injury of _____ (name person).

Effective 10/1/2016

CR 8-513
(PENALTY SEC. CR 8-516)
FELONY
$250,000.00 - LIFE
PRELIMINARY HEARING
RELEASE RESTRICTION

2_2950

****FALSE REP--DEATH-BUSINESS****

...being a business entity, to wit: _____, did knowingly and willfully [make / cause to be made/ induce the making of] a false representation with respect to the conditions and operation of a [facility /institution / State health plan], to help such to qualify to receive reimbursement under a State Health Plan, to wit: _____ in the amount of _____, which resulted in the death of _____ (name person).

CR 8-514
(PENALTY SEC. CR 8-516)
LOSS LESS THAN $1,000
(barcode 2-4110)
MISDEMEANOR
$50,000.00 - 3 YEARS
LOSS MORE THAN $1,000
(barcode 2-4115)
FELONY
$100,000.00 - 5 YEARS
PRELIMINARY HEARING

2_4110
2_4115

****FRAUD-OBTAIN DRUG/MED CARE****

...did knowingly and willfully [obtain/aid _____ (name) in obtaining/aid _____ (name) in attempting to obtain] [a drug product / medical care], the payment [is/may be] made from [federal/state] funds under a state health plan by [fraud / deceit / misrepresentation / concealment / forgery of a medical assistance prescription / alteration of a medical assistance prescription / forgery of a pharmacy assistance prescription / alteration of a pharmacy assistance prescription / concealment of a material fact / using a false name/ using a false address].

Effective 10/1/2016

CR 8-514
(PENALTY SEC. CR 8-516)
FELONY
$100,000.00 - 20 YEARS
PRELIMINARY HEARING

2_4120

****FRAUD-DRUG/MED CARE-INJURE****

...did knowingly and willfully [obtain/aid _____ (name) in obtaining/aid _____ (name) in attempting to obtain] [a drug product / medical care], the payment [is/may be] made from [federal/state] funds under a state health plan by [fraud / deceit / misrepresentation / concealment / forgery of a medical assistance prescription / alteration of a medical assistance prescription / forgery of a pharmacy assistance prescription / alteration of a pharmacy assistance prescription / concealment of a material fact / using a false name/ using a false address], which resulted in serious injury to _____ (name person injured).

CR 8-514
(PENALTY SEC. CR 8-516)
FELONY
$200,000.00 - LIFE
PRELIMINARY HEARING
RELEASE RESTRICTION

2_4125

****FRAUD-DRUG/MED CARE-DEATH****

...did knowingly and willfully [obtain/aid _____ (name) in obtaining/aid _____ (name) in attempting to obtain] [a drug product / medical care], the payment [is/may be] made from [federal/state] funds under a state health plan by [fraud / deceit / misrepresentation / concealment / forgery of a medical assistance prescription / alteration of a medical assistance prescription / forgery of a pharmacy assistance prescription / alteration of a pharmacy assistance prescription / concealment of a material fact / using a false name/ using a false address], which resulted in the death of _____ (name person).

Effective 10/1/2016

CR 8-514
(PENALTY SEC. CR 8-516)
LOSS LESS THAN $1,000
(barcode 2-4130)
MISDEMEANOR
$100,000.00
LOSS MORE THAN $1,000
(barcode 2-4135)
FELONY
$250,000.00
PRELIMINARY HEARING

2_4130
2_4135

****FRAUD-OBTAIN MED CARE-BUS****

...being a business entity, to wit: _____, did knowingly and willfully [obtain/aid _____ (name) in obtaining/aid _____ (name) in attempting to obtain] [a drug product / medical care], the payment [is/may be] made from [federal/state] funds under a state health plan by [fraud / deceit / misrepresentation / concealment / forgery of a medical assistance prescription / alteration of a medical assistance prescription / forgery of a pharmacy assistance prescription / alteration of a pharmacy assistance prescription / concealment of a material fact / using a false name/ using a false address].

Effective 10/1/2016

CR 8-514
(PENALTY SEC. CR 8-516)
FELONY
$100,000.00 - 20 YEARS
PRELIMINARY HEARING

2_4140

****FRAUD-/MED CARE-INJURE-BUS****

...being a business entity, to wit: _____, did knowingly and willfully [obtain/aid _____ (name) in obtaining/aid _____ (name) in attempting to obtain] [a drug product / medical care], the payment [is/may be] made from [federal/state] funds under a state health plan by [fraud / deceit / misrepresentation / concealment / forgery of a medical assistance prescription / alteration of a medical assistance prescription / forgery of a pharmacy assistance prescription / alteration of a pharmacy assistance prescription / concealment of a material fact / using a false name/ using a false address], which resulted in serious injury to _____ (name person injured).

CR 8-514
(PENALTY SEC. CR 8-516)
FELONY
$200,000.00 - LIFE
PRELIMINARY HEARING
RELEASE RESTRICTION

2_4145

****FRAUD-MED CARE-DEATH-BUS****

...being a business entity, to wit: _____, did knowingly and willfully [obtain/aid _____ (name) in obtaining/aid _____ (name) in attempting to obtain] [a drug product / medical care], the payment [is/may be] made from [federal/state] funds under a state health plan by [fraud / deceit / misrepresentation / concealment / forgery of a medical assistance prescription / alteration of a medical assistance prescription / forgery of a pharmacy assistance prescription / alteration of a pharmacy assistance prescription / concealment of a material fact / using a false name/ using a false address], which resulted in the death of _____ (name person).

Effective 10/1/2016

CR 8-515
(PENALTY SEC. CR 8-516)
LOSS LESS THAN $1,000
(barcode 2-2955)
MISDEMEANOR
$50,000.00 - 3 YEARS
LOSS MORE THAN $1,000
(barcode 2-2960)
FELONY
$100,000.00 - 5 YEARS
PRELIMINARY HEARING

2_2955
2_2960

****POSS MED/PHARM CARD W/O AUTH****

...did knowingly and willfully possess a [medical assistance card / pharmacy assistance card] distributed under a [State health plan / pharmacy assistance program], to wit: _____ (name) without the authorization of _____ (person), to whom the card was issued.

CR 8-515
(PENALTY SEC. CR 8-516)
FELONY
$100,000.00 - 20 YEARS
PRELIMINARY HEARING

2_2965

****POSS CARD W/O AUTH-INJURY****

...did knowingly and willfully possess a [medical assistance card / pharmacy assistance card] distributed under a [State health plan / pharmacy assistance program], to wit: _____ (name) without the authorization of _____ (person), to whom the card was issued, which resulted in the serious injury of _____ (name person injured).

Effective 10/1/2016

CR 8-515
(PENALTY SEC. CR 8-516)
FELONY
$200,000.00 - LIFE
PRELIMINARY HEARING
RELEASE RESTRICTION

2_2970

****POSS CARD W/O AUTH-DEATH****

...did knowingly and willfully possess a [medical assistance card / pharmacy assistance card] distributed under a [State health plan / medical assistance program/pharmacy assistance program], to wit: _____ (name) without the authorization of _____ (person), to whom the card was issued, which resulted in the death of _____ (name person)

CR 8-515
(PENALTY SEC. CR 8-516)
LOSS LESS THAN $1,000
(barcode 2-4150)
MISDEMEANOR
$100,000.00
LOSS MORE THAN $1,000
(barcode 2-4155)
FELONY
$250,000.00
PRELIMINARY HEARING

2_4150
2_4155

****POSS CARD W/O AUTH-BUS****

...being a business entity, to wit: _____ (name business), did knowingly and willfully possess a [medical assistance card / medical assistance program/pharmacy assistance card] distributed under a [State health plan / pharmacy assistance program], to wit: _____ (name) without the authorization of _____ (person), to whom the card was issued.

Effective 10/1/2016

CR 8-515
(PENALTY SEC. CR 8-516)
FELONY
$100,000.00 - 20 YEARS
PRELIMINARY HEARING

2_4160

****POSS CARD NO AUTH-INJURY-BUS****

...being a business entity, to wit: _____ (name business), did knowingly and willfully possess a [medical assistance card / pharmacy assistance card] distributed under a [State health plan / medical assistance program/pharmacy assistance program], to wit: _____ (name) without the authorization of _____ (person), to whom the card was issued, which resulted in the serious injury of _____ (name person injured).

CR 8-515
(PENALTY SEC. CR 8-516)
FELONY
$200,000.00 - LIFE
PRELIMINARY HEARING
RELEASE RESTRICTION

2_4165

****POSS CARD NO AUTH-DEATH- BUS****

...being a business entity, to wit: _____ (name business), did knowingly and willfully possess a [medical assistance card / medical assistance program/pharmacy assistance card] distributed under a [State health plan / pharmacy assistance program], to wit: _____ (name) without the authorization of _____ (person), to whom the card was issued, which resulted in the death _____ (name person).

Effective 10/1/2016

Misrepresentation in Fund Raising Campaigns - Identifying Police Dept. With

CR 8-520(c)(1)(2)
MISDEMEANOR
$1,000.00 - 60 DAYS

1_2625

****FRAUD-MISREP FUND RAISING****

...did offer items for sale in a [charitable/fund raising] campaign by representing to [the public/_____, a prospective purchaser] that such fund raising was approved and sanctioned by _____ (see note), without first obtaining the written authorization of the said [person/organization].

NOTE: In this section a Public Safety Officer is a police officer, paid or volunteer fire fighter, an emergency medical technician, a rescue squad member, or the State Fire Marshal or any of his sworn officers. The written approval and sanction of a Public Safety Officer or any member of his or her family, or that of the chief administrative officer of a police,fire, or other department of Public Safety organization, is required to avoid violation of this section before the illegal representations can be made.

CR 8-520(c)(1)(2)
MISDEMEANOR
$1,000.00 - 60 DAYS

2_2600

****FRAUD-MISREP FUND RAISING****

...did [encourage/receive/solicit] from _____ a donation and contribution of _____ (describe item or state amount) by representing that said donation and contribution had the approval and sanction of ____ (see note), without first obtaining the written authorization of the said [person/organization].

Effective 10/1/2016

Representation by Public Defender

CR 8-521
MISDEMEANOR
$1,000.00 - 1 YEAR

6_2607

****FRAUD-REP BY PUB DEFENDER****

...did knowingly, wilfully and falsely [obtain/attempt to obtain] legal representation by the Office of the Public Defender, by means of a [false representation/false statement/failure to disclose true financial condition/other fraudulent manner] _____ (specify).

NOTE: Normally applies to a false financial condition, but may be any other false material representation.

CR 8-522(b)(ii)
MISDEMEANOR
FIRST OFFENSE
$100.00
SUB OFFENSE
$500.00

1_0218

****DOCUMNT USE IMPLY GOV ASSO****

...did [use/sell/send to ___/deliver to ____] a document which implied that the defendant [was a branch of/was associated with] a department or agency of the federal or state government, to wit: _____.

Effective 10/1/2016

Simulated Court Process, Simulated Seal, Etc. of Governmental Agency

CR 8-522(b)(1)(i)
MISDEMEANOR
FIRST OFFENSE
$100.00
SUB OFFENSE
$500.00

5_2604

****DOC USE/FAKE COURT PROCESS****

...did [use/sell/send to ___/deliver to ____] a document which simulated a [summons/complaint/court process], with intent to induce payment of a claim from ____ (name of victim).

CR 8-522(b)(2)
MISDEMEANOR
FIRST OFFENSE
$100.00
SUB OFFENSE
$500.00

1_0219

****DOC USE FAKE GOV ORIGIN****

...did use a [seal/insignia/ envelope/other format] which simulated that of a governmental agency, to wit: ____, with the intent to induce payment of a claim from ____ (name of victim).

NOTE: This offense may be prosecuted in the county in which the document was used, sold, sent or delivered.

CR 8-523
MISDEMEANOR
$5,000.00 - 3 YEARS

1_0419

FALSE STMT HOUSING ASSISTANCE

…did knowingly make a false statement of a material fact for the purpose of influencing a housing agency _____ (name agency) regarding [an application for housing assistance/an action affecting housing assistance already provided].

Effective 10/1/2016

COUNTERFEITING AND FORGERY

Private Instruments Generally

CR 8-601(a)
FELONY
DISTRICT COURT
$1,000.00 - 10 YEARS

1_2502

****FORGERY-PRIV DOCUMENTS****

...did [counterfeit/cause to be counterfeited/willingly aid in/assist in counterfeiting] _____ (type of document) with the intent to defraud.

NOTE: Violations of CR 8-601 AND 602 are tried in the District Court, whether a felony or a misdemeanor.

NOTE: This section applies to such instruments as deeds, wills or codicils, promissory notes, assignments, entries in a book of account or ledger, etc. (See CR 8-601(a) for all applicable documents) The 1998 Legislature specifically added "TITLE TO MOTOR VEHICLE" as a type of document covered by this section. This section also covers forgery of power of attorney. The type of document should be fully described. For instance, if it is a check, you must indicate the date, the amount, the bank and the payee. Merely stating "a check", "a deed", etc. is not sufficient.

NOTE: In addition to the type of document, if the forgery involves an endorsement, you should specify that it is such, the type of document and where in the document the forged endorsement appears, i.e., generally on the reverse or back.

NOTE: See CR 8-601(d) for prosecution venue.

Effective 10/1/2016

CR 8-601(b)
MISDEMEANOR
$1,000.00 - 3 YEARS

1_1502

****FORGERY/PRIV DOCUMENT/POSSESS****

…did, with fraudulent intent, knowingly and willfully possess a counterfeit document, to wit: _____ (type of document).

NOTE: Document list under CR 8-601(a).

NOTE: See CR 8-601(d) for prosecution venue.

CR 8-602
FELONY
DISTRICT COURT
$1,000.00 - 10 YEARS

1_2513

****ISSUE FALSE DOCUMENT****

...did [issue/publish] as true a counterfeit _____ (type of document) with the intent to defraud.

NOTE: See CR 8-601(a) for applicable documents.

Possession Of Forged Motor Vehicle Title

CR 8-603
MISDEMEANOR
$1,000.00 - 3 YEARS

2_0035

****POSS FORGED VEH TITLE****

...did possess, with unlawful intent, a counterfeit title to a motor vehicle.

Effective 10/1/2016

Public Documents Generally

CR 8-604
FELONY
PENALTY
$10,000 - 10 YEARS
DISTRICT COURT

1_0067

****CURRENCY: MANUFACTURE/COUNTERFEIT****

...did [manufacture/counterfeit/cause to be counterfeit/willingly aid in counterfeiting/willingly assist in counterfeiting] U.S. currency with intent to defraud.

CR 8-604
FELONY
PENALTY
$10,000 - 10 YEARS
DISTRICT COURT

1_0069

****CURRENCY: MAKE IMAGE****

...did [make/scan/record/reproduce/transmit/hold in control/have in custody/have in possession] an [analogue/digital/electronic image] of U.S. currency with intent to defraud.

CR 8-604.1
MISDEMEANOR
$1,000.00 - 3 YEARS

1_0494

****POSS/ISSUE FORGED CURRENCY****

…did knowingly [possess, with unlawful intent/issue] counterfeit United States Currency.

Effective 10/1/2016

Public Documents Generally

CR 8-605(a)(1)
FELONY
10 YEARS
DISTRICT COURT

1_2500

****FORGERY-PUBLIC DOCUMENT****

...did [counterfeit/cause to be counterfeited/willingly aid in counterfeiting/willingly assist in counterfeiting] _____ (describe document).

NOTE: Documents include a commission, patent, pardon, order for release or other court document, a warrant, certificate, other public security from which money may be drawn from the treasury of the State.

NOTE: See CR 8-605(b) for minimum penalty of 2 years imprisonment if convicted.

CR 8-605(a)(2)
FELONY
10 YEARS
DISTRICT COURT

1_2504

****PASS FORGED PUBLIC DOC.****

...did [write/sign/possess] a counterfeit document, to wit: _____ (describe document).

NOTE: A public document includes any commission, patent, pardon, order for release or other court document, a warrant, certificate, other public security from which money may be drawn from the treasury of this State.

NOTE: See CR 8-605(b) regarding minimum penalty of 2 years if convicted.

Effective 10/1/2016

Public Record-False Entry; Altering, Defacing, Etc.

CR 8-606(b)(1)
MISDEMEANOR
$1,000.00 - 3 YEARS

2_2504

****PUBLIC RECORD-FALSE ENTRY****

...did wilfully [make/attempt to make] a false entry in a public record.

CR 8-606(b)(2)
MISDEMEANOR
$1,000.00 - 3 YEARS

3_2504

****PUBLIC RECORD-DESTROY ETC.****

…did [willfully/willfully attempt] and without proper authority [alter/ deface/destroy/remove/conceal] a public record, to wit: _____ (describe record).

CR 8-606(b)(3)
MISDEMEANOR
$1,000.00 - 3 YEARS

5_2504

****PUB RECRD ACCESS W/O AUTH****

...[did/did attempt to] without proper authority, wilfully and intentionally access public records.

Effective 10/1/2016

CR 8-606.1(a)(1)
MISDEMEANOR
$10,000.00 - 5 YEARS

*1_1698

****FORGE/COUNTERFEIT SIGNATURE****

… did [forge/falsify/counterfeit] the signature of _____(name), being a [judge/court officer/court employee] of the State.

CR 8-606.1(a)(2)
MISDEMEANOR
$10,000.00 - 5 YEARS

1_1699

****USE FORGE/COUNTERFEIT DOC W/SIG****

… did use a document with a [forged/false/counterfeit] signature of _____(name), being a [judge/court officer/ court employee] of the State, knowing the signature to be [forged/false/counterfeit].

Orders, Etc., for Money or Goods

CR 8-609(b)(1)
FELONY
10 YEARS
DISTRICT COURT

1_2501

****FORG-ORDER FOR MONEY, GOODS****

...did with intent to defraud [counterfeit/cause or procure to be counterfeited/willingly aid in counterfeiting/assist in counterfeiting] an order for the [payment of money/delivery of goods/delivery of valuable articles] to wit: _____ . (describe document)

NOTE: See CR 8-609(c) regarding minimum penalty of 2 years if convicted.

Effective 10/1/2016

CR 8-609(b)(2)
FELONY
10 YEARS
DISTRICT COURT

2_2510

****ISSUE COUNTERFEIT ORDER****

...did knowingly [issue/publish/pass] a counterfeited order for the [payment of money/delivery of goods/delivery of valuable articles] to wit: _____ (describe document) with the intent to defraud.

CR 8-609(b)(3)
FELONY
10 YEARS
DISTRICT COURT

2_2520

****OBTAIN GOODS, MONEY-FORGERY****

...did knowingly and fraudulently obtain [money/goods], to wit: _____(describe items or state amount of money) by means of a counterfeited document, to wit: _____(describe document).

NOTE: The documents referred to in CR 8-609 are defined as any warrant, letter, paper, writing, or order for payment of money or delivery of goods or other valuables. If in doubt consult the State's Attorney's Office.

CR 8-610(b)(1)
MISDEMEANOR
2 YEARS

2_2502

****FORGERY-PRESCRIPTION****

...did knowingly [counterfeit/cause or procure to be counterfeited did willingly aid or assist in counterfeiting] a _____ (describe prescription or other order of practitioner) purporting to have been made by a duly licensed practitioner for _____ (name drug, prescription medication, or alcoholic beverage).

Effective 10/1/2016

CR 8-610(b)(2)
MISDEMEANOR
2 YEARS

2_0262

****ISSUE FORGED PRESCRP****

...did knowingly (issue/possess/pass] a falsely made counterfeited _____ (describe prescription or practitioner's order) purporting to be made by a duly licensed practitioner, knowing it to be counterfeit, for _____(name drug or controlled medication).

CR 8-610(b)(2)
MISDEMEANOR
2 YEARS

2_2530

****POSSESS FORGED PRESCRIP****

...did [issue/pass/possess] counterfeited _____ (describe prescription or other practitioner's order) for _____ (name drug or prescription medication), knowing it to be counterfeit.

CR 8-610(b)(3)
MISDEMEANOR
2 YEARS

1_0180

****OBTAIN DRUG BY FRAUD****

...did obtain or attempt to obtain a prescription drug, to wit: ___ (name drug) by [fraud/deceit/misrepresentation].

Effective 10/1/2016

Trademark Counterfeiting

CR 8-611(b)
FELONY
$10,000.00 - 15 YEARS
DISTRICT COURT

1_2540

****COUNTERFEIT TRADEMARK/$1000+**

…willfully did [manufacture/produce/display/advertise/offer for sale/sell/possess] with the intent to [sell/distribute] [goods/services], to wit: _____ (describe), having a value of $1,000.00 or more, knowing the said [good/service] were [bearing/identified] by a counterfeit mark.

CR 8-611(b)
MISDEMEANOR
$1,000.00 - 18 MONTHS
SUBSEQUENT OFFENSE
$5,000.00 - 18 MONTHS

1_2545

****COUNTERFEIT TM/UNDER $1000**

…willfully did [manufacture/produce/display/advertise/offer for sale/sell/possess] with the intent to [sell/distribute] [goods/services], to wit: _____ (describe), having a value of under $1,000.00, knowing the said [good/service] were [bearing/identified] by a counterfeit mark.

NOTE: See CR 8-611(d)(1)(ii) for subsequent offense penalty of 18m-$5,000.

NOTES: "Intellectual Property" means a trademark service mark, offered for sale, manufactured, or distributed, or identifying services offered or rendered, without the authority of the owner of the intellectual property. State or federal registration of intellectual property is prima facie evidence that the intellectual property is a trademark or trade name.

Effective 10/1/2016

Tickets, Coupons, Tokens, Etc.

CR 8-612(b)(1)
MISDEMEANOR
1 YEAR

3_2502

****FORGERY-TICKETS/COUPON ETC.****

…[did/did cause to be/did aid in/did assist in] [counterfeit/counterfeited/counterfeiting/issue/ issued/issuing] a token without the authority of the person who lawfully [issued/sold/gave away] the token.

CR 8-612(b)(2)
MISDEMEANOR
1 YEAR

3_2510

****UTTER FORGED TICKET, ETC.****

…did knowingly [issue/pass] a token [that was counterfeited/that was issued without the permission of the person who lawfully issues,sells, or gives away the token].

NOTE: CR 8-612 refers to tickets, coupons, coins, slugs, discs, tokens, or other items designed to be used to gain admission to, enter, or pass through, over, or into any place, activity, ride, bridge, etc.

Effective 10/1/2016

Unlawful Operation/Vending or Slot Machine; Coin Box, Telephone, Etc.

CR 8-613
MISDEMEANOR
$500.00 - 3 MONTHS

1_2505

****FORGERY-VEND/OPER DEVICE****

...did [operate/cause to be operated/attempt to operate] a_____ [machine/or device] designed to receive lawful coin of the United States, by inserting therein ____ (type of device) without the consent of the [owner/licensee].

Manufacture, Etc. of Slugs, Etc.

CR 8-613(b)(3)
MISDEMEANOR
$500.00 - 3 MONTHS

2_2505

****FORGERY-MF/SELL SLUGS****

…did [manufacture for sale/sell/give away] a [slug/ device] intended to be deposited in a vending machine _____(choose from below).

1. with intent to defraud the [owner/lessee/licensee/person entitled to the contents] of the vending machine.

