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## **NEW 2013 CHARGES IN THE MANUAL**

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# COMMON LAW

**MISDEMEANOR  
ANY SENTENCE THAT IS  
NOT CRUEL OR  
UNUSUAL PUNISHMENT**



**\*\*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**



**\*\*FALSE IMPRISONMENT\*\***

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

**MISDEMEANOR  
ANY SENTENANCE THAT  
IS NOT CRUEL OR  
UNUSUAL PUNISHMENT**



**\*\*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.

**MISDEMEANOR  
ANY SENTENCE THAT IS  
NOT CRUEL OR  
UNUSUAL PUNISHMENT**



**\*\*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.

## **ARTICLE 2B - ALCOHOLIC BEVERAGES**

**Mfgr., Etc., Have No Interest in Retail  
Establishment, Etc.**

**2B 12-104  
MISDEMEANOR  
\$10,000.00 - 2 YEARS**



**\*\*ALC BEV ILLGL FINANCL INTR\*\***

...did unlawfully have a financial interest in \_\_\_\_\_, a retail alcoholic establishment, while being [the holder/the agent of the holder] of a [manufacturer's/wholesaler's] liquor license [a distiller / a non-resident dealer/ a brewer/a blender/ a bottler] of alcoholic beverages].

**2B 12-104**  
**MISDEMEANOR**  
**\$1,000.00 - 2 YEARS**



**\*\*ALC BEV ILL LOAN MONEY ETC\*\***

...did unlawfully lend [\$\_\_\_\_\_ (money)/\_\_\_\_\_ (other thing of value)] to \_\_\_\_\_, a retail alcohol dealer, while being [the holder/the agent of the holder] of a [manufacturer's/wholesaler's] liquor license [a distiller / a non-resident dealer/ a brewer/a blender/ a bottler] of alcoholic beverages].

**2B 12-104**  
**MISDEMEANOR**  
**\$1,000.00 - 2 YEARS**



**\*\*ALCH BEV: ILLEGAL SIGN\*\***

...did unlawfully furnish a sign, display, and advertisement exceeding \$50.00 in value, to \_\_\_\_\_, a retail liquor establishment while being a [brewer/wholesaler] of beer and malt beverage products.

**2B 12-104**  
**MISDEMEANOR**  
**\$1,000.00 - 2 YEARS**



**\*\*ALCOHOL BEVE-ILL GIFT ETC\*\***

...did unlawfully make a gratuity and a gift to \_\_\_\_\_, a retailer alcohol dealer, while being [the holder/the agent of the holder] of a [manufacturer's/wholesaler's] liquor license [a distiller / a non-resident dealer/ a brewer/a blender/ a bottler] of alcoholic beverages].

**2B 16-505.1(b)(1)  
MISDEMEANOR  
\$1,000.00**



**\*\*USE AWOL MACHINE\*\***

... did use an AWOL machine to [inhale alcohol vapor/introduce alcohol into the body].

**2B 16-505.1(b)(2)  
MISDEMEANOR  
\$1,000.00**



**\*\*POSSESS/USE AWOL MACHINE\*\***

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

**2B 16-506  
MISDEMEANOR  
\$10,000.00 - 5 YEARS**



**\*\*ALC BEV TAX STAMPS FORGE\*\***

...did unlawfully counterfeit and forge the [tax stamps/certificates] required for alcoholic beverages by State law.



**2B 16-506  
MISDEMEANOR  
\$10,000.00 - 5 YEARS**



\* 1 0 3 4 8 \*

**\*\*ALC BEV: TAXES EVADE\*\***

...did unlawfully evade and participate in the evasion of the payment of alcohol taxes required by State law.

**2B 16-506  
MISDEMEANOR  
\$10,000.00 - 5 YEARS**



\* 6 4 1 0 0 \*

**\*\*ALC BEV/TAX UNPAID: EVASN\*\***

...did knowingly and willfully [possess/transport/sell/offer for sale/permit to be kept on his premises] alcoholic beverages, to wit: \_\_\_\_\_, on which Maryland taxes had not been paid.

**Prohibited Acts, etc.**

**2B 19-101  
PENALTY SEC. 19-102  
MISDEMEANOR  
\$100.00 - 90 DAYS**



\* 1 0 3 4 9 \*

**\*\*ALC BEV./RETAIL AREA DRINK\*\***

...[was intoxicated/did consume alcoholic beverages] [in/at] \_\_\_\_\_, a public place, and did cause a public disturbance [therein/thereat].

**DISORDERLY INTOXICATION**

**2B 19-101  
PENALTY SEC. 19-102  
MISDEMEANOR  
\$100.00 - 90 DAYS**



**\*\*ALC. BEV./INTOX: ENDANGER\*\***

...was intoxicated and did endanger [the safety of \_\_\_\_\_/the property of \_\_\_\_\_].

Note: This section refers to the safety of another.

**2B 19-202  
PENALTY SEC. 19-204  
MISDEMEANOR  
\$100.00**



**\*\*ALC BEV./RETAIL AREA DRINK\*\***

...did consume alcoholic beverages on the [mall/adjacent parking lot/grounds] of \_\_\_\_\_, a retail establishment, without the authorization of the owner thereof.

**2B 19-202  
PENALTY SEC. 19-204  
MISDEMEANOR  
\$100.00**



**\*\*ALC BEV/VEH PUB PROP DRINK\*\***

...did consume alcoholic beverages in a vehicle parked on public property, to wit: \_\_\_\_\_, without the authorization of the entity having jurisdiction thereover.

SEE NOTE 1.

**2B 19-202  
PENALTY SEC. 19-204  
MISDEMEANOR  
\$100.00**



**\*\*ALC BEV RETL EST DRINK\*\***

...did consume alcoholic beverages in a vehicle parked on the [parking lot/grounds] of \_\_\_\_\_, a retail establishment, without the authorization of the owner thereof.

NOTE 2: For purposes of this section, a retail establishment is defined as a shopping center to which the general public is invited.

This section does not apply if the passengers of the vehicle are in the living quarters of a mobile home with central heating and toilets, or to passengers in transit via a chartered bus, if the owner of the bus consents.

Check the statute and public local laws for additional provisions relevant to this subject which might apply to your locality.

DRINKING IN CERTAIN PLACES**Places Prohibited**

**2B 19-202**  
**PENALTY SEC. 19-204**  
**MISDEMEANOR**  
**\$100.00**

**\*\*ALC BEV/PROHIB PLACE DRINK\*\***

...did unlawfully consume an alcoholic beverage on public property, to wit: \_\_\_\_\_ (location and description, see note) without authorization from \_\_\_\_\_, the governmental agency having jurisdiction over said property.

NOTE 1: In description of location for this charge, give address or location, and give the nature of the Public property. Public property includes buildings, grounds, parks, streets, highways, alleys, sidewalks, stations, terminals, roadways, and parking areas on land owned, leased, or operated by the State, a County, a municipality or other local subdivision, or any governmental agency. In order for probable cause to be found, there must be some factual indication that the property was public property.

**Alcohol - Open Container**

**2B 19-301**  
**PENALTY SEC. 19-302**  
**MISDEMEANOR**  
**\$100.00**

**\*\*ALC BEV OPEN CONT RETL EST\*\***

...did possess in an open container an alcoholic beverage while in a parked vehicle on the [parking lot/grounds] of \_