2. and knew that the [slug/device] is intended for unlawful use.

Effective 10/1/2016

Wills, Patents, Deeds Records, Etc.

CR 8-701
MISDEMEANOR
7 YEARS

1_2700

****EMBEZZLE ETC-WRITINGS ETC****

...did [wilfully/corruptly] [embezzle/steal/withdraw/ impair/distroy/alter] a [will/codicil/patent/deed/assignment of patent/writ of administration/review/record], with the intent to [defeat/injure/alter] the [estate/right] of _____ (name).

NOTE: See CR 8-701(b) minimum penalty of 3 years imprisonment if convicted.

NOTE: One may have a right under a will without being a beneficiary under an estate.

Destroying/Secreting Will

CR 8-702(a)(1)(2)
MISDEMEANOR
15 YEARS

2_2700

****WILL DESTROY/SECRETE****

...did, having been entrusted with the [will/codicil] of ____, [destroy such will/wilfully secrete such will for 6 months after having obtained knowledge of the death of ____(name)].

CR 8-801(b)
MISDEMEANOR
$500.00 - 18 MONTHS

1_0781

****OBT PROP OF VUL ADULT - L/T $1,000****

… did with intent to deprive, knowingly and willfully obtain by [deception/intimidation/undue influence], _____(describe property) , having a value less than $1,000 and belonging to _____(victim),[knowing/having reasonable knowledge] that said victim is [a vulnerable adult/at least 68 years old].

NOTE: A person convicted of this crime shall be disqualified from benefitting from the estate of victim to the extent provided in CR 8-801(e).

Effective 10/1/2016

CR 8-801(b)
FELONY
DISTRICT COURT
$10,000.00 - 10 YEARS

1_1281

****OBT PROP OF VUL ADULT - $1K TO <$10K***

… did with intent to deprive, knowingly and willfully obtain by [deception/intimidation/undue influence], _____(describe property) , having a value of _____(amount), at least $1,000 but less than $10,000 and belonging to _____(victim),[knowing/having reasonable knowledge] that said victim is [a vulnerable adult/at least 68 years old].

NOTE: A person convicted of this crime shall be disqualified from benefitting from the estate of victim to the extent provided in CR 8-801(e).

CR 8-801(b)
FELONY
DISTRICT COURT
$15,000.00 - 15 YEARS

1_1282

****OBT PROP VUL ADULT-$10K TO <$100K***

… did with intent to deprive, knowingly and willfully obtain by [deception/intimidation/undue influence], _____(describe property) , having a value of _____(amount), at least $10,000 but less than $100,000 and belonging to _____(victim),[knowing/having reasonable knowledge] that said victim is [a vulnerable adult/at least 68 years old].

NOTE: A person convicted of this crime shall be disqualified from benefitting from the estate of victim to the extent provided in CR 8-801(e).

Effective 10/1/2016

CR 8-801(b)
FELONY
DISTRICT COURT
$25,000.00 - 25 YEARS

1_1283

****OBT PROP VUL ADULT- $100K +***

… did with intent to deprive, knowingly and willfully obtain by [deception/intimidation/undue influence], _____(describe property) , having a value of _____(amount),$100,000 or more and belonging to _____(victim),[knowing/having reasonable knowledge] that said victim is [a vulnerable adult/at least 68 years old].

NOTE: A person convicted of this crime shall be disqualified from benefitting from the estate of victim to the extent provided in CR 8-801(e).

CR 8-904
MISDEMEANOR
$5,000.00 - 3 YEARS

3_2600

****FRAUD-RACE HORSE NAME****

...did knowingly [enter/race] a horse in a [running/trotting] race under a name other than that assigned and registered to that horse by the [Jockey Club/U.S. Trotting Association].

Pari-Mutuel Tickets Counterfeit or Altered

CR 8-905
MISDEMEANOR
$1,000.00 - 1 YEAR

1_2503

****FRAUD-PARI MUTUEL TICKETS****

...did knowingly [present/give to _____ , to present] a [counterfeit/altered] pari-mutuel ticket for payoff.

Effective 10/1/2016

PERJURY

General Note: In all of the following sections where the selection between oath and affirmation is offered, an oath is a swearing, by whatever form. An affirmation is used by Quakers and other persons who have conscientious scruples against taking an oath, who are therefore allowed to make affirmation in any mode which they may declare to be binding upon their conscience. Commissioners should generally use the word "oath" unless clearly otherwise indicated. In any instance in which the affidavit or transcript says "swear and affirm," or words to that effect, Commissioners may use the words "oath and affirmation" or "affidavit and affirmation." without having to choose between the two unless otherwise clearly indicated.

CR 9-101(a)(1)
MISDEMEANOR
10 YEARS

1_5003

****PERJURY: WITNESS IN COURT****

...did, on examination as a witness, duly sworn to testify in _____[name, court and case/proceeding in which testimony was given], which said [Court/____(other person administering the oath)] had authority to administer such oath, unlawfully and falsely swear_____ _____ _____ (brief statement of allegedly false testimony), the matters so sworn being material, and said testimony being wilfully corrupt and false.

CR 9-101(a)(2)
MISDEMEANOR
10 YEARS

1_0307

****PERJURY/AFFID REQ BY LAW****

...did, in an affidavit required by law to be taken, to wit: _____ (state law by Article and Section, or describe affidavit by title or purpose), wilfully and falsely make an [oath/affirmation] that _____ (brief statement of allegedly false statement), the matters so sworn being material.

Effective 10/1/2016

CR 9-101(a)(3)
MISDEMEANOR
10 YEARS

1_0308

****PERJURY/AFFID INDUCE COURT****

...did willfully and falsely make an [oath/affirmation] in an affidavit to an [account/claim] for _____ [subject or amount of account or claim] made for the purpose of inducing _____ [name court or officer] to pass the [account/claim], to wit: _____ [brief statement of allegedly false statement], the matters so sworn being material.

CR 9-101(a)(3)
MISDEMEANOR
10 YEARS

2_4170

****PERJURY/STATE HEALTH PLAN****

...did make a [false / fraudulent] statement with intent to obtain [money/property/food stamps/other assistance] under a social or nutritional program financed by the State.

CR 9-101(a)(4)
MISDEMEANOR
10 YEARS

1_0309

****PERJURY/AFFID REQD BY GOV****

...did willfully and falsely make an [oath/affirmation] in an affidavit required by [State/Federal/Local Government/Government Official] of _____ (name of entity), to wit: _____ (brief statement of falsehood), the matters so sworn being material.

Effective 10/1/2016

CR 9-101(a)(5)
MISDEMEANOR
10 YEARS

1_0310

****PERJURY/AFFID REQD MD RULE****

...did willfully and falsely make an [oath/affirmation] in an [affidavit/affirmation] made pursuant to [Maryland Rule of Procedure # ____/Maryland District Rule # _____], to wit: _____ (brief statement of falsehood), the matters so sworn being material.

Contradictory Statements

CR 9-101(c)
MISDEMEANOR
10 YEARS

2_5003

****PERJURY CONTRADICTORY STATEMENT****

...did, knowing one to be false, wilfully and falsely make [oath/affirmation], the matters so sworn being material, to two contradictory statements, to wit: _____ (see note).

NOTE: Briefly describe the date and nature of each oath or affidavit, and the nature of the contradiction. Examples are:

In sworn testimony before _____ (court) on _____ (date) did state _____; and in an affidavit dated _____ did swear that _____. ; or

In a sworn deposition on ____ (date) did state ____, and in sworn testimony before _____ (court) on ____ (date) did state _____.; or

In sworn testimony before the Grand Jury for _____ (jurisdiction) on ____ (date) did state _____; and in sworn testimony before _____ (court) on ____ (date) did state_____.

NOTE: If the two contradictory statements made in violation of paragraph (1) of this subsection are made in different counties, the violation may be prosecuted in either county.

Effective 10/1/2016

Subornation of Perjury

CR 9-102
MISDEMEANOR
10 YEARS

1_5004

****PERJURY: SUBORNATION OF****

...did procure ____ (name) to make a false [oath/affirmation] that _____ (state nature of falsehood) [in an affidavit dated ____/in sworn testimony before _____ (court, grand jury, oath taken at deposition, hearing board, etc.)] in the matter of _____ (state name, nature, or purpose of affidavit, or name of court case), the matters so sworn being material.

BRIBERY; OBSTRUCTING JUSTICE

Public Employee

CR 9-201(b)
MISDEMEANOR
$5,000.00 - 12 YEARS

1_5101

****BRIBE/ATT PUBLIC EMPLOYEE****

...did [bribe/attempt to bribe] _____ (name of public employee) for the purpose of influencing him/her in his/her capacity as _____ (position held).

NOTE: See CR 9-201(d) regarding minimum penalty of 2 years and/or $100 if convicted.

*See CR 9-201 for complete list of eligible parties.

Effective 10/1/2016

CR 9-201(c)
MISDEMEANOR
$5,000.00 - 12 YEARS

1_5103

****BRIBE/DEMAND/RECEIVE PUBL EMP****

did as a public employee, [demand/receive] a [bribe/fee/reward/testimonial] to _____(choose from below).

1. influence the performance of [his/her]official duties.

2. [neglect/fail to perform] [his/her] official duties.

NOTE: See CR 9-201(d) for minimum penalty of of 2Y-$100 if convicted.

*See CR 9-201 for complete list of eligible parties.

CR 9-202
MISDEMEANOR
6 YEARS

2_5100

****BRIBE A JUROR****

...did [bribe/attempt to bribe] ____ (name), a juror, to take _____ (describe gain or profit) for the rendering of [his/her] verdict in the case of _____ (state case).

NOTE: See CR 9-202(c)(1) for minimum penalty of 18 months if convicted.

Embracery-Acceptance of Bribe By Juror

CR 9-202
MISDEMEANOR
6 YEARS

2_5110

****JUROR/TAKE BRIBE****

...did, being a juror in the case of _____ (state case), take _____(describe gain or profit) for rendering his/her verdict in said case.

Effective 10/1/2016

Bribery, etc. of Voter

CR 9-203(1)
MISDEMEANOR
$500.00 - 6 MONTHS

1_5104

****BRIBE A VOTER****

...did bribe _____ (name) for the purpose of securing [his/her] vote and ballot at the election of _____ (date).

CR 9-203(a)(2)
MISDEMEANOR
$500.00 - 6 MONTHS

1_5106

****KEEP PLACE/GRAT LIQ: ELECT****

...did [keep/suffer to be kept] _____(place) for the purpose of providing alcoholic beverages gratuitously to voters on _____ (date), an election day during which times the polls were open.

Effective 10/1/2016

CR 9-204
MISDEMEANOR
$5,000.00 - 3 YEARS

1_5100

****BRIBE/ATT ATHLETIC CONTEST****

...did [bribe/attempt to bribe] _____ (name) _____ (capacity) for the purpose of influencing the outcome of an athletic contest.

NOTE: See CR 9-204(b) regarding minimum penalty of 6 months and/or $100 if convicted.

NOTE: The statute requires that the bribee be a person participating in or connected with the athletic contest. The bribee's "capacity" should briefly describe hisher connection to the contest, as in "player," "coach," "stadium official," "trainer," "referee," etc.

NOTE: The venue of this offense lies in any jurisdiction where the bribe was attempted or received. The athletic event does not have to be in the same County or Baltimore City, but it does have to be in Maryland. This section does not cover athletic events outside the State.

CR 9-205
MISDEMEANOR
$5,000.00 - 3 YEARS

2_5103

****ATHLETIC CNTST ACCPT BRIBE****

...did accept a bribe in defendant's capacity as _____ (capacity) from _____ (name) for the purpose of altering the outcome of an athletic contest.

NOTE: The statute requires that the bribee be a person participating in or connected in any way with the athletic contest. The bribee's "capacity" should briefly describe his or connection to the contest, as in "player," "coach," "stadium official," "trainer," "referee," etc.

Effective 10/1/2016

CR 9-302(a)
MISDEMEANOR
$5,000.00 - 5 YEARS

1_0354

****INDUCE/INHIBIT TESTIMONY****

… did [harm/threaten to harm/damage or destroy property of] ___ (name) with intent to ___ [influence/induce] [victim/witness] to [testify falsely/withhold testimony/induce/avoid service of subpoena or summons to testify/be absent from official proceeding to which he/she has been subpoenaed or summoned/not to report the existence of facts related to a crime or delinquent act].

CR 9-302(a)
FELONY
20 YEARS
PRELIMINARY HEARING

1_0355

****INDUCE INHIBIT TESTIMONY - FELONY OFF****

… did [harm/threaten to harm/damage or destroy property of] ___ (name) with intent to ___ [influence/induce] [victim/witness] to [testify falsely/withhold testimony/induce/avoid service of subpoena or summons to testify/be absent from official proceeding to which he/she has been subpoenaed or summoned/not to report the existence of facts related to a crime or delinquent act], the offense being [a felonious violation of Title 5/the commission of a crime of violence as desctibed under CR 14-101].

CR 9-302(b)
MISDEMEANOR
$5,000.00 - 5 YEARS

1_0654

****SOLICIT-INDUCE/INHIBIT TESTIMONY****

…did solicit ____(name) to [harm/threaten to harm another/damage or destroy property of] ____ (name) with intent to ____ [influence victim or witness to testify falsely or withhold testimony/induce victim or witness to: [avoid service of subpoena or summons to testify/be absence from official proceeding to which he/she has been subpoenaed or summoned/not to report the existence of facts related to a crime or delinquent act].

Effective 10/1/2016

CR 9-302(c)(2)
FELONY
20 YEARS
PRELIMINARY HEARING

1_0655

****SOL/CON-INDUCE/INHIB TESTIMONY - FELONY****

…did [solicit _____(name)/conspire with _____(name)] to [harm/threaten to harm another/damage or destroy property of] ____ (name) with intent to _____ [influence victim or witness to testify falsely or withholdd testimony/induce victim or witness to: [avoid service of subpoena or summons to testify/be absence from official proceeding to which he/she has been subpoenaed or summoned/not to report the existence of facts related to a crime or delinquent act], the offense being [a felonious violation of Title 5/the commission of a crime of violence as desctibed under CR 14-101].

CR 9-303
MISDEMEANOR
$5,000.00 - 5 YEARS

1_0356

****RETALIATE - WITNESS****

…did intentionally [harm/threaten to harm/damage or destroy property] with the intent of retaliating against ____ (name) a victim or witness for [giving testimony in an official proceeding/reporting a crime or delinquent act].

CR 9-303
FELONY
20 YEARS
PRELIMINARY HEARING

1_0357

****RETALIATE-WITNESS-FELONY OFF****

…did intentionally [harm/threaten to harm/damage or destroy property] with the intent of retaliating against ___ (name) [a victim or witness for [giving testimony in an official proceeding/reporting a crime or delinquent act], the offense being a felonious violation of Title 5, or the commission of a crime of violence as described under CR 14-101.

**NOTE: This applis to conspiracy or solicitation to commit such a crime.

Effective 10/1/2016

CR 9-305(a)
MISDEMEANOR
$5,000.00 - 5 YEARS

1_0358

****INTIMIDATE/INFLUENCE JUROR****

…did by [corrupt means/threat/force] try to [influence/intimidate/impede] ____ (name), a [juror/witness/court officer], in the discharge of [his/her] official duty.

CR 9-305(a)
FELONY
20 YEARS
PRELIMINARY HEARING

1_0359

****INTIMIDATE/INFLUENCE JUROR-FELONY OFF****

...…did by [corrupt means/threat/force]try to [influence/intimidate/impede] ____ (name), a [juror/witness/court officer], in the performance of [his/her] official duty, the offense being [a felonious violation of Title 5/ a crime of violence as described under CR 14-101.
NOTE: This applies to conspiracy or solicitation to commit such a crime.

CR 9-303 (a)(2)
MISDEMEANOR
$5,000 – 5 YEARS

1_1146

****HARM/THREAT/DAMAGE JUROR****

… did intentionally [harm_____(name)/threaten to harm(name)/damage the property of (name)/destroy the property of _____(name)] with intent of retaliate against said person for a reason relating to the performance of [his/her] official duties as a juror in a [pending/completed] case in _____(describe court in Maryland or the United States).

CR 9-303 (a)(2)
MISDEMEANOR
$5,000 – 5 YEARS

1_1145

**** HARM/THREAT/DMGE OFCR OF COURT ****

… did intentionally [harm_____(name)/threaten to harm(name)/damage the property of (name)/destroy the property of _____(name)] with intent of retaliate against said person for a reason relating to the performance of [his/her] official duties as an officer of the court in a [pending/completed] case in ____(describe court in MD or US).

Effective 10/1/2016

CR 9-305(b)
MISDEMEANOR
$5,000.00 - 5 YEARS

*1_0362

****SOLICIT INTIMIDATE JUROR****

...did solicit _____ (name) to, by [corrupt means/threat/force], try to [influence/ intimidate/impede] _____ (name), a [juror/witness/ court officer], in the discharge of [his/her] duty.

CR 9-305(b)
FELONY
20 YEARS
PRELIMINARY HEARING

1_0363

****SOLICIT INTIMIDATE JUROR-FELONY OFF****

…did solicit _____ (name) to, by [threat/force/corrupt means] try to [influence/intimidate/impede] _____ (name), a [juror/witness/ court officer], in the discharge of [his/her] duty, in connection with a proceeding involving [a felonious violation of Title 4/a crime of violence as described under CR 14-101].

**NOTE: This applies to a conspiracy or solicitation to commit such a crime.

CR 9-306
MISDEMEANOR
$10,000.00 - 5 YEARS

2_5006

****OBSTRUCT JUSTICE****

…did, by [threat/force/corrupt means] [obstruct/impede/try to obstruct/try to impede] the administration of justice in _____(name court in State and case number if available).

CR 9-307 (a)
MISDEMEANOR
$5,000.00 – 3 YEARS

1_1332

****ALTER PHYS EVIDENCE CRIM PROC****

…did [destroy/alter/conceal/remove] physical evidence to wit: _____(describe) that [he/she] believes may be used in a [pending/future] official proceeding with the intent to impair the [verity/availablity] of the physical evidence in the official proceeding.

NOTE: "Official proceeding" includes a criminal trial, a hearing related to a criminal trial or adjudicatory hearing, a grand jury proceeding, and any other proceeding that is part of a criminal action or juvenile delinquency case.

Effective 10/1/2016

CR 9-307 (b)
MISDEMEANOR
$5,000.00 – 3 YEARS

1_1333

****FABRICATE PHYS EVID CRIM PROC****

…did fabricate physical evidence to wit: _____(name) in order to impair the verity of the physical evidence with the intent to deceive and that the fabricated physical evidence be introduced in a [pending/future] official proceeding.

NOTE: "Official proceeding" includes a criminal trial, a hearing related to a criminal trial or adjudicatory hearing, a grand jury proceeding, and any other proceeding that is part of a criminal action or juvenile delinquency case.

CR 9-307 (c)
MISDEMEANOR
$5,000.00 – 3 YEARS

1_1334

****INTRO PHYS EVID CRIM PROC****

…did introduce physical evidence in an official proceeding knowing that the evidence has been [altered/fabricated] with the intent to deceive in order to impair the verity of the physical evidence.

NOTE: "Official proceeding" includes a criminal trial, a hearing related to a criminal trial or adjudicatory hearing, a grand jury proceeding, and any other proceeding that is part of a criminal action or juvenile delinquency case.

CR 9-402
MISDEMEANOR
$1,000.00 - 1 YEAR

1_4904

****HARBOR/FLEEING FELON****

… did knowingly harbor ____, a fugitive, with the intent to prevent [his/her] [discovery/arrest] , after notice that harboring that person was a crime, and after notice that a felony warrant had been issued for that person's arrest.

Effective 10/1/2016

CR 9-402(c)
MISDEMEANOR
$1,000.00 - 1 YEAR

1_0232

****HARBOR FELON/FUGITIVE****

...did knowingly harbor ____, a person avoiding [prosecution for/custody/confinement after conviction of] a felony.

NOTE: "Fugitive" means an individual for whose arrest a felony warrant has been issued. This section does not apply when the warrant is for a traffic offense.

NOTE: Required Notification: That a felony warrant has been issued for the arrest of the fugitive and that harboring a fugitive is a crime.

NOTE: CR 9-401(g) - DEFINITIONS

"PLACE OF CONFINEMENT" means:

(i) correctional facility;

(ii) A facility of the Department of Health and Mental Hygiene;

(iii) Any other facility in which a person is confined under color of law.

(iv) A privately operated, hardware secure facilty for juveniles committed to the Department of Juvenile Services.

A "Place of Confinement" does not include*(See SECOND DEGREE ESCAPE NOTE):

(i)A detention center for juveniles;

(ii) A facility for juveniles listed under Human Services Article 9-226 of the code; or

(iii) A place identified in a juvenile community detention order.

NOTE: *SECOND DEGREE ESCAPE CR9-405(3) A person may not escape from: (i) except as otherwise punishable under 9-404 (b), a detention center for juveniles or a facility for juveniles listed in Human Services Article 9-226 of the Code, a place identified in a juvenile community detention order, or a privately operated, hardware security facility for juveniles comitted to the Department of Juvenile Services.

Effective 10/1/2016

ESCAPE AND CONTRABAND IN PLACES OF CONFINEMENT

NOTE: CR 9-401 - DEFINITIONS

"PLACE OF CONFINEMENT"

(i) A correctional facility:

(ii) A facility of the Department of Health and Mental Hygiene;

(iii) Any other facility in which a person is confined under color of law.

"CORRECTIONAL FACILITY" means:

A facility that is operated for the purpose of detaining or confining adults who are charged with or found guilty of a crime.

A "Place of Confinement" does not include"

(i) A detention center for juveniles;

(ii) A facility for juveniles listed under HS 9-226(b);

(iii) A place identified in a juvenile community detention order; or

(iv) A privately operated, hardware secure facility for juveniles committed to the Department of Juvenile Services.

“HARDWARE SECURITY FACILITY” means a facility that is securely locked or fenced to prevent escape.

Effective 10/1/2016

Escaped Prisoner

CR 9-403
MISDEMEANOR
$1,000.00 - 1 YEAR

2_4904

****HARBORING-PRISON ESCAPEE****

...did wilfully and knowingly harbor ____, a person imprisoned for a felony, after his escape from the custody of _____ (name facility or place of confinement), knowing and having received notice that the person has escaped and after notice that harboring that person was a punishable offense.

NOTE: "Harbor" includes offering a fugitive :

1. concealment, (hiding, secreting or keeping out of sight);

2. lodging;

3. care after concealment; or

4. obstruction of the efforts of the authorities to effect the arrest of a fugitive.

"Harbor" does not include the failure to reveal the whereabouts of a fugitive by a person who did not assist in the fugitive's efforts to elude arrest.

Effective 10/1/2016

CR 9-404(a)
FELONY
$20,000.00 - 10 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

*2_1010

****ESCAPE - FIRST DEGREE ****

…did knowingly escape from _____, a place of confinement.

NOTE: Flight from courtroom not escape prior to incarceration (Boffen v. State 2003)

CR 9-404(b)
FELONY
$20,000.00 - 10 YEARS
PRELIMINARY HEARING

1_0615

****1ST DEGREE ESCAPE JUVENILE CONFINEMENT PROGRAM****

…did escape from [a detention center for juveniles/a facility for juveniles listed in HU 9-226(b) /a place identified in a juvenile community detention order/a privately operated, hardware secure facility for juveniles committed to the Department of Juvenile Services] located at _____, and did in the course of the escape commit an assault.

NOTE: See HU 9-226 for place of confinement.

NOTE: CR 9-401 (f) – "Hardware Secure Facility" means a facility that is securely locked or fenced to prevent escape.

CR 9-405(a)(1)
MISDEMEANOR
$5,000.00 - 3 YEARS

2_1020

****ESCAPE - SECOND DEGREE****

...having been lawfully arrested, did knowingly depart from custody at _____, without the authorization of a [law enforcement/judicial] officer.

Effective 10/1/2016

CR 9-405(a)(2)
MISDEMEANOR
$5,000.00 - 3 YEARS

2_1025

****ESCAPE - SECOND DEGREE****

...did knowingly fail to obey a court order to report to _____, a place of confinement.
NOTE: Applies to temporary release or home detention.

CR 9-405(a)(3)(i)(ii)
MISDEMEANOR
$5,000.00 - 3 YEARS

2_1030

****ESCAPE - SECOND DEGREE****

…did escape from _____(choose from below), located at _____.

1. [a detention center for juveniles/ a facility for juveniles listed in HU 9-226(b)]
2. [a place identified in a home [detention order/agreement]
3. a place identified in a juvenile community detention order
4. a privately operated, hardware secure facility for juveniles committed to the department of juvenile services.

NOTE: If escape from a location listed in an option above and no assault involved, the charge of escape in the second degree is appropriate.

NOTE: IN CR 9-410 "PLACE OF CONFINEMENT" DOES NOT INCLUDE A PLACE IDENTIFIED IN A HOME DETENTION ORDER OR AGREEMENT.

NOTE: CR 9-401 (f) – "Hardware Secure Facility" means a facility that is securely locked or fenced to prevent escape.

Effective 10/1/2016

CR 9-405(b)(2)
MISDEMEANOR
$5000.00 - 3 YEARS

1_0766

****ESCAPE-2ND DEG-COND OF RELS****

… did knowingly _____(choose from below)

i. violate a restriction on movement imposed under the terms of a [temporary release/pretrial commitment/custodial confinement/home detention order/home detention agreement].

ii. fail to return to a place of confinement under the terms of a [temporary release/pretrial commitment/custodial confinement/home detention order/home detention agreement].

iii. [remove/block/deactivate/tamper with] a monitoring device required to be [worn/carried by] ____(name), to track [his/her] location.

CR 9-408(b)
MISDEMEANOR
$5,000.00 - 3 YEARS

1_0600

****RESIST/INTERFERE WITH ARREST****

…did intentionally [resist/interfere with] a lawful arrest.

CR 9-412(a)(1)
MISDEMEANOR
$1,000.00 - 3 YEARS

2_1080

****CONTRABAND DELIVERY****

...did deliver contraband to wit _____(item) to _____(person) who was [detained at/confined in] _____ (place of confinement).

Effective 10/1/2016

CR 9-412(a)(2)
MISDEMEANOR
$1,000.00 - 3 YEARS

2_1085

****CONTRABAND POSS W/I DEL****

...did possess contraband to wit _____ (item) with the intent to deliver to _____ (person) who was [detained at/confined in] _____ (place of confinement).

CR 9-412(a)(3)
MISDEMEANOR
$1,000.00 - 3 YEARS

1_1835

****POSSESS CONTRABAND PLACE OF CONFINEMENT****

… did knowingly possess contraband, to wit _____(name item) in _____(name of facility), a place of confinement.

CR 9-413(a)(1)
FELONY
$5,000.00 - 10 YEARS
PRELIMINARY HEARING

2_1060

****CONTRABAND - ESCAPE - DELIVER****

...did deliver contraband: to wit _____(item) to _____(person) [detained at/confined in] _____(place) with the intent to effect an escape.

Effective 10/1/2016

CR 9-413(a)(2)
FELONY
$5,000.00 - 10 YEARS
PRELIMINARY HEARING

2_1065

****CONTRABAND - ESCAPE - POSSESS****

...did possess contraband: to wit _____(item) with the intent to deliver to _____(person) [detained at/confined in] _____(place) to effect an escape.

CR 9-413(a)(3)
FELONY
$5,000.00 - 10 YEARS
PRELIMINARY HEARING

2_1070

****CONTRABAND - ESCAPE - CONCEAL****

...did [deposit/conceal] contraband: to wit _____(item) [in/about/on land appurtenant to] _____, a place of confinement, to effect an escape.

CR 9-413(a)(4)
FELONY
$5,000.00 - 10 YEARS
PRELIMINARY HEARING

2_1075

****POSS/REC CONTRABAND - ESCAPE**

… did knowingly [possess/receive] contraband: to wit _____(item) while [detained at/ confined in] _____ to effect an escape.

Effective 10/1/2016

CR 9-414(a)(1)
FELONY
$5,000.00 - 10 YEARS
PRELIMINARY HEARING

2_1035

****CONTRABAND - DELIVER WEAPON****

...did deliver a weapon to
_____(name)[detained/confined] in
_____ (place of confinement).

CR 9-414(a)(2)
FELONY
$5,000.00 - 10 YEARS
PRELIMINARY HEARING

2_1040

****CONTRABAND - POSSESS WEAPON****

...did possess _____ a weapon, with intent to deliver to _____ (person) [detained at/confined in] _____ (place of confinement).

CR 9-414(a)(3)
FELONY
$5,000.00 - 10 YEARS
PRELIMINARY HEARING

2_1045

****CONTRABAND - CONCEAL WEAPON****

...did [deposit/conceal] a weapon to wit: _____ [in/about/on land appurtenant to] a place of confinement, to effect an escape.

Effective 10/1/2016

CR 9-414(a)(4)
FELONY
$5,000.00 - 10 YEARS
PRELIMINARY HEARING

2_1055

****POSS/REC WEAPON WHILE CONF/DET****

...did knowingly [possess/receive] a weapon: to wit _____ (name weapon) while [detained at/confined in] _____ (place of confinement).

NOTE: For the purpose of this section and the following sections "Contraband" is defined as any item, material, substance or other thing of value that is not authorized for inmate possession or is brought into the correctional facility in a prohibited manner.

CR 9-415(b)(1)
MISDEMEANOR
$1,000.00 - 3 YEARS

2_1090

****ALCOHOLIC BEV - DELIVER****

...did deliver an alcoholic beverage to wit _____(item) to _____ (person) who was [detained at/confined in] _____ (place of confinement).

Effective 10/1/2016

CR 9-415(b)(2)
MISDEMEANOR
$1,000.00 - 3 YEARS

2_1092

****ALCOHOLIC BEV - POSS W/I DEL****

...did possess an alcoholic beverage to wit _____ (item) with the intent to deliver to _____ (person) who was [detained at/confined in] _____ (place of confinement).

NOTE: This subsection does not apply to an alcoholic beverage delivered or possessed in a manner authorized by the managing official.

CR 9-415(c)
MISDEMEANOR
$1,000.00 - 3 YEARS

1_0724

****POSS/REC ALCOHOL WHILE CONF/DET****

… did knowingly [possess/receive] an alcoholic beverage while [detained/confined] at _____(name place), a place of confinement.

CR 9-416(a)(2)
MISDEMEANOR
$1,000.00 - 3 YEARS

2_1097

****CDS -POSS W/I DEL CONFINEMENT****

...did possess controlled dangerous substance to wit _____ (item) with the intent to deliver to _____ (person) who was [detained at/confined in] _____ (place of confinement).

Effective 10/1/2016

CR 9-416(b)
MISDEMEANOR
$1,000.00 - 3 YEARS

1_0718

****POSS/REC CDS WHILE CONF/DET****

… did [possess/receive] a controlled dangerous substance, to wit: _____ (substance) while [detained/confined] in _____ (facility), a place of confinement.

CR 9-416(b)(1)
MISDEMEANOR
$1,000.00 - 3 YEARS

2_1095

****CDS - DELIVER - CONFINEMENT****

...did deliver a controlled dangerous substance to wit: _____ (item) to _____ (person) who was [detained at/confined in] _____ (place of confinement).

NOTE: A sentence imposed under this section may be separate from and consecutive to or concurrent with a sentence for any offense based on the act establishing the offense under this section.

Effective 10/1/2016

CR 9-417(a)(1)
MISDEMEANOR
$3,000.00 – 5 YEARS

1_1327

****DELIVER TELECOMMUNICATION DEV****

… did deliver _____ (device), a [telecommunication device/telecommunication device charger/SIM card] to _____ (name) while [detained/confined] in _____ (facility) where signs are posted that indicate such conduct is prohibited.

NOTE: This charge does not apply to a work release or prerelease program in Montgomery County established under CS 11-717.

CR 9-417(a)(2)
MISDEMEANOR
$3,000.00 – 5 YEARS

1_1328

****POSS TELECOM W/INT DEL****

… did possess _____ (device), a [telecommunication device/telecommunication device charger/SIM card] with the intent to deliver it to _____ (name) while [he/she] was [detained/confined] in _____ (facility) where signs are posted that indicate such conduct is prohibited.

NOTE: This charge does not apply to a work release or prerelease program in Montgomery County established under CS 11-717.

CR 9-417(a)(3)
MISDEMEANOR
$3,000.00 – 5 YEARS

1_1329

****DEPOSIT TELECOM W/INT OBT****

… did [deposit/conceal] _____ (device), [telecommunication device/telecommunication device charger/SIM card] [in/about] [_____ (facility)/property appurtenant _____ (facility)] with the intent that the device be obtained by _____ (name) while [he/she] was [detained/confined] in _____ (facility) where signs are posted that indicate such conduct is prohibited.

NOTE: This charge does not apply to a work release or prerelease program in Montgomery County established under CS 11-717.

Effective 10/1/2016

CR 9-417(a)(4)
MISDEMEANOR
$3,000.00 – 5 YEARS

1_1330

****POSS/REC TELECOM DEV****

… did knowingly [possess/receive] _____ (device), a [telecommunication device/telecommunication device charger/SIM card] while [detained/confined] in _____ (facility).

NOTE: A sentence imposed under CR 9-417(a)(4) shall be consecutive to any sentence that the person was serving at the time of the crime or that had been imposed but was not yet being served at the time of sentencing.

NOTE: This charge does not apply to a work release or prerelease program in Montgomery County established under CS 11-717.

CR 9-501
MISDEMEANOR
$500.00 - 6 MONTHS

1_0207

****FLSE STMNT TO OFFICER CAUSE****

...did cause to be made a false [statement/report/complaint] to _____(name), a peace officer, knowing the same to be false, with the intent to deceive and with the intent to cause [an investigation/other action to be taken to wit_____].

CR 9-501
MISDEMEANOR
$500.00 - 6 MONTHS

1_4803

****FALSE STATEMENT TO OFFICER****

...did make a false [statement/report/complaint] to ____, a peace officer, knowing the same to be false, with the intent to deceive and with the intent to cause an investigation or other action to be taken.

Effective 10/1/2016

CR 9-502
MISDEMEANOR
$500.00 - 6 MONTHS

1_0690

****FALSE STMT TO PEACE OFFICER****

...did upon arrest, knowingly and with the intent to deceive, make a false statement to a peace officer concerning [his/her] [identity/address/date of birth].

NOTE: Peace Officer includes any peace or police officer of the State, of any county, city or other political subdivision of the State and of the Maryland National Capital Park and Planning Police.

Effective 10/1/2016

To Officials/Agencies of State or Subdivisions

CR 9-503
MISDEMEANOR
$500.00 - 6 MONTHS

1_5099

****FALSE STMT STATE OFFICIAL****

...did [make/cause to be made] a false [report/statement] of the [commission of a crime/existence of a condition imminently dangerous to public health and safety] to ___(official/agency), knowing the same to be false and with the intent that the said [official/agency] [investigate/consider/take action] in connection with such [statement/report].

Statement/Rumor As to Destructive Device

CR 9-504(b)
FELONY
$10,000.00 - 10 YEARS
PRELIMINARY HEARING

1_5300

****FALSE STMT-DESTRUCTIVE DEV****

… did, knowing the same to be false and with the intent that it be acted upon, [circulate/transmit] to: _____ (describe other person or persons) a [statement/rumor] concerning the [location of a destructive device/possible detonation of a destructive device/location of a the release of toxic material/ possible release of toxic material] as defined in CR 4-501.

NOTE: An offense under this section committed by the use of a telephone may be deemed to have been committed either at the place at which the telephone call or calls were made, or at the place at which the telephone call or calls were received; or the place the destructive device or toxic material was stated or was rumored to be located.

NOTE: This section does not apply to any statement or rumor made or circulated by an officer, employee, or agent of a bona fide civilian defense organization or agency, if made in the regular course of his duties with that organization or agency.

Effective 10/1/2016

EXPLOSIVES

Devices Representing

CR 9-505
FELONY
$10,000.00 - 10 YEARS
PRELIMINARY HEARING

2_5215

****PHONEY DEST DEVICE****

...did [manufacture/ possess/ transport or place] a device constructed to represent a destructive device with the intent to [terrorize/ frighten/ intimidate/ threaten or harass] _____ (name or describe victim or victims).

NOTE: See CR 4-501 for definitions of "Destructive Device."

MD Higher Education Commission

CR 9-506
MISDEMEANOR
$5,000.00 - 1 YEAR

2_5099

****FALSE STMT MD HIGH ED CO****

...did knowingly and wilfully [falsify/conceal] a material fact in connection with an application for funds from the Maryland Higher Education Commission.

Effective 10/1/2016

INTERFERENCE WITH EMERGENCY COMMUNICATION

CR 9-601(b)
MISDEMEANOR
$1,000.00 - 6 MONTHS

1_5408

****EMER RADIO TRANSM; IMPEDE****

...did knowingly, intentionally and recklessly [interrupt/disrupt/impede/otherwise interfere with] the transmission of a two-way radio communication on a frequency commonly [used/monitored] by [civilian/governmental] emergency services organizations for the purpose of informing and inquiring about emergencies.

CR 9-601(b)(2)
MISDEMEANOR
$1,000.00 - 6 MONTHS

1_0193

****EMER.RADIO TRANSMIT FALSE****

...did transmit false information about an emergency on a two-way radio frequency commonly [used/monitored] by [civilian/governmental] emergency services organizations for the purpose of informing or inquiring about emergencies.

NOTE: In this section, "emergency" means a condition or circumstance in which an individual is or is reasonably believed by the person transmitting the communication to be in imminent danger of death or serious bodily harm, or in which property is in imminent danger or damage or destruction.

Effective 10/1/2016

FIRE-FALSE ALARM

Prohibited; False Ambulance

CR 9-604(a)(1)
MISDEMEANOR
$5,000.00 - 5 YEARS

1_5308

****FALSE ALARM/FIRE: CAUSE****

...did knowingly [make/cause to be given] a false alarm of fire by _____ (describe how false alarm given).

CR 9-604(a)(2)
MISDEMEANOR
$5,000.00 - 5 YEARS

1_0208

****FALSE ALARM/AMBULANC CAUSE****

...did knowingly [make/cause to be given] a false call for an [ambulance/rescue squad] by _____ (describe how false call made).

Effective 10/1/2016

Alarm - Non-emergency

CR 9-608
MISDEMEANOR
$500.00 - 90 DAYS

1_0393

****INTENTIONAL FLSALARM ****

...did intentionally activate an alarm system for a non-emergency situation.

NOTE: The alarm signal referred to in this section must be one that activates an alarm system calling for an immediate response by a law enforcement agency to an emergency situation. This does not include 911 calls, or fire alarms (CR 9-608 and CR 9-604). If in doubt, refer to the definitions for this section, found in (CR 9-607).

CR 9-610(c)
MISDEMEANOR
$500.00 - 90 DAYS

1_0394

****DEFECTIVE ALARM/CONT. USE****

...did, being an alarm user, after written notice by a [law enforcement unit/fire department], to wit: _____ (name agency) continue to use a defective alarm system at _____ (location).

NOTE: A Law Enforcement Agency or Fire Department may issue a civil citation to an alarm user, if the number of false alarms to which a law enforcement agency actually responds exceeds 3 responses within a 30-day period, or 8 or more responses within a 12-month period. This type of citation should not be done before a commissioner.

NOTE: An alarm system is defective if it gives more than 3 false alarms within a 30-day period, or 8 or more false alarms within a 12-month period. AFTER NOTICE BY A LAW ENFORCEMENT AGENCY, an alarm system user has 30 days to have the system inspected, and 15 more days to file a written report containing actions taken or recommendations for actions to be taken. If within this 45-day period, or if the alarm user's written report contained recommendations for actions to be taken, consult the State's Attorney's Office before issuing a charging document, or refer the complainant to the State's Attorney.

Effective 10/1/2016

CR 9-802
MISDEMEANOR
$1,000.00 - 2 YEARS

1_1770

****THREAT/SOLICIT CRIMINAL GANG****

…did threaten ____ (name), [an individual/friend/family member of an individual], with physical violence with intent to [coerce/induce/solicit] ___ (name) [to participate in/to prevent _____ (name) from leaving],_____ a criminal gang.

CR 9-803
MISDEMEANOR
$4,000.00 - 4 YEARS

1_1771

****THREAT/SOL GANG - SCHOOL****

…did threaten ____ (name), [an individual/friend/family member of an individual], with physical violence with intent to [coerce/induce/solicit] ___ (name) [to participate in/to prevent ____ (name) from leaving], ___ a criminal gang, while [in/on a school vehicle as defined under TR 11-154] [in, on or within 1,000 feet of real property owned by or leased to _____, [an elementary school/secondary school/county board of education] used for educational purposes.

CR 9-805
FELONY
PRELIMINARY HEARING
$100,000 - 20 YEARS

1_0619

****ORGANIZE, SUPERVISE, FINANCE GANG ****

…did [organize/supervise/finance/manage] a criminal gang.

Effective 10/1/2016

Venereal Disease Remedies Advertising Cures

CR 10-102(b)(1)(2)
MISDEMEANOR
$500.00 - EACH VIOLATION

3_5599

****HEALTH ADVERTIS V/D REMEDY****

did [advertise/allow to be advertised/call to public attention] a _____ (Choose from below) for the [treatment/alleviation/cure] of a venereal disease.

1. [drug/medecine/preparation/substance]

2. [person/place] from which a [drug/medecine/preparation/substance] could be obtained]

NOTE: This section excepts from its coverage health departments, governmental agencies, news stories, etc. The statute should be checked for probable cause purposes, to make certain defendant is not exempt.

CR 10-103(b)
MISDEMEANOR
$50.00 FIRST OFFENSE
$250.00 SUBSEQUENT OFFENSE

1_0274

****VD REMEDY DISP W/O PRESCR****

...did [sell/dispense/give] to ____, without a prescription issued by a licensed physician, ____, a sulfonamide drug or preparation, for the purpose of treating, curing, and alleviating _____ (venereal disease).

Venereal Disease Remedies Sale, Etc., of Remedies

CR 10-103(b)
MISDEMEANOR
$50.00 FIRST OFFENSE
$250.00 SUBSEQUENT OFFENSE

4_5599

****VD REMEDY DISP W/O CREDEN****

...did [sell/dispense/give] to ____ (name) ____ (substance given) for the purpose of treating, curing, and alleviating ____ (venereal disease), the defendant not being a [doctor/a health department/ other governmental agency].

Effective 10/1/2016

Health - Condom Sale

CR 10-104
MISDEMEANOR
$1,000.00

1_0467

****CONDOM-SALE VENDING MACH****

...did unlawfully [sell/offer to sell] a nonlatex condom by means of a [vending machine/other automatic device].

NOTE: Each vending machine or other automatic device constitutes a separate offense.

CR 10-107(b)(2)
MISDEMEANOR
$300.00

2_4040

****TOBACCO PRODS - MINORS****

...did, while engaged in the business of [selling/distributing] tobacco products for commercial purposes, distribute [a tobacco product, to wit: ____/cigarette rolling papers/a coupon redeemable for a tobacco product, to wit: ____] to a minor, to wit: ____ (name).

NOTE: There is an exception if the minor is acting solely as an agent of an employer who is in the tobacco business.

Effective 10/1/2016

CR 10-107(c)(1)
MISDEMEANOR
1ST OFF: $300.00
2ND OFF WITHIN 2 YR OF 1ST - $1,000.00
3RD SUB. OFF: WITHIN 2 YR OF PREVIOUS - $3,000.00

2_4050

****TOBACCO PURCH/SELL MINOR****

...did [purchase for ____/sell to ____], a minor, _____ (describe tobacco product).

CR 10-107(c)(2)
MISDEMEANOR
$300.00

2_4060

****CIGARETTE PAPER TO MINOR****

… did [deliver/sell] tobacco paraphernalia to _____ (name), a minor.

NOTE: This section does not apply to coupons contained in a newspaper, a magazine, or any other type of publication in which the coupon is incidental to the primary purpose of the publication or sent through the mail.

NOTE: A minor who uses or possess any tobacco product or cigarette rolling paper or uses any falsified identification or any identification other than his/her own for the purpose of obtaining or attempting to obtain tobacco products or cigarette rolling papers will be in violation of a civil offense. A law enforcement officer authorized to make arrests, shall issue a citation to a child if the officer has probable cause to believe the child is violating this law.

Effective 10/1/2016

CR 10-109
MISDEMEANOR
$100.00 - 30 DAYS

5_5599

****ICEBOXES-ABANDONED****

...did [place/permit to be placed] outside _____ (address) in a place accessible to children, an abandoned, discarded, and uncrated [icebox/refrigerator/freezer cabinet] having a door with a lock incapable of being released from inside said [icebox/ refrigerator/freezer cabinet].

CR 10-110
MISDEMEANOR
$12,500.00 - 1 YEAR

1_0643

****LITTER/DUMP: OVER 100 LBS****

...did unlawfully dump, deposit, throw, and leave litter on and at _____ (address or description of premises or waters), said litter exceeding [100 lbs in weight/27 cubic feet in volume]. (See note).

NOTE: Under CR 10-110 use the appropriate wording if the litter exceeds only one of the two limits, weight or volume. If the litter exceeds both limits, use both wordings joined by the word "and."

Effective 10/1/2016

CR 10-110
MISDEMEANOR
$12,500.00 - 1 YEAR

1_0644

****CAUSE LITTER/DUMP: OVER 100 LBS****

...did unlawfully cause the dumping, depositing, throwing, and leaving of litter on and at ____ (address or description of premises or waters), said litter exceeding [100 lbs. in weight/27 cubic feet in volume]. (See note).

CR 10-110
MISDEMEANOR
$30,000.00 - 5 YEARS

1_0645

****LITTER/DUMP: OVER 500 LBS****

...did unlawfully dump, deposit, throw, and leave litter on and at _____ (address or description of premises or waters), said litter [exceeding 500 lbs in weight/exceeding 216 cubic feet in volume/being for commercial purposes].

NOTE: Under CR 10-110, Litter Dump: 500 lbs., do not use weight or volume descriptions if the litter is for commercial purposes. If the litter exceeds both weight and volume standards, not for commercial purposes, use both wordings joined by the word "and".

CR 10-110
MISDEMEANOR
$30,000.00 - 5 YEARS

1_0646

****CAUSE LITTER/DUMP: OVER 500 LBS****

...did unlawfully cause the dumping, depositing, throwing, and leaving of litter on and at ____ (address or description of premises or waters), said litter [exceeding 500 lbs. in weight/exceeding 216 cubic feet in volume/being for commercial purposes].

Effective 10/1/2016

CR 10-110(c)
MISDEMEANOR
$1,500.00 - 30 DAYS

1_0640

****LITTER/DUMP: UNDER 100 LBS****

...did unlawfully dump, deposit, throw, and leave litter on and at _____ (address or description of premises or waters), said litter not exceeding 100 lbs in weight and 27 cubic feet in volume.

CR 10-110(c)
MISDEMEANOR
$1,500.00 - 30 DAYS

1_0641

****CAUSE LITTER/DUMP: L/T 100 LBS****

...did unlawfully cause the dumping, depositing, throwing, and leaving of litter on and at _____ (address or description of premises or waters), said litter not exceeding 100 lbs. in weight and 27 cubic feet in volume.

NOTE: If the litter exceeds either the weight or volume limit, use the appropriate charge for over 100 lbs.

CR 10-111(b)
MISDEMEANOR
$1,000.00 - 1 YEAR
***SUBSEQUENT VIOL**
$5,000.00 - 3 YEARS

1_0284

****ALTER DRUG/ALCOHOL TEST****

... did with intent to [defraud/alter] the outcome of a [drug/alcohol] screening test, _____.

Select from list:

- alter a bodily fluid sample
- substitute a bodily fluid sample with a bodily fluid sample of [another person/an animal/other substance to wit: _____]
- [possess/use] a bodily fluid adulterant
- [sell/distribute/offer to sell/offer to distribute]:
  (I) any bodily fluid from [a human/an animal]; or
  (II) any bodily fluid adulterant; or
- transport into the state:
  (I) any bodily fluid from [a human/an animal]; or
  (II) any bodily fluid adulterant

**Subsequent Violation - 3 Years/$5,000

Effective 10/1/2016

CR 10-117(d)
MISDEMEANOR
$5,000.00 - 1 YEAR

1_1148

****FURNISH ALC <21 INJRY/DEATH ****

…did _____(choose from below), and [knew/reasonably should have known] [he/she] would operate a motor vehicle after consuming the alcoholic beverage, and as a result of operating a motor vehicle while [under the influence of/while impaired by] alcohol, caused [serious physical injury/death] to _____(name of person hurt).

(a) furnish an alcoholic beverage, for the purpose of consumption, to _____ (name), knowing said person was under the age of 21 years

(b) as an adult knowingly and willfully allow _____(name), an individual under the age of 21 years, to [possess/consume] an alcoholic beverage at [a residence/within the curtilage of a residence] that [he/she] [owns/leases] and resides.

CR 10-120
MISDEMEANOR
$50.00

2_4199

****FAIL: PROOF OF AGE AND ID****

...did [fail/refuse] to furnish proof of identification and age to an officer issuing a citation for a violation of _____ (Sec. 10-113, through 10-119 of CR, or Sec. 26-103 of the Education Article), said officer having requested proof of identification and age.

Effective 10/1/2016

CR 10-131
MISDEMEANOR
1st Off: $1,000
2nd Viol: $2,000
3rd Viol: $6,000

1_1613

****DIST SALVIA DIVINORUM TO UND 21 ****

...did distribute Salvia Divinorum to ____(name), an individual under the age of 21, in violation of CR 10-131.

NOTE: Simple possession of Salvia Divinorum by an individual under the age of 21 under CR 10-132 is a code violation and must be issued a citation.

CR 10-201(c)(1)
MISDEMEANOR
$500.00 - 60 DAYS

2_0045

****DISTURB PEACE HINDER PASSG****

...did willfully and without lawful purpose [obstruct/hinder] the free passage of another and others in a public place or on a public conveyance.

CR 10-201(c)(2)
MISDEMEANOR
$500.00 - 60 DAYS

2_0050

****DISORDERLY CONDUCT****

...did wilfully act in a disorderly manner to the disturbance of the public peace.

Effective 10/1/2016

CR 10-201(c)(3)
MISDEMEANOR
$500.00 - 60 DAYS

2_0055

****FAIL OBEY RENBLE/LAWFL****

...did wilfully fail to obey a reasonable and lawful order of a law enforcement officer, to wit, _____ , made to prevent a disturbance to the public peace.

CR 10-201(c)(4)
MISDEMEANOR
$500.00 - 60 DAYS

2_0060

****DISTURB THE PEACE****

...did enter the [land/premises/beach] of ____(name), and did wilfully disturb the peace of persons thereon by [unreasonably loud noise/acting in disorderly manner].

CR 10-201(c)(5)
MISDEMEANOR
$500.00 - 60 DAYS

2_0065

****DISTURB PEACE - LOUD NOISE****

...did unlawfully, by unreasonably loud noise willfully disturb the peace of another [on the other's land and premises/in a place of business/in a public place/on a public conveyance].

NOTE: CR 10-201(c)(5) is intended to prohibit defendants making noise in one location, no matter where, that disturbs persons in another location. It is NOT intended to apply to residents or a resident of a location who is/are disturbing other residents of the same location.

Non-residents who are on the same premises as the person(s) disturbed should be charged under CR 10-201(c)(5).

NOTE: CR 10-201(5)(6) states that in Worcester County a person may not build or allow to burn a bonfire on any beach or other property between the hours of 1 a.m. and 5 a.m.

Effective 10/1/2016

CR 10-202
MISDEMEANOR
$300.00 - 6 MONTHS

5_5311

****DISORDERLY HOUSE****

...did keep a disorderly house, to wit: _____ (address), by _____ (describe method in which house was disorderly, see notes under statute).

NOTE: See CR 10-202 for minimum penalty of $50 and 10 days if convicted.

NOTE: "House" in this section can be a room, place of business, tent, wagon, boat, etc.

NOTE: See the notes under the Statute for the definition of a "disorderly house."

CR 10-203(b)
MISDEMEANOR
$250.00 - 3 MONTHS

1_5399

****DISRUPT-ATHLETIC CONTESTS****

...did [disrupt/interfere with] _____ (describe event) by [throwing/projecting] _____ (describe what was thrown or projected) onto the [playing/seating] area.

NOTE: The athletic contest must be a commercial one; that is, one that is played in public stadiums, arenas, etc. and that charges an admission fee for the general public. "Object" is defined as any item which may cause injury to a participant in the contest, or an observer thereof.

Effective 10/1/2016

CR 10-204(c)
MISDEMEANOR
$1,000.00 - 90 DAYS

1_0479

****INTERFER TO/FROM MED FACIL****

...did act with the intent to prevent with the intent to prevent an individual, to wit: _____ (name or description) from [entering/ exiting] _____ (name and/or address) a medical facility, by physically [detaining/obstructing the passage of/hindering the passage of/impeding the passage of] that individual.

NOTE: "Action" does not include speech.

NOTE: "Medical Facility" includes an agency, clinic, or office operated under the direction of the local health officer or the regulatory authority of the Department of Health and Mental Hygiene. For a fuller definition of Medical Facility, see Health General Art., Sec. 10-101(e) and Sec. 19-101(e).

CR 10-302
PENALTY SEC. CR 10-306
MISDEMEANOR
$5,000.00 - 3 YEARS

1_0435

****RELIGIOUS PROPERTY: DEFACE***

...[did/did attempt to] unlawfully [deface/damage/destroy] religious property to wit: _____(name or describe real or personal property) [owned/leased/used] by _____ (name), a religious organization.

Effective 10/1/2016

CR 10-303
PENALTY SEC. CR 10-306
MISDEMEANOR
$5,000.00 - 3 YEARS

1_0436

****REL BEL: OBSTRUCT EXERCISE****

...[did/did attempt to] unlawfully obstruct by [force/threat of force] _____ (victim) in the free exercise of [his/her] religious beliefs.

CR 10-304 (1)
PENALTY SEC. CR 10-306
MISDEMEANOR
$5,000.00 - 3 YEARS

1_0437

****RACE/RELIG HARAS: PERSON****

...[did/did attempt to] _____ **(choose from below)** [against/of] _____**(name of victim)** because of said victim's [race/color/religious beliefs/sexual orientation/gender/disability/national origin/ homeless status.

1. commit a crime to wit: _____

2.[deface/damage/destroy] _____, the [real/ personal] property

3. burn an object on the [real/personal] property

NOTE: If the violation involves a separate crime that is a felony, the person is guilty of a felony and upon conviction is subject to 10 years, $10,000.00 or both. Prosecution of a person under this section does not preclude prosecution and imposition of penalties for any other crime in addition to any penalties imposed under this section.

NOTE: If the violation involves a separate crime that is a felony and results in death of the victim, the person is guilty of a felony and upon conviction is subject to 20 years-$20,000.

Effective 10/1/2016

CR 10-305 (1)
PENALTY SEC. CR10-306
MISDEMEANOR
$5,000.00 - 3 YEARS

2_0252

****RACE/RELIG PROP DAMAGE: INST****

...[did/did attempt to] unlawfully [damage/deface/destroy/burn] [an object to wit: _____/ the real property/ the personal property] [on/connected to] _____(address), a building that is [publicly owned/privately owned/leased/used] by _____(institution), because a [person/group] [of a particular race/of a particular color/of a particular religious belief/ of particular sexual orientation/of a particular gender/of a particular disability/particular national origin/that is homeless] had [contacts/associations] with said building .

CR 10-305(2)
PENALTY SEC. CR 10-306
MISDEMEANOR
$5,000.00 - 3 YEARS

2_0251

****RACE/RELIG HARAS: ANIMOS: INST****

...[did/did attempt to] unlawfully [damage/deface/destroy/burn] [an object to wit: _____/ the real property/ the personal property] [on/connected to] _____(address), a building that is [publicly owned/privately owned/leased/used] by _____(institution), where there is evidence that the defendant exhibited animosity against a [person/group] because of their [race/color/religious beliefs/sexual orientation/gender/disability/national origin/homeless status].

Effective 10/1/2016

REMOVAL OF HUMAN REMAINS FROM BURIAL SITES

CR 10-402
MISDEMEANOR
$10,000.00 - 5 YEARS

3_3932

****REMOVE HUMAN REMAINS****

...did [remove / attempt to remove] human remains from a burial site in the State.

NOTE: See CR 10-402(b) and CR 10-402(f) for exceptions.

GRAVE YARD DESECRATION

CR 10-404(a)(1)
MISDEMEANOR
$10,000 - 5 YEARS

3_3942

****DESTROY FUNERARY OBJECT****

...did [destroy/mutilate/deface/injure/remove] a [structure/associated funerary object], to wit: _____ (identify structure) placed in _____ cemetery.

NOTE: This section covers any wall, building, fence, railing, tombstone, vault, monument, or other structure placed in a cemetery for any purpose.

Effective 10/1/2016

CR 10-404(b)
MISDEMEANOR
$500.00 - 2 YEARS

3_3946

****DESTROY GRAVEYARD PLANTS****

...did unlawfully [destroy/cut/break/remove] a vegetation, to wit: _____, in _____ cemetery.

NOTE: This section covers all plantings within graveyards and cemetaries.

CR 10-404(c)
MISDEMEANOR
$500.00 - 2 YEARS

3_3947

****DIS CONDUCT-CEMETERY****

...did commit [indecent/disorderly] conduct, to wit: ____ (describe conduct) within the limits of _____ cemetery.

ADULTERY

CR 10-501
MISDEMEANOR
$10.00

1_3600

****ADULTERY****

...did commit adultery with _____(name).

Effective 10/1/2016

CR 10-502
FELONY
9 YEARS
PRELIMINARY HEARING

1_3804

****BIGAMY****

...did, having a [wife/husband] then living, feloniously marry _____ (name) in violation of CR 10-502 of the Annotated Code of Maryland.

NOTE: The statute applies to husbands as well as wives. This section does not apply to an individual whose lawful spouse has been absent from the individual for a continuous period of seven years and who, at the time of subsequent marriage ceremony, does not know whether the spouse is living.

CRUELTY TO ANIMALS

CR 10-604(a)(1)(2)(3)
MISDEMEANOR
$1,000.00 - 90 DAYS

1_0500

****ANIMAL CRUELTY****

...did [overdrive/overload/deprive of necessary sustenance/inflict unnecessary suffering or pain on] a _____(type of animal).

Effective 10/1/2016

CR 10-604(a)(4)
MISDEMEANOR
$1,000.00 - 90 DAYS

1_0501

****ANIMAL CRUELTY- CAUSE****

...did unlawfully cause, procure, or authorize the [overdrive/overload/deprivation of necessary sustenance/infliction of unnecessary suffering or pain on] a _____ (type of animal).

CR 10-604(a)(5)
MISDEMEANOR
$1,000.00 - 90 DAYS

1_0503

****ANIMAL CRUEL FAIL: PROVIDE****

...did unnecessarily fail to provide _____ (type of animal) with [nutritious food in sufficient quantity/necessary veterinary care/proper drink/air/space/ shelter/ protection from weather] while said animal was in his charge and custody.

CR 10-605(a)
MISDEMEANOR
$2,500.00 - 1 YEAR

1_0597

****DOGFIGHT SPECTATOR****

...did knowingly attend a deliberately conducted dogfight as a spectator.

Effective 10/1/2016

CR 10-605(b)
MISDEMEANOR
$2,500 - 1 YEAR

1_0598

****COCKFIGHT - SPECTATOR****

…did knowingly attend an event using [fowl/cock/other bird] to wit: _____(describe), to fight with another [fowl/cock/other bird].

CR 10-606(a)(3)
FELONY
DISTRICT COURT
$5,000.00 - 3 YEARS

1_0508

****HARM/DEATH: LAW ENFOR. ANIMAL****

...did intentionally inflict [bodily harm/permanent disability/death] on an animal used by a law enforcement unit, to wit: _____.

NOTE: The intention of the General Assembly is that this section applies to all animals:

Privately owned; strays; domesticated; feral; farm animals; corporately or institutionally owner; in privately, locally, state, or federally funded scientific or medical activities; or otherwise located in the state.

NOTE: See CR 10-606(a)(3) for exemption.

NOTE: Exclusive jurisdiction of District Court.

Effective 10/1/2016

CR 10-606(1)(2)
FELONY
DISTRICT COURT
$5,000.00 - 3 YEARS

1_0505

****AGGRAVATED CRUELTY TO ANIMAL ****

… did intentionally _____ (choose from below) an animal to wit: _____(describe).

1. [mutilate/torture/cruelly beat/cruelly kill]

2. [cause/procure/authorize] the [mutilation/torture/cruel beating/cruel killing] of

CR 10-607(b)(1)
FELONY
DISTRICT COURT
$5,000.00 - 3 YEARS

1_0506

****ANIMAL CRUEL: DOG FIGHTING****

...did [use a dog/allow to be used/arrange for a dog to be used/conduct to be used] in a dog fight.

NOTE: Baiting means using a dog to train a fighting dog or to test the fighting or killing instinct of another dog.

CR 10-607(b)(2)
FELONY
DISTRICT COURT
$5,000.00 - 3 YEARS

1_0652

****DOGFIGHT: CONDUCT****

...did [arrange/conduct] a dog fight.

Effective 10/1/2016

CR 10-607(b)(3)
FELONY
DISTRICT COURT
$5,000.00 - 3 YEARS

1_0510

****POSS/TRAIN DOG FOR DOGFIGHT****

…did [possess/own/sell/transport/train] a dog with the intent to use the dog [in a dogfight/for baiting].

NOTE: Baiting means using a dog to train a fighting dog or to test the fighting or killing instinct of another dog.

CR 10-607(a)(4)
FELONY
$5,000.00 - 3 YEARS
DISTRICT COURT

1_0511

****PROVIDE PREMISES FOR DOGFIGHT****

…did knowingly allow premises [owned by/in charge of/ controlled by] _____ (defendant) to be used [to conduct a dogfight/for baiting].

NOTE: Baiting means using a dog to train a fighting dog or to test the fighting or killing instinct of another dog.

CR 10-608
FELONY
DISTRICT COURT
$5,000.00 - 3 YEARS

1_0507

****ANIMAL CRUEL: COCKFIGHTING****

...did [use/allow to be used] a [bird/fowl/cock] for the purpose of fighting with another animal, commonly known as cockfighting.

CR 10-607.1(b)
MISDEMEANOR
$5,000.00 – 90 DAYS

1_1150

****POSS DOGFIGHT IMPLEMENT****

… did with intent to unlawfully use, possess an implement of dogfighting to wit: _____(describe).

NOTE: See CR 10-607.1(a) for definition of "implement or dogfighting".
NOTE: Each implement of dogfighting possessed in violation of this section is a separate offense.

Effective 10/1/2016

CR 10-608(b)(2)
FELONY
$5,000.00 - 3 YEARS
DISTRICT COURT

1_0512

****POSSESS COCKFIGHT IMPLEMENT****

…did possess with the intent to use a [gaff/slasher/postiza/sparring muff/any sharp implement] designed to be attached in place of a natural spur of a gamecock or other fighting bird.

Giving Away Live Animal, Etc.

CR 10-610
MISDEMEANOR
$500.00

3_7199

****ANIMAL-GIFT AS PRIZE ETC.****

...did, without the approval of the Secretary of Agriculture, give away a live [animal/equine/bird], to wit: _____, as a [prize/inducement to enter a [contest/game/competition]/inducement to enter ____, a place of amusement/incentive to enter _____, a business establishment], for the purpose of attracting trade.

NOTE: This section does not apply if the animal, equine or bird is given as an agricultural project or for conservation purposes, or is intended for slaughter.

Effective 10/1/2016

Dangerous Dogs Restraining Restrictions

CR 10-619(d)(1)
MISDEMEANOR
$2,500.00

1_0399

****DANGEROUS DOG FAIL CONFINE****

...did, being then and there the owner of a dangerous dog, leave such dog unattended on [his/her/its] real property without confining such dog in a structure designed to restrain the dog.

CR 10-619(d)(2)
MISDEMEANOR
$2,500.00

1_0400

****DANGER.DOG FAIL RESTRAIN****

...did, being then and there the owner of a dangerous dog, permit such dog to go beyond [his/her/its] real property without being securely restrained and muzzled.

CR 10-619(e)(2)
MISDEMEANOR
$2,500.00

1_0401

****DANGER. DOG SELL W/O WARN****

...did, being then and there the owner of a [dangerous/potentially dangerous] dog, [sell/give] such dog to _____, without providing written notice to the person taking possession of such dog specifying the dog's dangerous behavior.

Effective 10/1/2016

CR 10-619(e)(1)
MISDEMEANOR
$2,500.00

1_0402

****DANGER.DOG SELL W/O NOTIC****

...did, being then and there the owner of a dog which having been determined by _____ (name of agency or authority) to be a potentially dangerous dog, [sell/give] such dog to another person, without providing written notice to the aforesaid [agency/authority] of the name and address of the new owner of the dog.

NOTE: The provisions of this section do not apply to a dog owned by and working for a governmental or law enforcement agency.

NOTE: The definition of a dangerous dog in CR 10-619 is one that has killed or severely injured a person, or has been declared potentially dangerous by the appropriate authority and has then bitten a person, attacked without provocation, or has killed or inflicted severe injury upon another domestic animal off the owner's property. For an owner to be charged under CR 10-619 concerning a potentially dangerous dog, there must have been notification to the owner by the appropriate County or Municipal authority that the dog has been determined to be potentially dangerous.

Effective 10/1/2016

Injury-Race or Show Horse, Etc.

CR 10-620(1)
FELONY
DISTRICT COURT
3 YEARS

5_7199

****CRUELTY-RACE/SHOW HORSE****

...did wilfully and maliciously [interfere with/injure/destroy/tamper with] a horse used for racing, breeding, and competitive exhibition, to wit: _____ (name or describe horse).

CR 10-620(2)
FELONY
DISTRICT COURT
3 YEARS

2_0260

****INJURE ETC RACE/BRED HORSE****

...did wilfully and maliciously[start/instigate/engage in/further] an act, to wit: _____ (describe act) by which _____ (name or describe horse), a horse used for [racing/breeding/competitive exhibition] [was interfered with/ tampered with/injured/destroyed].

NOTE: Ownership of the victim horse may be by defendant or any other person, persons, corporation, etc.

Sale-Fox or Skunk/Household Pet

CR 10-621(b)
MISDEMEANOR
$1,000.00 (INDIVIDUAL)
$10,000.00 (BUSINESS)**

7_7199

****SALE-FOX OR SKUNK/AS PET****

... did [import into Maryland/offer] for [sale/trade/barter/exchange], as a household pet, a live [fox/skunk/raccoon/bear/alligator/crocodile/ member of the cat family other than a domestic cat/hybrid member of the cat family and domestic cat over 30 pounds/member of the dog family not a domestic dog/hybrid of a member of the dog family and a domestic dog/a non human primate to wit: _____/poisonous snake specifically in the family groups of hydrophidae, elapidae, viperidae, or crotolidae].

NOTE: For violations involving a business or organization, the maximum penalty is $10,000.

NOTE: Does not apply in case offer is to a public zoo, park museum, educational institution, or to a person holding valid State permits. Also exempt are those species of wildlife not being kept as household pets and which are individually exempted by a permit issued by the Department of Natural Resources.

Effective 10/1/2016

CR 10-623(b)(1)
MISDEMEANOR
$1,000.00 - 90 DAYS

1_1763

****RESTRAIN DOG - LIMIT MOVEMENT****

… did leave a dog outside and unattended by the use of a restraint that unreasonably limits the movement of the dog.

CR 10-623(b)(2)
MISDEMEANOR
$1,000.00 - 90 DAYS

1_1764

****RESTRAIN DOG - COLLAR****

… did leave a dog outside and unattended by the use of a restraint that uses a collar [made primarily of metal/less than the minimum required length].

CR 10-623(b)(3)
MISDEMEANOR
$1,000.00 - 90 DAYS

1_1765

****RESTRAIN DOG - WATER/SHELTER****

… did leave a dog outside and unattended by the use of a restraint that restricts access to suitable and sufficient [clean water/appropriate shelter].

Effective 10/1/2016

CR 10-623(b)(4)
MISDEMEANOR
$1,000.00 - 90 DAYS

1_1766

****RESTRAIN DOG - UNSAFE/UNSANIT COND****

… did leave a dog outside and unattended by the use of a restraint in [unsafe/unsanitary] conditions.

CR 10-623(b)(5)
MISDEMEANOR
$1,000.00 – 90 DAYS

1_1767

****RESTRAIN DOG - CAUSE INJURY****

… did leave a dog outside and unattended by the use of a restraint that causes injury to the dog.

CR 10-624
MISDEMEANOR
$1,000.00 – 90 DAYS

1_1331

****UNLAW DEVOCALIZE DOG ****

…did unlawfully surgically devocalize a [dog/cat].

Note: This charge does not apply to a licensed veterinarian using anesthesia and the procedure was medically necessary to treat or relieve a physical illness, disease, or an injury, or to correct a congenital abnormality that was causing or will cause the animal medical harm or pain. The veterinarian must provide the owner of the animal with a written certification under CR 10-624 (c)(2).

Note: Subsequent offense penalty of 1 Year- $2,000.

CR 10-624
MISDEMEANOR
$1,000.00 – 90 DAYS

1_1348

****UNLAW SURGERY ON DOG ****

…did unlawfully _____(choose from below).

1. [crop/cut] off the ear of a dog.
2. [dock/cut] off the tail of a dog.
3. cut off the dewclaw of a dog.
4. surgically birth a dog.

Note: This charge does not apply to a licensed veterinarian using anesthesia WHEN APPROPRIATE on the animal.

Note: Subsequent offense penalty of 180 days - $5,000.

Effective 10/1/2016

Desecration of Flag

CR 10-704
MISDEMEANOR
$1,000.00 - 1 YEAR

1_0671

****DESECRATE FLAG****

...did intentionally [mutilate/deface/destroy/burn/trample upon/otherwise use] a flag in a manner [intended to incite or produce an imminent breach of the peace/ under circumstances likely to incite or produce an imminent breach of the peace].

NOTE: "Flag" includes any flag, standard, color ensign or shield made of any substance or represented or produced thereon and of any size, evidently purporting to be such flag, standard, color, ensign or shield of the United States or of this State.

Effective 10/1/2016

NUDITY AND SEXUAL DISPLAYS

CR 11-102
MISDEMEANOR
$1,000.00 - 6 MONTHS

1_3700

****SEX DISPLAYS-SELL TO MINRS****

...did knowingly [sell/offer to sell] to ____, a minor, a ____ (describe object) depicting ____ (describe what it shows).

NOTE: This section applies to pictures, drawings, photos, films, cd roms or any other visual representations of prohibited subject matter, and to any books, magazines, stories, publications, or any other writings or printing of prohibited subject matters.

Prohibited matters are sadomasochistic abuse, sexual conduct, and sexual excitement. See the definitions in CR 11-101.

Exhibition of Motion Pictures of Presentations to Minors

CR 11-103(b)(1)
MISDEMEANOR
$1,000.00 - 6 MONTHS

2_3700

****SEX DISPLY: MINR FOR PRICE****

...did knowingly exhibit for ____ (name monetary or other valuable consideration or service) to ____ (name), a minor unaccompanied by [his/her] [parent/guardian] a [motion picture/live/animated/ [other]] presentation depicting _____ (see note) to wit: _____ (name or describe motion picture or other show).

NOTE: Any live, motion picture, animated, cd rom, or other visual representation or show depicting sexual conduct, sexual excitement, or sadomasochistic abuse as defined in CR 11-101 is covered by this section.

CR 11-103(b)(2)
MISDEMEANOR
$1,000.00 - 6 MONTHS

1_0292

****SEX DIS. SELL MINOR TICKET****

...did knowingly sell to _____, a minor unaccompanied by [parent/ guardian] a ticket to _____, depicting _____ (see note).

NOTE: Any live, motion picture, animated, cd rom, or other visual representation or show depicting sexual conduct, sexual excitement, or sadomasochistic abuse as defined in CR 11-101 is covered by this section.

Effective 10/1/2016

CR 11-103(b)(3)
MISDEMEANOR
$1,000.00 - 6 MONTHS

3_3710

****SEX DISPLAY: ADMIT MINOR****

...did knowingly admit _____, a minor unaccompanied by [parent/ guardian] to _____, depicting _____ (see note).

NOTE: Any live, motion picture, animated, cd rom, or other visual representation or show depicting sexual conduct, sexual excitement, or sadomasochistic abuse as defined in CR 11-101 is covered by this section.

Permitting Minor Enter/Remain on Certain Premises

CR 11-104
MISDEMEANOR
$1,000.00 - 6 MONTHS

4_3700

****SEX DISP MINR RET ESTABLMT****

…did as [an operator/sales person/cashier/manager] of a retail establishment, knowingly permit _____, a minor unaccompanied by his/her [parent/guardian], to [enter into/remain] at _____ (name and address of premises), the retail establishment, at which there was displayed _____ (state thing) depicting [sexual conduct/sadomasochistic abuse, etc.].

NOTE: Section applies to owner, operators, and employees of the retail establishment, but not to persons on the premises who have no authority over the establishment.

Effective 10/1/2016

CR 11-105(b)
MISDEMEANOR
$1,000.00 - 6 MONTHS

1_0293

****SEX DISPLAY PERMIT ON PREM****

...did knowingly permit the display of a _____ [picture/photo/ drawing/verbal description/narrative account] depicting ____ [sadomasochistic abuse/sexual conduct/sexual excitement] on premises [owned/rented/managed] by defendant.

CR 11-105(b)(1)(2)(3)
MISDEMEANOR
$1,000.00 - 6 MONTHS

3_3700

****SEX DIS/ADVERTISMNT PURPOS****

...did knowingly display for advertising purposes a _____ [picture/ photo/drawing/verbal description/narrative account] depicting ____ [sadomasochistic abuse/sexual conduct/sexual excitement].

Effective 10/1/2016

INDECENT EXPOSURE

CR 11-107
MISDEMEANOR
$1,000.00 - 3 YEARS

1_3605

****INDECENT EXPOSURE****

...did indecently expose [his/her] person [in a public place, to wit: _____/ to _____ (victim)].

NOTE: The common law crime of indecent exposure refers to the deliberate exposure of one's private parts. This can occur in two ways, in a public place with members of the public present, or deliberately to an unconsenting victim (as in what is commonly called a "flasher.") In order for probable cause to be found for indecent exposure in a public place, there should be same factual indication that members of the public were within sight of the act. In order for probable cause to be found for indecent exposure to a named victim, the facts must indicate a deliberate act of exposure done with the intent that an unconsenting victim would see.

OBSCENE MATTER

Sending/Bringing into State for Sale, etc., Within State

CR 11-202(a)(1)
MISDEMEANOR
FIRST OFFENSE
$1,000.00 - 1 YEAR
SUBSEQUENT OFFENSE
$5,000.00 - 3 YEARS

1_3705

****OBSCENE MAT/SALE CAUSE/SND****

...did knowingly [send/cause to be sent] into this State for sale or distribution _____, obscene matter.

Effective 10/1/2016

CR 11-202(a)(2)
MISDEMEANOR
FIRST OFFENSE
$1,000.00 - 1 YEAR
SUBSEQUENT OFFENSE
$5,000.00 - 3 YEARS

1_0294

****OBSCENE MAT/SAL CAUS/BRING****

...did knowingly [bring/cause to be brought] into this State for [sale/distribution] _____, obscene matter.

NOTE: See CR 11-202(b) for subsequent offense penalty of 3Y-$5,000.

CR 11-202(a)(3)
MISDEMEANOR
FIRST OFFENSE
$1,000.00 - 1 YEAR
SUBSEQUENT OFFENSE
$5,000.00 - 3 YEARS

1_0295

****OBSCENE MAT/PUBLISH/DISTRIB****

...did, in this State, knowingly [prepare/publish/print/exhibit/distribute/offer to distribute] ____, obscene matter.

NOTE: See CR 11-202(b) for subsequent offense penalty of 3Y-$5,000.

Effective 10/1/2016

CR 11-202(a)(4)
MISDEMEANOR
FIRST OFFENSE
$1,000.00 - 1 YEAR
SUBSEQUENT OFFENSE
$5,000.00 - 3 YEARS

1_0296

****OBSCENE MAT/POSS W/IN DIST****

...did, in this State, knowingly have in his possession with intent to [distribute/exhibit/offer to distribute] _____, obscene matter.

NOTE: See CR 11-202(b) for subsequent offense penalty of 3Y-$5,000.

NOTE: In CR 11-201, the term "knowingly" refers to knowledge of the contents of the item containing the obscenity. The definition of "obscene" is the same as that for CR 11-202. See the note thereunder.

Effective 10/1/2016

Distribution, etc., to Minor Under 18

CR 11-203(b)(2)
MISDEMEANOR
1ST: $1,000.00 - 1 YEAR
2ND: $5,000.00 - 3 YEARS

1_3799

****OBSCENE MAT SALE TO MINORS****

...did wilfully and knowingly engage in the business of [selling/showing/advertising for sale/distributing/displaying and exhibiting] to persons under the age of 18 years [still pictures/photographs/books/pocket books/pamphlets/ magazines/video discs/video tape/video game/recorded phone messages/films/computer discs] the [cover/contents] of which [are principally made up of obscene [descriptions/depictions] of illicit sex/consist of obscene pictures of nude and partially denuded figures].

CR 11-203(b)(3)
MISDEMEANOR
FIRST OFFENSE $1,000.00 - 1 YEAR
SUBSEQUENT OFFENSE $5,000.00 - 3 YEARS

1_0297

****OBSCENE MAT DISPLAY MINOR****

...did, as an [owner/operator/franchisee/manager/employee with managerial responsibility] of a [newsstand/place of business], openly and knowingly display at the said [newsstand/place of business], which is frequented by persons under the age of 18 years, [still pictures/photographs/books/pocket books/pamphlets/magazines/ video disc/video tape/video game/recorded telephone messages/film/computer disc] the [cover/contents] of which [were principally made up of obscene [descriptions/depictions] of illicit sex/consist of obscene pictures of nude and partially denuded figures].

NOTE: See CR 11-203(d)(2) for subsequent offense penalty of 3Y-$5,000.

NOTE: "OBSCENE" MEANS:

1. That the average adult applying contemporary community standards would find that the work, taken as a whole, appeals to prurient interests;

2. That the work depicts the sexual conduct specified in the wording for this section in a way that is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material;

3. That the work, taken as a whole, lacks serious literary, scientific, educational, artistic, or political value.

Effective 10/1/2016

Child Pornography

CR 11-207(a)(1)
FELONY
$25,000.00 - 10 YEARS
PRELIMINARY HEARING
SUBSEQUENT
VIOLATION
$50,000.00 - 20 YEARS

1_0298

****CHILD PORN PERMIT SEX SUBJ****

...did [solicit/cause/induce/knowingly permit] _____(name), a minor to engage as a subject in a [visual representation/performance] that depicts a minor engaged as a subject in [sexual conduct/sadomasochistic abuse], to wit: _____.

NOTE: See 11-207(b)(2) for subsequent offense penalty of 20Y-$50,000.

Effective 10/1/2016

CR 11-207(a)(1)
FELONY
$25,000.00 - 10 YEARS
PRELIMINARY HEARING
SUBSEQUENT
VIOLATION
$50,000.00 - 20 YEARS

2_3799

****CHILD PORN SOLICIT SUBJECT****

...did [solicit/cause/induce/knowingly permit] _____(name), a minor to engage as a subject in the production of obscene matter, to wit: _____ (name or describe).

CR 11-207(a)(2)(3)
FELONY
$25,000.00 - 10 YEARS
PRELIMINARY HEARING
SUBSEQUENT
VIOLATION
$50,000.00 - 20 YEARS

1_0299

****CHILD PORN FILM/COMP SEX ACT****

...did [photograph/film/create a computer image of] ____(name), a minor engaging in an [obscene act/sexual conduct/sadomasochistic abuse].

NOTE: See 11-207(b)(2) for subsequent offense penalty of 20Y-$50,000.

CR 11-207(a)(4)
FELONY
$25,000.00 - 10 YEARS
PRELIMINARY HEARING
SUBSEQUENT
VIOLATION
$50,000.00 - 20 YEARS

1_0300

****CHILD PORN PROMOTE/DISTRB****

...did knowingly [promote/advertise/solicit/distribute/possess with intent to distribute] _____ (name publication or film or describe matter, performance, or other visual representation)_____(choose from below).

1. that depicts a minor engaged as a subject in [sexual conduct/sadomasochistic abuse].
2. in a manner that [reflects the belief/is intended to cause another to believe] that the [matter/visual representation/performance] depicts a minor engaged as a subject of [sadomasochistic abuse/sexual conduct].

NOTE: See 11-207(b)(2) for subsequent offense penalty of 20Y-$50,000.

NOTE: "Minor" means an individual under 18 years.

NOTE: Sexual conduct means human masturbationon, sexual intercourse, or any touching of or contact with genitals, pubic areas or buttocks of the human male or female, or the breasts of the female, whether alone or between members of the same or opposite sex, or between humans and animals. these provisions shall not extend to persons having bona fide scientific, educaitonal, governmental, artistic, news or, other similar justification for possessing or distributing such materials. The minor's whereabouts or identity need not be known.

Effective 10/1/2016

CR 11-207(a)(5)
FELONY
$25,000.00 - 10 YEARS
PRELIMINARY HEARING
SUBSEQUENT
VIOLATION
$50,000.00 - 20 YEARS

1_0315

****CHILD PORN COMPUTERS****

...did, by means of a computer, knowingly [compile/enter/transmit/make/print/publish/reproduce/ cause/allow/ buy/sell/receive/exchange/disseminate] a [notice/statement/advertisement/minor's name/telephone number/place of residence/physical characteristic/other descriptive or identifying information] for the purpose of [engaging/facilitating/encouraging/offering/soliciting][unlawful sexual conduct with /sadomasochistic abuse of] a minor.

NOTE: See 11-207(b)(2) for subsequent offense penalty of 20Y-$50,000.

NOTE: "Minor" means an individual under 18 years.

NOTE: Sexual conduct means human masturbation, sexual intercourse, or any touching of or contact with the genitals, pubic areas or buttocks of the human male or female, or the breasts of the female, whether alone or between members of the same or opposite sex, or between humans and animals.

These provisions shall not extend to persons having bona fide scientific, educational, governmental, artistic, news or, other similar justification for possessing or distributing such materials.

The minor's whereabouts or identity need not be known.

Effective 10/1/2016

CR 11-208
MISDEMEANOR
2,500.00 - 5 YEARS

1_1756

****POSSESS CHILD PORNOGRAPHY****

...did knowingly possess a [film/video tape/photograph/ visual representation to wit: _____ (name or describe)]depicting an individual under 16 years of age [engaged as a subject of sadomasochistic abuse/engaged in sexual conduct/in a state of sexual excitement].

NOTE: "Sadomasochistic abuse" means flagellation or torture by or upon a human who is nude, or clad in undergarments, or in a revealing or bizarre costume, or the condition of one who is nude or so clothed as is being fettered, bound, or otherwise physically restrained.

"Sexual conduct" means human masturbation, or any touching of or contact with the genitals, pubic area or buttocks of the human male or female, or the breasts of the female, whether alone or between members of the same or opposite sex, or between humans and animals.

"Sexual excitement" means the condition of human male or female genitals, or the breasts of the female, when in a state of sexual stimulation, or the sensual experiences of humans engaging in or witnessing sexual conduct or nudity.

NOTE: Does not prohibit a parent from possessing visual representation of the parent's own child in the nude unless the visual representations depict the child engaged as a subject of sadomasochistic abuse or in sexual conduct AND in a state of sexual excitement.

Effective 10/1/2016

Hiring, etc., Minor Under 18 to do or Assist in doing Acts Described in Sec. 419

CR 11-209(a)(b)
MISDEMEANOR
$1,000.00 - 1 YEAR
SUB OFFENSE $5,000.00 - 3 YEARS

3_3799

****OBSCENE MAT HIRE MINOR DIS****

...did hire, use, and employ _____(name), a minor under 18 years of age, to assist [him/her] in distributing obscene matter, [with knowledge that/while having in [his/her] possession facts from which [he/she] could reasonably have determined that] said minor was under 18 years of age.

NOTE: The prohibitions and penalties imposed in this sub-title do not extend to persons having bona fide scientific, educational, governmental, or other similar justification for possessing such matter, or to distributions thereof pursuant to such justification.

Effective 10/1/2016

HUMAN TRAFFICKING

A person who violates CR 11-303 may be charged, tried, and sentenced in any county in or through which the person transported or attempted to transport the other.

In a prosecution under CR 11-303(b)(1), the State need only prove that a reasonable person based on the totality of the circumstances should have known that the minor has not attained the age of 18 years.

CR 11-303(a)(1)(i)(ii)(iii)
MISDEMEANOR
$5,000.00 - 10 YEARS

1_1080

****HUMAN TRAFFICKING - TAKE CAUSE****

...did knowingly [take/cause to be taken/place/cause to be placed/harbor/persuade/induce/entice/encourage by threat/encourage by promise] another person to wit: _____ (name) to _____(location) for prostitution.

NOTE: Do not use this charge if the victim is a minor.

CR 11-303(a)(1)(iv)
MISDEMEANOR
$5,000.00 – 10 YEARS

1_1082

****HUMAN TRAFFICKING – COMPENSATION ****

…did knowingly receive consideration to [procure for, _____(name)/ place in a house of prostitution at _____(location)/ place at _____(location)], another person, to wit: _____(name) with the intent of causing another to engage in [prostitution/assignation].

NOTE: Do not use this charge if the victim is a minor.

CR 11-303(a)(1)(v)
MISDEMEANOR
$5,000.00 – 10 YEARS

1_0752

****HUMAN TRAFFICKING – EXPLICIT PERFORM****

…did engage in a [device/scheme/continuing course of conduct] intended to cause _____ (victim's name) to believe that if _____(vicitm's name) did not take part in a sexually explicit performance [he/she/a third person] would suffer [physical restraint/serious physical harm].

NOTE: Do not use this charge if the victim is a minor.

CR 11-303(a)(1)(vi)
MISDEMEANOR
$5,000.00 – 10 YEARS

1_0762

****HUMAN TRAFFICKING –ANOTHER GOV ID****

… did [destroy/conceal/remove/confiscate/possess] [an actual passport/purported passport/immigration document/government identification document to wit:____] of another while otherwise [violating/attempting to violate] CR 11-303(a) by _____(describe violation).

NOTE: Do not use this charge if the victim is a minor.

Effective 10/1/2016

CR 11-303(a)(2)
MISDEMEANOR
$5,000.00 – 10 YEARS

1_1083

****HUMAN TRAFFICKING –GUARDIAN****

…did as [parent/guardian/person] who has [permanent/temporary] [care/custody/responsibility for supervision] of another person, to wit: _____ (name) , consent to the [taking/detention] of, _____ (name) for prostitution.

NOTE: Do not use this charge if the victim is a minor.

CR 11-303 (b)(1)
FELONY - DISTRICT COURT
$15,000.00 - 25 YEARS

1_0786

****HUMAN TRAFFICKING - TAKE CAUSE****

… did knowingly [take/cause to be taken/place/cause to be placed/harbor/persuade/induce/entice/encourage] by [threat/promise] another person, to wit: _____ (name), a minor, to _____ (location) for prostitution.

NOTE: Use this charge if the victim is a minor. See CR 11-303(c) for penalty section.

CR 11-303 (b)(1)
FELONY - DISTRICT COURT
$15,000.00 – 25 YEARS

1_0788

****HUMAN TRAFFICKING – COMPENSATION****

… did knowingly receive consideration to [procure for _____(name)/place in a house of prostitution _____(location) /place in _____(location)], another person to wit: _____ (victim), a minor, with the intent of causing said minor to engage in [prostitution/assignation].

NOTE: Use this charge if the victim is a minor. See CR 11-303(c) for penalty section.

Effective 10/1/2016

CR 11-303(b)(1)
FELONY –DISTRICT COURT
$15,000.00 – 25 YEARS

1_0754

****HUMAN TRAFFICKING – EXPLICIT PERFORM****

…did engage in a [device/scheme/continuing course of conduct] intended to cause _____ (victim's name) to believe that if _____(vicitm's name) did not take part in a sexually explicit performance [he/she/a third person] would suffer [physical restraint/serious physical harm].

NOTE: Use this charge if the victim is a minor.

CR 11-303(b)(1)
FELONY – DISTRICT COURT
$15,000.00 – 25 YEARS

1_0756

****HUMAN TRAFFICKING –ANOTHER GOV ID****

… did [destroy/conceal/remove/confiscate/possess] [an actual passport/purported passport/immigration document/government identification document to wit:____] of another while otherwise [violating/attempting to violate] CR 11-303(a) by _____(describe violation).

NOTE: Use this charge if the victim is a minor.

CR 11-303(b)(1)
FELONY
DISTRICT COURT
$15,000.00 - 25 YEARS

1_0789

****HUMAN TRAFFICKING - GUARDIAN****

… did as [parent/guardian/person] who has [permanent/temporary] [care/custody/responsibility for supervision] of another person, to wit: _____ (name), a minor, consent to the [taking/detention] of _____ (name) for prostitution.

NOTE: Use this charge if the victim is a minor. See CR 11-303(b) for penalty section involving minor.

Effective 10/1/2016

CR 11-303(b)(2)
FELONY
DISTRICT COURT
$15,000.00 – 25 YEARS

1_0787

****HUMAN TRAFFICKING – FORCE****

… did knowingly and unlawfully [take/detain] _____ (name), with the intent to use [force/threat/persuasion] to compel the other to [marry _____ (name)/perform a sexual act/have sexual contact/engage in vaginal intercourse].

NOTE: Use this charge whether victim is a minor or not.

CR 11-303(e)(1)
MISDEMEANOR
$5,000.00 – 10 YEARS

1_0757

****HUMAN TRAFFICKING –BENEFIT FINANCIALLY****

…did knowingly [benefit financially/receive anything of value to wit____] from participation in a venture that included an act described in CR 11-303(a) to wit:_____(describe violation).

NOTE: Do not use this charge if the victim is a minor.

CR 11-303(e)(1)
FELONY – DIST COURT
$15,000.00 – 25 YEARS

1_0758

****HUMAN TRAFFICKING –BENEFIT FINANCIALLY****

…did knowingly [benefit financially/receive anything of value to wit____] from participation in a venture that included an act described in CR 11-303(b) to wit:_____(describe violation).

NOTE: Use this charge if the victim is a minor or if victim under CR 11-303(b)(2).

Effective 10/1/2016

CR 11-303(e)(2)
MISDEMEANOR
$5,000.00 – 10 YEARS

1_0759

****HUMAN TRAFFICKING –CONSPIRE/AID/ABET****

…did knowingly [aid/abet/conspire] with _____(name(s), to violate CR 11-303(a) to wit: _____(describe violation).

NOTE: Do not use this charge if the victim is a minor.

CR 11-303(e)(2)
FELONY – DIST COURT
$15,000.00 – 25YEARS

1_0761

****HUMAN TRAFFICKING –CONSPIRE/AID/ABET****

…did knowingly [aid/abet/conspire] with _____(name(s), to violate CR 11-303(b) to wit: _____(describe violation).

NOTE: Use this charge if the victim is a minor or if victim under CR 11-303(b)(2).

CR 11-304(a)
MISDEMEANOR
$10,000.00 - 10 YEARS

1_1090

****PROSTITUTION - BUSINESS****

...did [receive money/acquire money or proceeds] from the earnings of _____ (name) engaged in prostitution with the intent to [promote a crime/profit from a crime/conceal/disguise the nature,/location/source/ ownership/control of money or proceeds of a crime] under Title 11, Subtitle 3 of the Criminal Law Article.

Effective 10/1/2016

CR 11-305(a)(1)
FELONY
$5,000.00 - 25YEARS

1_1336

****PROSTITUTION - UNDER 16****

...did [persuade/entice/aid in the persuasion of/aid in the enticement of] _____ (name), a person under the age of 16 from [the person's home/the custody of the person's parents/the custody of the person's guardian] and knowingly [secrete/harbor/aid in the secreting of/aid in the harboring of] said person for the purpose of committing a sexual crime as defined in Criminal Law Article, Title 3, Subtitle 3 .

Effective 10/1/2016

CR 11-306
MISDEMEANOR
$500.00 - 1 YEAR

1_1093

****PROSTITUTION - GENERAL****

…did knowingly _____(select from language below)

1. engage in [prostitution/assignation] by any means.
2. [keep/set up/occupy/maintain/operate] a [building/structure/conveyance] for [prostitution/assignation].
3. allow a [building/structure/conveyance] [owned/under a person's control] to be used for [prostitution/assignation].
4. [procure/solicit/offer to procure/offer to solicit] for [prostitution/assignation].
5. [allow/agree to allow] a person into a [building/structure/conveyance] for [prostitution/assignation].

NOTES: Means includes actual participation as well as:
- keep, set up, occupy, maintain, or operate a building, structure, or conveyance for prostitution or assignation;
- allow or agree to allow a person into a building, structure, or conveyance for prostitution or assignation;or
- procure or solicit or offer to procure or solicit for prostitution or assignation.

Betting, Wagering or Gambling Pools on Horses, Etc.

CR 12-102(a)(1)(2)
MISDEMEANOR
$1,000.00 - 1 YEAR

1_3901

****BET/WAGER/GAMBLE****

...did [bet/wager/gamble/make a pool/sell a pool] on the result of [race/contest/contingency].

NOTE: See CR 12-102(b) for mandatory minimum penalty of 6 months and/or $200.
NOTE: Sporting events, racing, or bets on any other contingency are covered.
NOTE: Under case law, bingo in Anne Arundel County is not made illegal by these sections.
Baltimore City: Offenses under this section must be charged using a citation.
Note: This charge **DOES NOT** apply to "Fantasy Competition" under CR 12-114.

Effective 10/1/2016

CR 12-102(3)(4)
MISDEMEANOR
$1,000.00 - 1 YEAR

3_3921

****GAMBL-KEEP/USE/PERMIT PLAC****

...did [establish/keep/rent/use/occupy/knowingly permit the use of] _____, (specify location and type of place) for the purpose of [gambling/receiving the fruits of gambling].

NOTE: Under case law, bingo in Anne Arundel County is not made illegal by these sections.

Baltimore City: Offenses under this section must be charged using a citation.

CR 12-103
MISDEMEANOR
$100.00 - 2 YEARS

1_3903

****GAMING/CARDS, DICE, ETC.****

...did play ____ (name game) for [money/ ____ (name other valuable)].

NOTE: See CR 12-103 (b) regarding minimum penalty of 6 months if convicted

NOTE: This section covers card games, dice games, "craps," and fraudulent games such as "thimble," "three-card monte," "the little joker," etc., if played for money or any other valuable consideration.

Effective 10/1/2016

Keeping, Etc., Gaming Table/Place

CR 12-104
MISDEMEANOR
$500.00 - 1 YEAR

1_3908

****GAMING-KEEP TABLE/PLACE****

...did [keep/deal at/manage/have an interest in/have an interest in the profits of/lease/rent] a [gaming table at ____/a place used for gambling].

NOTE: Under case law, bingo in Anne Arundel County is not made illegal by these sections.

GAMING

Keeping Gaming Table/Place

CR 12-104(1)
MISDEMEANOR
$500.00 - 1 YEAR

1_3921

****GAMING-KEEP TABLE/PLACE****

...did keep a [gaming table/house/vessel/place] to wit: _____(location), for the purpose of gambling.

NOTE: See CR 12-104(b) regarding minimum penalty of 6 months if convicted.

NOTE: Can be on land or water in the State. A gaming table is a table or other device on which games of chance are played for money; it does not apply, however, to billiard or pool tables used for that purpose.

NOTE: This section covers any place operated for the purpose of gambling on a game of chance. Gambling or betting on a horse race, dog race, contest, or other such contingency is covered by CR 12-102. See the definition of "Gaming Table" in CR 12-101.

NOTE: Under case law, bingo in Anne Arundel County is not made illegal by these sections.

Effective 10/1/2016

Owner/Occupant of Building, Etc. Permitting Keeping of Tables

CR 12-104(2)
MISDEMEANOR
$500.00 - 1 YEAR

2_3908

****GAMING-BLDG OWNER/OCCUPANT****

...did knowingly permit a gaming table to be kept at _____(location) [owned/leased/occupied] by [him/her].

NOTE: Under case law, bingo in Anne Arundel County is not made illegal by these sections.

Renting Place for Gambling

CR 12-104(3)
MISDEMEANOR
$500.00 - 1 YEAR

2_3921

****GAMBLING-RENTED PLACE****

...did [lease/rent] ____, to be used for the purpose of gambling.

NOTE: Under case law, bingo in Anne Arundel County is not made illegal by these sections.

Effective 10/1/2016

OFF-SHORE GAMBLING

Gambling on boat, pier, Wharf, etc

CR 12-105
MISDEMEANOR
$1,000.00 - 1 YEAR

6_2620

****OFF-SHORE GAMBLING****

...did [bet upon/wager upon/gamble at/keep/conduct/maintain/operate/establish/ rent/ use/occupy/knowingly suffer to be established/knowingly suffer to be kept/knowingly suffer to be used/knowingly suffer to be rented/knowingly suffer to be occupied] a gaming device upon a [vessel upon the waters of the State of Maryland, to wit: ____ (name vessel)/structure built upon and over the waters of the State of Maryland, to wit: _____ (name or describe structure)] which could not be entered from shore by a person on foot.

NOTE: See CR 12-105 for minimum fine of $200.

NOTE: See TA 6-209 for vessels that do not apply.

NOTE: It is not a defense to this section that a permit or license had been issued for the gambling activity by any political subdivision of this State.

Effective 10/1/2016

Results of Horse Race

CR 12-109
MISDEMEANOR
$5,000.00 - 3 YEARS

1_0433

****FIXED HORSE RACE****

... did willfully, knowingly, and unlawfully [cause/attempt to cause] the [prearrangement/predetermination] of the results of a horse race, to wit: _____ (name race).

Lotteries - Prohibited

CR 12-203
MISDEMEANOR
$1,000.00 - 12 MONTHS

2_3925

****LOTTERY-SELL****

…did hold a lottery.

CR 12-203
MISDEMEANOR
$1,000.00 - 12 MONTHS

2_3930

****LOTTERY-SELL****

...did sell a lottery device to _____.

NOTE: Lottery is a species of gaming, the elements of which are consideration, chance, and prize.

Lottery device does not have to be a written document. It may constitute a mere exchange of words between the lottery operator and the bettor, by which they agree upon terms under which a chance or share in lottery is being acquired.

Effective 10/1/2016

CR 12-204
MISDEMEANOR
$100.00 - 1 YEAR
SUBSEQUENT OFFENSE
SEC. 12-210
$5,000.00 - 5 YEARS

4_3921

****LOTTERY UNAUTH PL TO SELL****

...did keep a certain place, to wit: ____ located at ____, for the purpose of selling [lottery devices/policies/certificate] (specify).

NOTE: Facts must show keeping of a house, office, or other place (automobile included) for purpose of selling or bartering lottery devices. Ownership is not an element.

Effective 10/1/2016

CR 12-204
MISDEMEANOR
$1,000.00 - 1 YEAR
SUBSEQUENT OFFENSE
SEC. 12-21
$5,000.00 - 5 YEARS

5_3921

****LOTTERY PROP OWN/PERMT SAL****

...did knowingly permit ____ (property used) located at _____, of which he was the [owner/lease holder] to be used as a place for selling [lottery devices/policy/certificate] _____ (specify).

NOTE: Facts must indicate ownership or leaseholder interest in property, including automobile, and that owner/leaseholder knew of the use to which property was being put.

NOTE: State lottery exempted from these prohibitions.

S.G. Sec. 9-102.

CR 12-205
MISDEMEANOR
$1,000.00 - 1 YEAR
SUBSEQUENT OFFENSE
SEC. 12-210
$5,000.00 - 5 YEARS

1_0286

****LOTTERY POSS NUMBERS LIST****

...did possess a record of numbers drawn in a [lottery/lottery ticket/ship/list/record]; to wit _____ (name item).

Possession - Records or Money

CR 12-205
MISDEMEANOR
$1,000.00 - 1 YEAR
SUBSEQUENT OFFENSE
SEC. 12-210
$5,000.00 - 5 YEARS

2_3918

****LOTTERY: INTERSTATE TRANSP****

...did bring into the State of Maryland a [lottery ticket/policy/ certificate]; to wit _____ (name item).

Effective 10/1/2016

CR 12-205(b)(2)
MISDEMEANOR
$1,000.00 - 1 YEAR
SUBSEQUENT OFFENSE
SEC. 12-210
$5,000.00 - 5 YEARS

1_0287

****LOTTERY POSS SALES MONEY****

...did possess a [book/list/slip/record] of money [received/to be received] from the sale of a lottery device.

NOTE: Possession may be actual (on one's person) or constructive (within one's immediate control), and may be sole or joint possession. Ownership and knowledge are not elements of crime.

Publication/Account of Lottery

CR 12-206
MISDEMEANOR
$100.00 - 60 DAYS
SUBSEQUENT OFFENSE
12- 210
$5,000.00 - 5 YEARS

1_3915

****LOTTERY-PUBLISH ACCT****

… did [print/write/publish] an account of a lottery that describes _____(choose from below)

1. [when/where] the lottery is drawn.

2. Any prize available in the lottery.

3. The [price/share] of a lottery ticket.

4. Where a lottery ticket may be obtained.

NOTE: Publication or aiding and assisting in publication (either written, printed or broadcast) of an account of a lottery means stating when or where it is to be drawn, or the price of a ticket, or where ticket may be obtained.

It should be noted that it makes no difference if the lottery is legal in another state.

Effective 10/1/2016

SLOT MACHINES

Defined; Prohibited; Limited, etc.

CR 12-302
MISDEMEANOR
$1,000.00 - 1 YEAR

3_3908

****SLOT MACHINE POSS/MAINTAIN****

...did unlawfully [locate/possess/keep/maintain/operate] a slot machine within this State.

NOTE: See section 12-302 for definition of slot machines.

NOTE: There are several exceptions within this statute. Possession of an antique slot machine is allowed, but you should not take this into account when determining probable cause, as this must be an affirmative defense offered at trial. Within certain counties, licenses for slot machines may be issued by the proper authority. See the Statute for these exceptions.

Also, effective October 1, 1995, an exception is given to persons in the business of demonstrating for sale, or selling, such machines if they are:

a. operating under a contract with a manufacturer;

b. are registered with the U.S. Department of Justice as a distributor of slot machines, and;

c. have provided the Superintendent of the State Police with a copy of their current registration.

Effective 10/1/2016

CORRECTIONAL SERVICES ARTICLE

CS 2-113.1(b)
MISDEMEANOR
$500.00

1_0656

****FTA SUBPOENA – SEC CORR SVC****

... [fail to appear before the Secretary/refuse to testify] when subpoenaed.

NOTE: Secretary means Secretary of Public Safety and Correctional Services.

CS 2-113.1(c)
MISDEMEANOR
10 YEARS

1_0657

****FALSESTMT SEC CORR SVC****

... did make a false statement under oath before the Secretary.

NOTE: Secretary means Secretary of Public Safety and Correctional Services.

NOTE: Penalty for perjury – CR 9-101.

Effective 10/1/2016

CS 8-801
FELONY
30 YEARS
PRELIMINARY HEARING

3_5730

****IMPRISON CORRECTIONAL EMPL****

...did falsely imprison _____(name), a correctional employee, while defendant was an inmate at _____ (name State, County, Municipal, or other jail, detention center, or correctional facility).

NOTE: Correctional Employee means:

1. A person who is employed by a correctional facility. 2. A person who performs volunteer work for a correctional facility. 3. A person who performs duties in a correctional facility by virtue of federal, state, or local government employment; OR 4. A person who performs duties in a correctional facility by virtue of a contract with federal, state, or local government.

Effective 10/1/2016

CS 8-803
MISDEMEANOR
$1,000.00 - 3 YEARS

2_1133

****INDECENT EXPOSE CORRECTION EMPL****

… did, with the intent to [annoy/abuse/torment/ harass/embarrass] a (correctional officer/authorized personnel), to wit: _____ (name/employee) [lewdly/lasciviously/indecently] expose parts of the body,to wit: _____, while an inmate at _____ (facility).

EDUCATION ARTICLE

ATTENDANCE AND DISCIPLINE OF STUDENTS

ED 7-301
MISDEMEANOR
$50.00 PER DAY OF ABSENCE - 10 DAYS
SUBSEQUENT OFFENSE
$100.00 PER DAY OF ABSENCE - 30 DAYS

1_0047

****SCHOOL: FAIL SEND CHILD****

...did, having [legal custody/care and control] of _____(name), a child _____ years of age (see note), unlawfully fail to ensure that said child attended school and received instruction as required by Art. Education, Sec. 7-301, of the Annotated Code of Maryland.

NOTE: This section only applies to children 5 years old or older and under the age of 17 years. The section contains exceptions for children whose mental, emotional, or physical condition makes attendance impossible, who are in an authorized home instruction program, or who have received written exemption for a one year period from the local school system.

NOTE: The penalties shown are for each day of unlawful absence.

NOTE: The child must be at least 5 years old and under the age of 17 to be covered by this section.

Effective 10/1/2016

Compulsory Attendance

ED 7-301
MISDEMEANOR
$500.00 - 30 DAYS

1_0101

****SCHOOL INDUCE/ATT ABSENCE****

...did unlawfully induce and attempt to induce _____(name), a child _____ years old and a resident of the State, to be absent from _____ school while said school was in session.

NOTE: The child must be at least 5 years old and under 16 to be covered by this section.

ED 7-301
MISDEMEANOR
$500.00 - 30 DAYS

1_0102

****HARBOR/EMPLY CHILD-SCH HRS****

...did unlawfully harbor or employ _____(name), a child ____ years old and a resident of this State, to be absent from _____school while school was in session.

NOTE: The child must be at least 5 years old and under 16 to be covered by this section.

Effective 10/1/2016

Disturbing Activities at School Etc.
Molesting/Threatening Students

ED 26-101
MISDEMEANOR
$2,500.00 - 6 MONTHS

1_0070

****SCHOOL: DISTURB OPERATION****

...did wilfully[disturb/prevent] the orderly conduct of the activities, administration, and classes of _____ (school or college, see note).

ED 26-101(b)
MISDEMEANOR
$2,500.00 - 6 MONTHS

1_1307

****SCH MOLEST ETC OTHER LOC****

…did [molest/threaten with bodily harm] [a student/an employee/an administrator/other individual] who is lawfully _____(choose from below)

1. [on the grounds/in the immediate vicinity] of an insitution of [elementary/secondary/higher education].
2. on a school vehicle.
3. at an activity sponsored by a school that is held off school property.
4. on property owned by a county board and is used for [administrative purposes/other purposes to wit: ____].

ED 26-102
MISDEMEANOR
$1,000.00 - 6 MONTHS

7_5707

****SCHOOL: TRESPASS ON GROUND****

...did unlawfully trespass upon the grounds of ____(name of school), a public institution of [elementary/secondary/higher education].

Effective 10/1/2016

Trespass-Public Educational Institution

ED 26-102
MISDEMEANOR
$1,000.00 - 6 MONTHS

8_5707

****SCHL TRESPAS/REFUS LV BLDG****

...did unlawfully refuse and fail to leave the building and grounds of _____ public institution of [elementary/ secondary/higher education], after being requested to do so by _____, an authorized employee.

ED 26-102
MISDEMEANOR
$1,000.00 - 6 MONTHS

9_5707

****SCHL: TRESPASS/DAMAGE PROP****

...did wilfully damage and deface the property of _____ (name school, see note#1) to wit: _____ (describe property, see note #2) by ____ (describe act).

NOTE 1: This section covers any elementary, middle, or high school, or any college or university, public or private.

NOTE 2: Property covered by this section includes any buildings, furnishings, statutes, monuments, memorials, trees, shrubs, grasses, or flowers.

ED 26-104
MISDEMEANOR
$1,000.00 – 90 days

1_0611

**** OBSTRUCT SCHOOL BUS DRIVER****

… did [obstruct/hinder/interfere with] _____(name), a school bus driver, while said school bus driver was engaged in the performance of [his/her] duties.

Effective 10/1/2016

ELECTION LAW ARTICLE

EL 16-802
FELONY – DIST COURT
$10,000.00 - 3 YEARS

1_0783

****DESTRUCTION-ELECTION EQUIPMENT****

… did willfully and knowingly [tamper with/damage/ attempt to damage/prevent the correct operation/ attempt to prevent operation of/possess key for/make key for] voting equipment to be used in an election.

EL 16-803
FELONY – DIST COURT
$10,000.00 - 3 YEARS

1_0784

****DESTRUCTION-ELECTION EQUIPMENT****

…did [remove/deface/destroy] [equipment/supplies] in a polling place by election officials during an election.

EL 16-804
FELONY – DIST COURT
$50, 000.00 - 10 YEARS

1_0785

****TAMPERING ELECTION SYSTEM****

did _____(choose from below).

1. Access an electronic voting system without authoriztion from the appropriate election authority.

2. [tamper with/alter] the [hardware/system components/software] utilized by an electronic voting system for the purpose of affecting the vote count.

Effective 10/1/2016

ENVIRONMENT ARTICLE

Junkyard/Automobile Graveyard Adjoining Body of Water

EN 5-10A-02
MISDEMEANOR
$500.00 - 90 DAYS

7_5599

****JUNKYARD ETC FAIL MAINTAIN****

...did, as the [owner/manager] of a _____ (see note), fail to maintain the contents thereof so as to prevent the dumping, depositing, and transporting thereof into the waters of this State, to wit: _____ (name body of water).

NOTE: Applies to any person or organization that owns, maintains, or causes to be maintained a junkyard, automotive dismantle, recycler facility, scrap metal processing facility, or automotive graveyard. As to probable cause, see the presumptions set forth in EN 5-10A-01.

EN 6-422(b)(1)
MISDEMEANOR
1st Offense: $20,000
Sub Offense: $25,000 - 2 Yrs

1_1605

****VIOLATE ASBESTOS REMOVAL****

… did knowingly and willfully violate a [provision of/a rule adopted under/a regulation adopted under] Title 6, Subtitle 4 of the Environment Article to wit: _____(describe).

EN 7-265
FELONY
$100,000.00 - 5 YEARS
PRELIMINARY HEARING

1_0012

****HAZARDOUS SUBST-DISPOSAL****

...did unlawfully [store/treat/dump/discharge/abandon/dispose of] _____, a controlled hazardous substance in and at _____ (place), a place that was not a controlled hazardous substance facility and that did not have a current facility permit.

Effective 10/1/2016

Illegal Disposal

EN 7-265
FELONY
$100,000.00 - 5 YEARS
PRELIMINARY HEARING

2_0012

****HAZARDOUS SUBST-DISPOSAL****

...did unlawfully transport for treatment, storage, and disposal a controlled hazardous substance, to wit: _____, to _____, a place that was not a controlled hazardous substance facility and did not have a current facility permit.

EN 7-265
FELONY
$100,000.00 - 5 YEARS
PRELIMINARY HEARING

2_0013

****HAZARDOUS SUBST-FALSE INFO****

...did unlawfully falsify information required by the State Department of the Environment, namely _____ (specify what information was falsified relating it to a specific law, rule regulation, order, haulers certificate, vehicle certificate, or facility permit issued under the subtitle).

Effective 10/1/2016

EN 7-265
FELONY
$100,000.00 - 5 YEARS
PRELIMINARY HEARING

2_0014

****HAZARDOUS SUBST-DISPOSAL****

...did [authorize/direct/permit] [storing/treating/dumping/discharging/abandoning/otherwise disposing of a controlled hazardous substance in any place other than a controlled hazardous substance facility for which a a current facility permit is in effect/ falsify information required by the department or any rule, regulation,order, hauler certificate, vehicle certificate or facility permit issued under EN 7-232.]

NOTE: Each day of violation is a separate offense.

EN 7-265
FELONY
$250,000 - 15 YEARS
PRELIMINARY HEARING

2_0015

****HAZARDOUS SUBST/ENDANGER OTHER****

…did unlawfully [store/treat/dump/discharge/abandon/dispose of/transport for treatment/transport for storage/transport for disposal] _____, a controlled hazardous substance, knowing that the violation placed another person, to wit: _____ (name or names) in imminent danger of death or serious bodily harm.

Effective 10/1/2016

FAMILY LAW ARTICLE

MARRYING UNLAWFULLY

Within 3 Degrees of Direct Lineal/ First Degree of Collateral Consanguinity

FL 2-202(b)
MISDEMEANOR
$1,500.00

3_7399

****MARRIAGE-UNLAWFUL****

…did marry _____(select from list), his/her _____ (relationship), being within [three degrees of direct lineal consanguinity/the first degree of collateral consanguinity].

NOTE: The marriages prohibited under this section are as follows:

An individual may not marry their:

- Grandparent
- Parent
- Child
- Sibling; or
- Grandchild

Effective 10/1/2016

Marrying within Other Prohibited Degrees

FL 2-202[c]
MISDEMEANOR
$500.00

4_7399

****MARRIAGE-UNLAWFUL****

...did marry ___, his/her ____ (relationship), being within a degree of affinity and kindred prohibited by the laws of this State.

NOTE: The marriages prohibited under this section are as follows:

An individual may not marry their:

- Grandparent's Spouse
- Spouse's Grandparent
- Parent's Sibling
- Stepparent
- Spouse's Parent
- Spouse's Child
- Child's Spouse
- Grandchild's Spouse
- Spouse's Grandchild
- Sibling's Child

Effective 10/1/2016

FL 2-406(c)
MISDEMEANOR
$500.00

6_7390

****MARRIAGE-UNAUTH. BY MINISTER****

...did unlawfully and without authority perform a marriage ceremony between _____ (bride) and _____ (groom).

NOTE: See section for list of authorized persons.

Effective 10/1/2016

Minister, etc. Marrying Persons Within Prohibited Degrees

FL 2-406(d)
MISDEMEANOR
$500.00

5_7399

****MARRIAG UNAUTH BY MINISTER****

...did knowingly perform a marriage ceremony between _____ and _____, they being related in the degrees prohibited by law, and he/she being a [religious offical/clerk/deputy clerk/judge].

FL 2-406(e)
MISDEMEANOR
$500.00

6_7395

****MARRIAGE-PERFORM W/O LICENSE****

...did unlawfully perform a marriage ceremony between _____ (bride) and _____ (groom) without a license.

NOTE: Persons authorized to perform marriages:

1. Any official of religious order or body by rules and customs of that order or body.

2. Any clerk.

3. Any deputy clerk designated by the county administative

   judge of the circuit court for that county.

4. A judge.

Effective 10/1/2016

FL 2-408(a)(2)
MISDEMEANOR
FIRST OFFENSE $100.00
SUB OFFENSE $500.00 - 1 YEAR

9_7399

****MARRIAGE-ILL ADVERTISING****

...did [erect/maintain] _____ (describe advertising structure) located at _____ , that was intended to help solicit the performance of a marriage ceremony.

FL 4-508.1
MISDEMEANOR
$1,000.00 - 90 DAYS
SUB OFFENSE $2,500.00 - 1YEAR

2_0454

****VIOLATE OUT OF STATE ORDER****

…did fail to comply with [temporary/final] Order for protection by the State of _____ and filed with the [District/circuit court of _____] by _____**(choose ONE violation from list below. Additional violations may be added using the word "and" if violations occurred during same event.)**

1. abusing _____(person eligible for relief (PER))
2. threatening to abuse _____ (PER)
3. contacting _____ (PER)
4. attempting to contact _____(PER)
5. harassing _____ (PER)
6. entering the residence of _____(PER)
7. failing to vacate the residence of _____(PER)
8. failing to remain away from the place of employment of _____(PER)
9. failing to remain away from the school of _____(PER)
10. failing to remain away from the temporary residence of _____(PER)
11. failing to surrender firearms to law enforcement
12. possessing a firearm

Effective 10/1/2016

FL 4-509
MISDEMEANOR
$1,000.00 - 90 DAYS
SUB. OFFENSE
$2,500.00 - 1 YEAR
RELEASE RESTRICTION
(Under Certain Conditions)

2_0254

****VIOLATE EXPARTE/PROT ORDER****

...did fail to comply with relief granted under [an interim/a temporary/a final] protective order dated _____, issued under Title 4, Subtitle 5 of the Family Law Article by _____ **(choose ONE violation from list below. Additional violations may be added using the word "and" if violations occurred during same event.)**

1. abusing _____(person eligible for relief (PER))
2. threatening to abuse _____ (PER)
3. contacting _____ (PER)
4. attempting to contact _____(PER)
5. harassing _____ (PER)
6. entering the residence of _____(PER)
7. failing to vacate the residence of _____(PER)
8. failing to remain away from the place of employment of _____(PER)
9. failing to remain away from the school of _____(PER)
10. failing to remain away from the temporary residence of _____(PER)
11. failing to surrender firearms to law enforcement (Only applicable when Temp or Final Order)
12. possessing a firearm (Only applicable when Temp or Final Order)

NOTE: See definition of abuse - FL 4-501.

NOTE: A District Court commissioner may not authorize the pretrial release of a defendant charged with violating the provisions of an ex parte order or protective order that order the defendant to refrain from abusing or threatening to abuse a person eligible for relief. See Criminal Procedures 5-202(e); F: 4-506(d)(1); FL 4-508.1.

NOTE: An officer shall arrest with or without a warrant and take into custody a person whom the officer has probable cause to believe is in violation of an ex parte order or protective order in effect at the time of the violation.

NOTE: If the court is closed on the day an interim order is set to expire, the order shall be effective until the next day on which the court is open. For temporary orders, it is effective until the second day on which the Court is open.

NOTE: The commissioner must verify the type of order, verify that the order has been served, verify that the alleged violation conditions exist in the issued order; prior to making a probable cause decision.

NOTE: Under FL 4-509(b), a prior conviction under CJ 3-1508 for failure to comply with a peace order, shall be considered a conviction for the purposes of second or subsequent offense penalties. Sub offenses should be brought by State's Attorney.

Effective 10/1/2016

FL 5-705.2
MISDEMEANOR
$10,000 .00 – 5 YEARS

1_0734

****ABUSE/NEGLECT REPORTING****

...did intentionally [prevent/interfere with] the making of a report of [suspected abuse/neglect] required by [FL 5-704/FL 5-705.1(c)(2)].

Confinement/dwelling, etc.;

FL 5-801
MISDEMEANOR
$500 .00 - 30 DAYS

1_0005

****CONFINE UNATTENDED CHILD****

...did, being charged with the care of _____(name), a child under the age of 8 years, allow said child to be [locked/confined] in a [dwelling/building/enclosure/motor vehicle] which was out of [his/her] sight and while [he, she] was absent therefrom.

NOTE: This section is not applicable where the child is left attended by a reliable person at least 13 years old.

Effective 10/1/2016

CHILD CUSTODY AND VISITATION

FL 9-304
PENALTY SEC. FL 9-307
MISDEMEANOR
$250.00 - 30 DAYS

1_0364

****DETAIN CHILD/RELATVE IN ST****

...did, as a relative and with intent to deprive the lawful custodian, knowingly detain within the State _____, a child under 16 years of age, from the lawful custodian for more than 48 hours after the lawful custodian demanded that the child be returned.

Abduction by Relative-Child Under 16 - In State

FL 9-304
PENALTY FL 9-307
MISDEMEANOR
$250.00 - 30 DAYS

1_0365

****HIDE CHLD/ABD BY REL IN ST****

...did, as a relative and with intent to deprive the lawful custodian, [harbor/hide] within this State _____, a child under 16 years of age, knowing that possession of the said child was obtained by another relative in violation of this section.

Effective 10/1/2016

FL 9-304
PENALTY SEC. FL 9-307
MISDEMEANOR
$250.00 - 30 DAYS

1_0366

****ABDUCT ETC CHILD/ACCESSORY****

...was an accessory to ....(add appropriate wording from either CJIS Code 1-0364, 1-0365, or 2-1005).

NOTE: You may not require an applicant for a statement of charges in a child abduction by a relative case to submit written proof that the applicant has legal custody of the child. If such is available and offered to you, however, it should be reviewed and a copy attached to the application.

Effective 10/1/2016

FL 9-304
PENALTY SEC. FL 9-307
MISDEMEANOR
$250.00 - 30 DAYS

2_1005

****ABDUCT CHILD/RELATIV IN ST****

...did, as a relative and with intent to deprive the lawful custodian, knowingly [abduct/take/carry away] ____, a child under 16 years of age from _____ [his/her] lawful custodian, to a place within this State.

FL 9-305
PENALTY SEC. FL 9-307
Detained not more than 30 days
(barcode 1_0737)
FELONY
$1,000.00 – 1YEAR
PRELIMINARY HEARING
Detained more than 30 days
(barcode 1-0747)
FELONY
$2,500.00 - 3 YEARS
PRELIMINARY HEARING

1_0737
1_0747

****DET CHLD CUSTODIAN OUT ST****

…did being a relative, having acquired lawful possession of _____(name), a child under the age of 16, detain said child in another state, with intent to deprive the lawful custodian of the custody of said child, for more than 48 hours after a demand for the return by the lawful custodian.

Effective 10/1/2016

Abduction by Relative - Child Under 16 -Outside State

FL 9-305
PENALTY SEC. FL 9-307
Detained not more than 30 days
(barcode 1-0738)
FELONY
$1,000.00 – 1 YEAR
PRELIMINARY HEARING
Detained more than 30 days
(barcode 1-0748)
FELONY
$2,500.00 - 3 YEARS
PRELIMINARY HEARING

1_0738
1_0748

****HIDE CHLD AB BY REL OUT ST****

...did, as a relative and with intent to deprive the lawful custodian,[harbor/hide] in another state, _____(name), a child under 16 years of age, knowing that possession of the said child was obtained by another relative in violation of Title 9 of the Family Law article.

Effective 10/1/2016

FL 9-305
PENALTY FL 9-307
Detained not more than 30 days
(barcode 1-0739)
FELONY
$1,000.00 – 1 YEAR
PRELIMINARY HEARING
Detained more than 30 days
***barcode 1-0749)**
FELONY
$2,500.00 - 3 YEARS
PRELIMINARY HEARING

1_0739
1_0749

****ABDUCT ETC CHILD/ACCESSORY****

…act as an accessory to . . . (select from list)

LIST:

1. The [abduction/taking/carrying away] of _____(name) a child under the age of 16, to a place in another state, by _____(name), being a relative of said child, knowing that another person is the lawful custodian of the child and with intent to deprive the lawful custodian.

2. _____, a relative, who having acquired lawful possession of said child, knowing another to be the lawful custodian, detain _____(name), a child under the age of 16, for more than 48 hours after a demand for return by the lawful custodian with the intent to deprive the lawful custodian of said child.

3. The [harboring/hiding], _____(name), a child under the age of 16, in another state, by _____(name), who knows that possession of the child was obtained by another relative in violation of title 9 of the Family Law Article and with the intent to deprive the lawful custodian of said child.

NOTE: You may not require an applicant for a statement of charges in a child abduction by a relative case to submit written proof that the applicant has legal custody of the child. If such is available and offered to you, however, it should be reviewed and a copy attached to the application.

Effective 10/1/2016

FL 9-305
PENALTY SEC. FL 9-307
Detained not more than 30 days
(barcode 1-0736)
FELONY
$1,000.00 – 1 YEAR
PRELIMINARY HEARING
Detained more than 30 days
(barcode 1-0746)
FELONY
$2,500.00 - 3 YEARS
PRELIMINARY HEARING

1_0736
1_0746

****ABDUCT CHILD/CUST OUT ST****

...did, as a relative and with intent to deprive the lawful custodian, knowingly [abduct/ take/ carry away] _____, a child under 16 years of age from _____ [his/her] lawful custodian, to a place in another state.

Nonsupport - Spouse

FL 10-201
MISDEMEANOR
$100.00 - 3 YEARS

1_3899

****NONSUPPORT SPOUSE****

...did, without just cause, willfully fail to provide for the support of _____ [his/her] spouse.

Effective 10/1/2016

FL 10-203
MISDEMEANOR
$100.00 - 3 YEARS

2_3899

****DESERTION-MINOR CHILD****

...did desert _____ (name) [his/her] minor child.

Desertion/Nonsupport - Minor Child

FL 10-203
MISDEMEANOR
$100.00 - 3 YEARS

3_3899

****NONSUPPORT - MINOR CHILD****

...did willfully fail to provide for the support of ____ (name), [his/her] minor child, during the period ____ through _____ inclusive.

FL 10-219
MISDEMEANOR
$100.00 - 1 YEAR

4_3899

****DESERTION-MINOR CHILD****

...did desert ____ (name), a minor child under [his/her] care, custody, and control [with the intent that such child become a public charge/without providing for said child's support for at least 3 years by a responsible individual or a licensed child care facility].

NOTE: This section does not require that custodian be the parent.

Effective 10/1/2016

Support Destitute Parent

FL 13-102
MISDEMEANOR
$1,000.00 - 1 YEAR

1_3808

****NONSUPPORT - DEST. PARENTS****

...did neglect and refuse to provide necessary shelter, food, care and clothing for _____ (name), [his/her] destitute parent, the said _____ (defendant) having the means to do so.

Non-Support Destitute Adult Child

FL 13-102
MISDEMEANOR
$1,000.00 - 1 YEAR

5_3899

****NONSUP DESTITUT ADULT CHLD****

...did neglect and refuse to provide necessary shelter, food, care and clothing for ____ (name), [his/her] destitute adult child, the said ____ (defendant) having the means to do so.

Effective 10/1/2016

HEALTH – GENERAL ARTICLE

HG 4-226(f)
PENALTY SEC. HG 4-227
MISDEMEANOR
$1,000.00 - 30 DAYS

1_0695

****VITAL RECORDS FRAUD - USE****

...did willfully [use/attempt to use] a photocopy of a [birth/ death/fetal death/marriage] certificate for a fraudulent and deceptive purpose.

NOTE: Application or statement of charges should indicate the fraudulent or deceptive purpose.

HG 5-514
MISDEMEANOR
$5,000.00 – 1 YEAR

1_0932

****BURY/DISPOSE BODY UNAUTH PLACE ****

...did [bury/dispose] of a dead human body in a place other than family burial plot, an area allowed by a local ordinance, a crematory, a cemetery, by donating the body to medical science, or by removing body to another state for final disposition in accordance with the laws of the other state.

HG 20-601(a)
PENALTY HG 20-601(a)
FELONY
$5,000 - 5 YEARS
PRELIMINARY HEARING

1_0965

****FEM GENITIAL MUTILATION****

...did unlawfully and knowingly [circumcise/excise/infibulate] [the whole/a part]of the [labia majora/labia minora/clitoris] of _____(name), an individual under 18 years of age.

Effective 10/1/2016

Consenting to female genital mutilation on a child, under 18, under care of person

HG 20-601(b)
PENALTY HG 20-603
FELONY
$5,000 - 5 YEARS
PRELIMINARY HEARING

1_0970

****CONSENT/GENITAL MUTILATION****

… unlawfully, being legally responsible and charged with the care and custody of ____(name), a child under 18 years of age, did knowingly consent to the [circumcision/excision/infibulation] of the [whole/a part] of the [labia majora/labia minora/clitoris] of the said child.

Effective 10/1/2016

FOOD PACKAGES AND CONTAINERS

Opening Sealed Food Container

HG 21-259.1
MISDEMEANOR
$25.00

1_1596

****FOOD, SEALED, OPENING****

...did, without [intent to purchase/authority], open a sealed, closed, and fastened food container in a [food store/supermarket] and leave said container unsalable.

LABOR AND EMPLOYMENT ARTICLE

Wage Payment and Collection

LE 3-502
PENALTY SEC. 3-508
MISDEMEANOR
$1,000.00

1_0698

****WAGES: FAIL TO PAY REGULAR****

...did, as an employer thereof, wilfully fail to pay wages to _____, an employee, at least one in every two weeks and twice in each month as required by the Maryland Annotated Code, Labor and Employment Article, Section 3-502

LE 3-503
PENALTY SEC. LE 3-508
MISDEMEANOR
$1,000.00

1_0699

****WAGES: UNLAWFUL DEDUCTIONS****

...did, as an employer thereof, wilfully make unauthorized deductions from the wages of ____, an employee.

NOTE: Deductions are authorized by:

1. Order by a court of competent jurisdiction;
2. Express authorization in writing by the employee;
3. Specific allowance by the Commissioner of Labor and Industry because the employee has received full consideration for the deduction;
4. In accordance with any law or any rule or regulation by a governmental unit.

Effective 10/1/2016

LE 3-504
PENALTY SEC. LE 3-508(c)
MISDEMEANOR
$1,000.00

1_0700

****WAGES: FAIL TO GIVE NOTICE****

...did, as an employer thereof, wilfully fail to furnish to _____, [employee/complainant]. (select from list below)

1. at the time of hiring, notice of the rate of pay and regular payday.

2. for each pay period, a statement of gross earnings and deductions from gross earnings.

3. at least one pay period in advance, notice of any change in [payday/wage].

NOTE: This section does not prohibit an employer from increasing a wage without advance notice.

Effective 10/1/2016

LE 3-505
PENALTY SEC. LE 3-508(c)
MISDEMEANOR
$1,000.00

1_0701

****WAGES: TERM & FAIL TO PAY****

...did, as an employer thereof, wilfully fail to pay, by the customary day, _____ [employee/complainant] all wages due at time of termination of employment.

LE 3-508
MISDEMEANOR
$500.00

1_0702

****EMPL/MISLEAD GOVMNT AGENCY****

...did, as an employee of _____, wilfully and knowingly make a false statement to _____, a governmental [unit/official] with a false statement with respect to an investigation under Subtitle 3, Labor and Employment Article, of the Annotated Code of Maryland, with the intent that the said [unit/official] consider and take action in connection with the said statement.

Unlawful Acts

LE 8-1301
PENALTY SEC. LE 8-1305
MISDEMEANOR
$1,000.00 - 90 DAYS
RESTITUTION PLUS INTEREST
DISQUALIFICATION

1_0801

****UNEMPL: FAIL DISC MAT FACT****

...did knowingly and willfully fail to disclose a material fact to [receive/ increase] a [payment/benefit] under the Unemployment Insurance Law of _____, for [himself/herself/ _____(name of other person)].

NOTE: The benefit may be for the person who committed the act or for another person.

Effective 10/1/2016

LE 8-1301
PENALTY SEC. LE 8-1305
MISDEMEANOR
$1,000.00 - 90 DAYS
RESTITUTION PLUS
INTEREST
DISQUALIFICATION

1_0807

****UNEMPL FALSE STMT FOR BEN****

...did knowingly and willfully make a false [statement/representation] to [receive/increase] a [payment/benefit] under the Unemployment Insurance Law of _____, for [himself/herself/ _____ (name of other person)].

LE 8-1302
PENALTY SEC. LE 8-1305
MISDEMEANOR
$1,000.00 - 90 DAYS

1_0802

****UNEMPL FALS STMT PRVNT BEN****

...did knowingly and willfully make a false [statement/representation] to [prevent/reduce] the payment of a benefit to _____(name), who was entitled to the benefit.

LE 8-1302
PENALTY SEC. LE 8-1305
MISDEMEANOR
$1,000.00 - 90 DAYS

1_0803

****UNEMPLY FALS DISC PRVNT BEN****

...did, as an employer, knowingly and willfully fail to disclose a material fact to [prevent/reduce] the payment of a benefit to _____ (name), who was entitled to the benefit.

Effective 10/1/2016

LE 8-1302
PENALTY SEC. LE 8-1305
MISDEMEANOR
$1,000.00 - 90 DAYS

1_0804

****UNEMPL FALS STMT BY EMPLYR****

...did, as an employer, knowingly and willfully make a false [statement/representation] to [avoid/reduce] a [contribution/required payment] from an employer subject to the Unemployment Insurance Law with respect to _____ (claimant).

LE 8-1302
PENALTY SEC. LE 8-1305
MISDEMEANOR
$1,000.00 - 90 DAYS

1_0809

****UNEMPL FALS STMT BY EMPLYR****

...did, as an employer, knowingly and willfully make a false [statement/representation] to [avoid becoming/remaining] subject to the Unemployment Insurance Law with respect to _____ (claimant).

LE 8-1302
PENALTY SEC. LE 8-1305
MISDEMEANOR
$1,000.00 - 90 DAYS

1_0810

****UNEMPL FAIL DISC MAT FACT****

...did, as an employer, knowingly and willfully fail to disclose a material fact to [avoid becoming/remaining] subject to the Unemployment Insurance Law with respect with _____ (claimant).

Effective 10/1/2016

LE 8-1302
PENALTY SEC. LE 8-1305
MISDEMEANOR
$1,000.00 - 90 DAYS

1_0811

****UNEMPL FAIL DISC MAT FACT****

...did, as an employer, knowingly and willfully fail to disclose a material fact to [avoid/reduce] any [contribution/required payment] from an employer subject to the Unemployment Insurance Law with respect to _____ (claimant).

LE 8-1302
PENALTY SEC. LE 8-1305
MISDEMEANOR
$1,000.00 - 90 DAYS

2_0800

****EMPLOYER/FAIL TO CONTRIBUTE****

…did, as [an employer/an officer of an employer/an agent of an employer], willfully [fail/refuse] to make a [contribution/payment] as required by the unemployument insurance law, in violation of the Labor and Employment Article, Sec. 8-1302[2][i].

LE 8-1302
PENALTY SEC. LE 8-1305
MISDEMEANOR
$1,000.00 - 90 DAYS

2_0810

****EMPLOYER/FAIL TO REPORT****

… did, as [an employer/an officer of an employer/an agent of an employer], willfully [fail/refuse] to submit a report to wit: _____ as required by the unemployment insurance law, in violation of the Labor and Employent Article, Sec. 8-1302[2][ii].

Effective 10/1/2016

LE 8-1302
PENALTY SEC. LE 8-1305
MISDEMEANOR
$1,000.00 - 90 DAYS

2_0820

****EMPLOYER/RECORDS PRODUCTION****

… did, as [an employer/an officer of an employer/an agent of an employer], willfully [fail/refuse] to produce records to wit: _____ as required under the unemployment insurance law, in violation of the Labor and Employment Article, Sec. 8-1302[2][iii].

LE 8-1302
PENALTY SEC. LE 8-1305
MISDEMEANOR
$1,000.00 - 90 DAYS

2_0830

****EMPLOYER/RECORDS COPIES****

...did, as employer, willfully fail and refuse to allow records required under the unemployment insurance law to wit: _____ to be copies or inspected in violation of the Labor and Employment Article, Sec. 8-1302(iv).

LE 8-1303
PENALTY SEC. LE 8-1305
MISDEMEANOR
$1,000.00 - 1 YEAR

1_0813

****UNEMPL ACCEPT WAIVE RIGHTS****

...did, as an employer, accept and require from _____, an employee, a waiver of a right to which said employee was entitled under the Maryland Unemployment Insurance Law.

Effective 10/1/2016

LE 8-1303
PENALTY SEC. LE 8-1305
MISDEMEANOR
$1,000.00 - 1 YEAR

1_8012

****UNEMPL DEDUCT FROM WAGE****

...did, as an employer, [directly/indirectly] accept, make, and require a deduction from the wage of _____ (employee)to pay a contribution from the employing unit.

Effective 10/1/2016

NATURAL RESOURCES ARTICLE

Operating Vessel/Number, Name Or Home Port Designation Concealed

NR 8-713.1
MISDEMEANOR
$500.00 - 6 MONTHS

1_0000

****VESSEL-CONCEAL NAME/NUMBER**

...did operate and use a [boat/vessel] on the navigable waters of the _____ [river/bay] while the boat's [name/number/home port designation], as [assigned by the U.S. Coast Guard/registered with the U.S. Custom Service] was knowingly [concealed/covered/defaced].

NOTE: Includes the operator, his aiders, abettors and counselors. Registration, etc., must be proven.

Damaging/Interfering W/Use Public Wharf or Landing

NR 8-724.1
MISDEMEANOR
NOT LESS THAN $25.00

1_0339

****PUB LANDNG: DESTROY/DAMAGE****

...did [destroy/damage] a [public wharf/structure erected on a public wharf].

NOTE: The minimum fine is $25.00. There is no maximum. The fine would depend on the facts of the case.

Effective 10/1/2016

DRUNKEN BOATING

Operating Vessel Under Influence of Alcohol, Drugs, Etc.

NR 8-738(a)(1)
MISDEMEANOR
$1,000.00 - 1 YEAR
SECOND OFFENSE
$2,000.00 - 2 YEARS
THIRD OR SUBSEQUENT OFFENSE
$3,000.00 - 3 YEARS

6_8000

****OP. VESSEL/UNDER INFLUENCE****

...unlawfully [did/did attempt to] operate a vessel, to wit: _____, while under the influence of alcohol.

Effective 10/1/2016

NR 8-738(a)(2)(3),(4)
MISDEMEANOR
$500.00 - 2 MONTHS
SUBSEQUENT OFFENSE
$1,000.00 - 1 YEAR

6_8050

****OP. VESSEL/DWI, CDS, ETC.****

...unlawfully [did/did attempt to] operate a vessel, to wit: _____ while [impaired by alcohol/impaired by a Controlled Dangerous Substance of Schedule _____, to wit: _____/impaired by a combination of alcohol and drugs, to wit: _____/ impaired by a combination of drugs, to wit: _____].

NOTE: Under the "combination" choices in the above charge, it is not necessary that the drugs be illegal. If the drugs are illegal controlled dangerous substances, they should be identified by name and schedule. If they are legal prescription drugs which, taken in combination with other drugs or alcohol rendered the defendant unsafe to operate a vessel, they should be identified by name. It is not a defense to this statute that the drug or drugs were legally prescribed unless the defendant was unaware that the drug or combination would make him or her incapable of safely operating a vessel. If the defendant alleges that he or she was unaware of this, you should not take this into account in establishing probable cause, as this is an affirmative defense which must be established at trial.

Effective 10/1/2016

PUBLIC SAFETY ARTICLE

PS 3-502(b)
MISDEMEANOR
$2,000.00 - 2 YEARS

1_1769

****IMPERSONATE POLICE OFFICER****

...did falsely represent himself as being a ____ (see note) with fraudulent design upon the [person of/property of] _____.

NOTE: Statute includes false representation as a member of the police force of the United States, a special police officer, sheriff, deputy sheriff, police officer, or constable, or a member of the police or sheriff's departments of this or any state, or any county or municipal corporation of this or any state, or as a member of any such agency. This includes WMATA Metro Transit Police.

PS 3-502(c)
MISDEAMEANOR
$2,000.00 - 2 YEARS

1_0604

****IMPERSONATION: UU/UNIFORM****

...did without the authority of ____ [Chief of Police of _____/Secretary of State Police/Police Commissioner of Baltimore City/Sheriff/Deputy Sheriff/constable/US Secret Service/US Park Police/WMATA Metro Transit Police/DEA/____, a federal agency], [have/use/wear/display] a [uniform/shield/button/badge/identification/shoulder patch], as is worn by a [police officer/sheriff/deputy sheriff/constable].

NOTE: Statute includes any official insignia or emblem of any police, sheriff, federal agency, investigative service or enforcement agency, sheriff, deputy sheriff, or constable's agency of this or any State, county, or municipality.

Effective 10/1/2016

Surveillance

PS 3-503
MISDEMEANOR
$1,000.00 - 2 YEARS

2_5120

****UNREGISTERED SURVEILLANCE****

...did, within 6 months of having lost [his/her] [registration/right to register], unlawfully conduct surveillance [at ____ (location) /upon _____ (subject)] unlawfully within the ensuing six months.

NOTE: Section applies to agents of or from any other State or the District of Columbia. For probable cause to be found, facts must show defendant has a record with the local police or sheriff's department, or the State Police, of conducting a previous unregistered surveillance within the six months preceding the date of the offense.

Pistol & Revolver Dealer's License

PS 5-106
PENALTY SEC. 5-143
MISDEMEANOR
$10,000.00 - 5 YEARS

2_5210

****REG FIREARM: SALE W/O LICENSE****

…did engage in the business of [selling/renting/transferring] regulated firearms, without lawfully possessing a dealer's license issued by _____ (the Secretary of the Maryland State Police or his duly authorized agent).

NOTE: Each day on which a regulated firearm is unlawfully sold or offered for sale shall be considered a separate offense.

Effective 10/1/2016

Improper sale by dealer or person

PS 5-123
PENALTY SEC. 5-143
MISDEMEANOR
$10,000.00 - 5 YEARS

1_5230

****FIREARM/SALE/DEALER****

...did, being a regulated firearms dealer,[sell/rent/transfer] a regulated firearm, to wit: ____ (describe), to _____ (name), before the expiration of seven days from the time an application to purchase and transfer had been executed by the prospective purchaser and transferee, and the original copy forwarded by the prospective seller and transferor to the Secretary of the State Police.

PS 5-124(a)
PENALTY SEC. 5-143
MISDEMEANOR
$10,000.00 - 5 YEARS

1_5240

****FIREARM/SALE/PERSON****

...did [sell/rent/purchase/transfer] a regulated firearm, to wit: _____ (describe), to _____ (name), before the expiration of seven days from the time an application to purchase and transfer had been executed by the prospective purchaser and transferee, and the original copy forwarded by the prospective seller and transferor to a regulated firearms dealer and a designated law enforcement agency, for forwarding to the Secretary of the State Police.

Effective 10/1/2016

PS 5-125(b)
PENALTY SEC. 5-143
MISDEMEANOR
$10,000.00 - 5 YEARS

1_5250

****FIREARM/SALE/APPLICATION****

...did [sell/rent/transfer] a regulated firearm, to wit: _____ (describe), to _____ (name), an applicant whose application has been placed on hold because of an open disposition of criminal proceedings against the applicant and disapproved.

More than one purchase of regulated firearm within 30 days.

PS 5-128(b)
MISDEMEANOR
$5,000.00 - 3 YEARS

1_1104

****MULTIPLE PURCH/30 DAYS****

...did purchase more than one regulated firearm in a 30-day period, to wit: _____ (describe both firearms purchased).

PS 5-132(c)(2)
PENALTY SEC. 5-143
MISDEMEANOR
$10,000.00 - 5 YEARS

2_2020

****SELL HANDGUN W/O LOCK****

...did [sell/offer for sale/rent/transfer] a handgun manufactured on or before December 31, 2002 not equipped with an external safety lock.

NOTE: Beginning on January 1, 2003, a dealer may not sell, offer for sale, rent, or transfer a handgun manufactured AFTER December 31, 2002 unless it has an integrated mechanical safety device.

Effective 10/1/2016

PS 5-133(b)
MISDEMEANOR
$10,000.00 - 5 YEARS

1_1106

****REG FIREARM: ILLEGAL POSS****

...did knowingly possess a regulated firearm [after being/being/being a person] _____ (select from list below.)

1. convicted of a disqualifying crime to wit: _____ (charge), a violation classified as [a felony in the state/a misdemeanor in the state that carries a statutory penalty of more than 2 years];
2. convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;
3. a fugitive from justice;
4. a habitual drunkard;
5. addicted to any controlled dangerous substance or is a habitual user;
6. who suffers from a mental disorder as defined in HG 10-101(f)(2) and has a history of violent behavior against the person or another;
7. who has been found incompent to stand trial under CP 3-106;
8. that has been found not criminally responsible under CP 3-110
9. that has been voluntarily admitted for more than 30 consecutive days to a facility as defined in HG 10-101;
10. that has been involuntarily committed to a facility as defined in HG 10-101.
11. who is under the protection of a guardian appointed by a court under ET 13-201(c) or ET 13-705, except for cases in which the appointment of a guardian is solely a result of a physical disability.
12. who is a respondent against whom a:
    i. a current non exparte civil protective order has been entered under FL 4-506; or
    ii. an order for protection, as defined in FL 4-508.1, has been issued by a court of another state or a Native American tribe and in effect;
13. if under the age of 30 years at the time of possession, has been adjudicated delinquent by a juvenile court for an act that would be a disqualifying crime if committed by an adult.

NOTE: Penalty PS 5-143

NOTE: DO NOT use this charge if prior conviction is a crime of violence under PS 5-101(c), a crime listed under CR 5-602 – CR 5-605, or a crime listed under CR 5-612 – CR 5-614.

NOTE: See PS 5-133.3 (b) for exception.

Effective 10/1/2016

PS 5-133(c)
FELONY
15 YEARS
PRELIMINARY HEARING

1_1609

****FIREARM-POSS-CRIM VIO/FEL CONV****

...did possess a regulated firearm after having been convicted of: _____. (choose from below)

1. a crime of violence as defined in PS 5-101(c);

2. a crime of violence as defined in CR 14-101;

3. a violation of [5-602/5-603/5-604/5-605/5-612/5-613/5-614] of the Criminal Law Article]; or

4. _____(describe offense), an offense under the laws of [_____(state)/the United States] that would constitute a [crime/crime of violence] under _____(cite statute from options above), if committed in this state.

NOTE: A person convicted of this charge is subject to a mandatory minimum sentence of 5 years, of which any part may not be suspended. Except as noted in CS 4-305, the defendant is not eligible for parole during the mandatory minimum sentence. See CR 5-133(c)(3) for court discretion of mandatory minimum sentence and required State's Attorney notification. Each violation shall be considered a separate offense.

PS 5-133(d)
PENALTY SEC. 5-143
MISDEMEANOR
$10,000.00 - 5 YEARS

1_5285

****POSS OF FIREARM/MINOR****

...did, being under 21 years of age, possess a regulated firearm to wit _____.

NOTE: See PS 5-133(d)(2) for exceptions.

Effective 10/1/2016

PS 5-133.1
MISDEMEANOR
$1,000.00 - 1 YEAR

1_1285

****ILLGL POSS AMMO ****

...did possess ammunition, being prohibited from possessing a regulated firearm under [PS 5-133(b)/PS 5-133(c)].

NOTE: Ammunition means a cartridge, shell, or any other device containing explosive or incendiary material designed and intended for use in a firearm..

Effective 10/1/2016

Restrictions on Sale, Transfer and Possession of Regulated Firearms

PS 5-134(b)
MISDEMEANOR
$10,000.00 – 5 YEARS

1_1105

****REG FIREARM-ILLEGL SALE/TRAN****

...did [sell/ rent/transfer] a regulated firearm to wit: ____ (describe) to ____ (name) [knowing/having reasonable cause to believe] that the said person [had been convicted of a crime of violence/had been convicted of a violation classified as a felony in this state or any conspiracy to commit any crimes established by those sections/any violation classified as a misdemeanor in this state that carries a statutory penalty of more than two years/had been convicted of any violation as a common law offense where the person received a term of imprisonment of more than two years/is a fugitive from justice/is a habitual drunkard/is addicted to and is an habitual user of any controlled dangerous substance/was visibly under the influence of alcohol and drugs/was under 21 years of age/was a participant in a "straw purchase" as defined in Section 5-136 of this article/is a participant in a "straw purchase as defined in Section 5-136 of this article/is a respondent against whom a current non ex parte civil protective order has been entered under Section 4-506 of the Family Law Article/is less than 30 years of age at the time of the transaction and has been adjudicated delinquent by a juvenile court for committing a crime of violence/is less than 30 years of age at the time of the transaction and has been adjudicated delinquent by a juvenile court for committing any violation classified as a felony in this state / is less than 30 years of age at the time of the transaction and has been adjudicated delinquent by a juvenile court for committing any violation classified as a misdemeanor in this state that carries a statutory penalty of more than 2 years / subject to subsection (c-2) of this section, for a transaction under this subsection that is made on or after January 2002 has not completed a certified firearms safety training course].

Effective 10/1/2016

PS 5-134(d)(1)(i)
MISDEMEANOR
$1,000.00 - 1 YEAR

1_5270

****AMMO/SALE TO MINOR****

...did [sell/rent/transfer] ammunition solely designed for a regulated firearm to a person under 21 years of age.

PS 5-134(d)(3)(4)
MISDEMEANOR
$1,000.00 - 1 YEAR

1_5280

****SALE TO MINOR/DW/ETC****

...did sell, rent, and transfer [a firearm other than a regulated firearm/ammunition for a firearm/a deadly weapon], to wit: _____[describe], to _____(name), under the 21 years of age.

Straw purchase

PS 5-136(b)
PENALTY SEC. 5-141
MISDEMEANOR
$10,000.00 - 5 YEARS

1_5220

****STRAW PURCHASE****

...did knowingly and willfully participate in a straw purchase of a regulated firearm, to wit: _____ (describe firearm).

Effective 10/1/2016

Sale, Transfer, etc., of Regulated Firearm

PS 5-138
PENALTY SEC. 5-143
MISDEMEANOR
$10,000.00 - 5 YEARS

1_2801

****REG FIREARM: STOLEN/SELL ETC.****

...did [possess/sell/transfer/dispose of] a regulated firearm, to wit: _____ (state type of firearm) [knowing/having reasonable cause to believe] the same to have been stolen.

NOTE: This subtitle, does not include any antique or unserviceable firearms sold or transferred and/or held as curios or museum pieces.

Sale/Transfer of Regulated Firearms

PS 5-139(a)
MISDEMEANOR
$5,000.00 - 3 YEARS

1_5210

****REG FIREARM: FALSE APP/PURCH****

...did knowingly give false information, and make a material misstatement on an application dated _____ to purchase, rent and transfer a regulated firearm.

Straw purchase to prohibited person or minor; transporting into state for sale.

PS 5-140
MISDEMEANOR
$25,000.00 - 10 YEARS

1_5295

****TRANS REG FIREARM/SALE/TRAF****

...did transport regulated firearms into this state for the purpose of illegal sale or trafficking of regulated firearms.

Effective 10/1/2016

PS 5-141
MISDEMEANOR
$25,000.00 - 10 YEARS

1_5290

****STRAW PUR TO MINOR/PROHIB****

...did knowingly participate in a straw purchase of a regulated firearm to ___ (name), a [minor/prohibited person].

PS 5-144(a)(1)
MISDEMEANOR
$10,000.00-5 YEARS
(Each violation is a separate crime.)

1_0642

****REG FIREARM - UNLAWFUL SALE/TRANS****

…did knowingly participate in the illegal [sale/rental/transfer/purchase/possession/receipt] of a regulated firearm.

PS 5-144(a)(2)
MISDEMEANOR
$10,000.00 - 5 YEARS

1_1612

****KNOW ALTER FIREARM ID NUMBER****

… did knowingly [obliterate/remove/change/alter] the manufacturer's identification [mark/number] on a firearm, to wit: _____, (state type of firearm).

Effective 10/1/2016

Short-barreled

PS 5-203(a)
MISDEMEANOR
$5,000.00 - 5 YEARS

2_5212

****RIFLE/SHOTGUN: UNREGISTERED****

...did possess a short-barrelled [rifle/shotgun].

NOTE: A short-barrelled rifle is one having one or more barrels less than 16 inches in length or any rifle with an overall length of less than 26 inches. A short-barrelled shotgun has one or more barrels less than 18 inches in length or any shotgun with an overall length of less than 26 inches. If either the barrel length, or the overall length, or both are less than the minimums stated, the weapon falls under CR 4-201.

NOTE: Rifle means a weapon designed or redesigned made or remade and intended to be fired from the shoulder and to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifle bore for each single pull of the trigger.

Shotgun means a weapon designed or redesigned, made or remade and intended to be fired from the shoulder and to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

NOTE: Possession allowed if registered with U.S. Government in accordance with U.S. Statutes.

EXCEPTIONS - WHILE ON OFFICIAL BUSINESS: Law enforcement personnel of the U.S., this State or any political subdivision; means of armed forces of U.S. or National Guard while on duty or travelling to or from duty; law enforcement personnel of another state or political subdivision, while temporarily in this State; jailer, prison guard, warden, or guard or keeper of any penal, correctional, or detention institution in this State; sheriff and temporary or full time deputy sheriff.

Effective 10/1/2016

PS 5-205(b)
MISDEMEANOR
$1,000.00 - 3 YEARS

1_0439

****RFL/SHOTGN POSS-DISQUALIFTN****

...did possess a [rifle/shotgun] [after being/being/being a person] _____ (choose from list below).

1. convicted of a disqualifying crime to wit: _____ (charge), a violation classified as [a felony in the state/a misdemeanor in the state that carries a statutory penalty of more than 2 years];
2. convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;
3. a fugitive from justice;
4. a habitual drunkard;
5. addicted to any controlled dangerous substance or is a habitual user;
6. who suffers from a mental disorder as defined in HG 10-101(f)(2) and has a history of violent behavior against the person or another;
7. who has been found incompent to stand trial under CP 3-106;
8. that has been found not criminally responsible under CP 3-110
9. that has been voluntarily admitted for more than 30 consecutive days to a facility as defined in HG 10-101;
10. that has been involuntarily committed to a facility as defined in HG 10-101.
11. who is under the protection of a guardian appointed by a court under ET 13-201(c) or ET 13-705, except for cases in which the appointment of a guardian is solely a result of a physical disability.
12. who is a respondent against whom a:
    iii. a current non exparte civil protective order has been entered under FL 4-506; or
    iv. an order for protection, as defined in FL 4-508.1, has been issued by a court of another state or a Native American tribe and in effect;
13. if under the age of 30 years at the time of possession, has been adjudicated delinquent by a juvenile court for an act that would be a disqualifying crime if committed by an adult.

NOTE: DO NOT use this charge if prior conviction is a crime of violence, a crime listed under CR 5-602 – CR 5-605, or a crime listed under CR 5-612 – CR 5-614.

NOTE: See PS 5-205 (c) for exceptions.

Effective 10/1/2016

PS 5-206
FELONY
15 YEARS
PRELIMINARY HEARING

1_1610

****RIFLE/SHOTGUN-POSS W/FEL CONV****

...did possess a [rifle/shotgun] after having been convicted of: _____. (choose from below)
1. a crime of violence as defined in PS 5-101(c);
2. a violation of [5-602/5-603/5-604/5-605/5-612/5-613/5-614] of the Criminal Law Article; or
3. _____(describe offense), an offense under the laws of [_____(state)/the United States] that would constitute a [crime/crime of violence] under _____(cite statute from options above), if committed in this state.

PS 5-406
MISDEMEANOR
PENALTY:
Manuf. For Dist/Sale
$10,000.00

1_0575

****DIS/SAL HANDGUN OFF ROSTER****

...did manufacture for [distribution/sale] a handgun not included on the handgun roster in this State, to wit:_____(described).

PS 5-406
MISDEMEANOR
PENALTY:
Selling/Offer for Sale
$2,500.00

1_0576

****SAL HNDGUN NO ROSTER MFG 85****

...did [sell/offer for sale] a handgun manufactured after January 1985 that is not on the handgun roster in the State, to wit: _____(describe).

Effective 10/1/2016

Interference, Obstruction, False Representation

PS 6-602(b)
MISDEMEANOR
3 YEARS

2_0249

****OBSTRUCT FIRE MARSH INVEST****

...did willfully [interfere with/obstruct] the [State Fire Marshal/a Deputy State Fire Marshal/a Special Assistant State Fire Marshal/a Special Deputy Fire Marshal] to wit: _____ (name), in the course of [conducting an inspection/investigating a fire/explosion].

PS 6-602(c)
MISDEMEANOR
3 YEARS

4_5398

****PERSONATN MD FIRE OFFICIAL****

...did falsely represent himself as being a [State Fire Marshal/sworn employee of the office of the State Fire Marshal] with fraudulent design on the [person/property] of _____.

PS 7-402(a)
MISDEMEANOR
3 YEARS

4_5399

****OBSTRUCT FIREFIGHTERS ETC.****

...did willfully [interfere with/obstruct] the [State Fire Marshal/a Deputy State Fire Marshal/a Special Assistant State Fire Marshal/a Special Deputy State Fire Marshal/fire fighter/rescue squad member/emergency services personnel], to wit: _____ (name), who was [fighting a fire/performing emergency services/proceeding to [a fire/an emergency]].

Effective 10/1/2016

PS 7-402(b)
MISDEMEANOR
3 YEARS

1_0165

****PERS: MEMBER EMERG SQUAD****

...did falsely represent himself as a member of a [paid/volunteer] [fire department/rescue squad/emergency service unit] of _____ [state/county/city/municipal corporation] with fraudulent design on the [person/property] of _____.

PS 7-402(c)
MISDEMEANOR
3 YEARS

4_5397

****PERSONATION-U/U UNIFORM****

...did have, wear, use and display without proper authority, for the purpose of deception, [an authentic/a simulated/an imitation] [uniform/shield/button/ornament/identification/shoulder patch] adopted by [the Office of the State Fire Marshal/a [paid/volunteer] [fire department/rescue squad/emergency service unit].

Effective 10/1/2016

Permits to Discharge or Sell

PS 10-104(a)(1)
MISDEMEANOR
$250.00 EACH OFFENSE

1_0016

****FIREWORKS DISCHARGE W/O PERMIT****

...did discharge fireworks without required permit.

PS 10-104(a)(2)
MISDEMEANOR
PENALTY SEC. 10-111
$250.00 EACH OFFENSE

1_0021

****FIREWORKS POSS. W/O PERMIT****

...did possess [with intent to discharge/with intent to permit the discharge of/for the purpose of disposal/for the purpose of sale to persons] fireworks, without the required permit.

PS 10-110(b)(1)
MISDEMEANOR
PENALTY SEC. 10-111
$1,000.00 EACH OFFENSE

1_0029

****FIREWORKS: SALE W/O PERMIT****

...did sell fireworks to _____ without the required permit.

NOTE: Section does not apply to sale by a manufacturer licensed by the State Fire Marshal to certain distributors, etc.

NOTE: Refer to PS 10-101 for definition of of fireworks.

Effective 10/1/2016

PS 10-112
MISDEMEANOR
$1,000.00

1_1097

****SPARKLERS - SALE****

...did sell [sparklers/sparkling devices (name)], to a person under the age of 16 years.

PS 10-113(b)
MISDEMEANOR
$1,000.00 - 1 YEAR

1_1098

****SPARKLERS-MANUFACTURE****

...did fail to register as a [distributor/wholesaler] of [sparklers/sparkling devices] who [conducts business in/sells, ships and assigns] in the State of Maryland.

Effective 10/1/2016

REAL PROPERTY ARTICLE

Fee/Other Consideration Obtaining Settlement, etc.

RP 14-127
MISDEMEANOR
$1,000.00 - 6 MONTHS

1_7099

****REAL EST.-ILL SETTLMNT FEE****

…did having a connection with the settlement of real estate transactions involving Maryland land, [pay to/receive from] ____ (name) _____ (consideration) for the purpose of [arranging a real estate settlement/soliciting/obtaining/retaining] real estate settlement business] involving Maryland land

Note: A "consideration" includes:

1. A fee;

2. Compensation;

3. A gift

4. A thing of value

5. A rebate

6. A loan; or

7 An advancement or a commission or deposit money

Effective 10/1/2016

TRANSPORTATION ARTICLE

Firearms or Explosives Aboard Aircraft

TR 5-1008
FELONY
10 YEARS
PRELIMINARY HEARING

2_5203

****FIREARM EXPLSIV ON AIRCRFT****

...did have on and about his person a [firearm/explosive], to wit: _____, while [aboard/boarding/attempting to board] an aircraft engaged in certified air commerce services, without being specifically authorized to do so by State or Federal law.

NON-BARCODED CHARGES

THE FOLLOWING CHARGES ARE MUST APPEAR VIOLATIONS. NO CJIS CODES ARE ASSIGNED AS THIS IS A CITATION EVENT.

Possession of Motor Vehicle Master Key

TR 14-103
MISDEMEANOR
$500.00 - 1 YEAR

...did unlawfully have in his possession a motor vehicle master key adapted for and capable of opening and operating any motor vehicle in the State.

Effective 10/1/2016

Vehicle With Incorrect Odometer

TR 18-104
MISDEMEANOR
$500.00 - 6 MONTHS

...did, with intent to defraud, rent to _____ a motor vehicle, to wit: _____, knowing that the odometer did not correctly record actual mileage accumulated.

...did rent to _____, a motor vehicle and did deceive said person as to the distance actually traveled during the rental period.

Persons Under Influence of Alcohol or Drugs

TR 18-105
MISDEMEANOR
$520.00

...did rent a motor vehicle to _____, knowing the said person was under the influence of alcohol and drugs at the time of the transaction.

Unauthorized Use of Rented Motor Vehicle

TR 18-106
MISDEMEANOR
$500.00 - 2 MONTHS

...did, as a lessee, knowingly permit a person to operate a rented motor vehicle, having agreed not to permit any other person to operate that vehicle and without having the consent of the lessor or his agent.

Effective 10/1/2016

Alcoholic Beverages - Consumption

TR 21-903
MISDEMEANOR
$520.00

...did consume an alcoholic beverage while driving a motor vehicle on a highway of this State.

Effective 10/1/2016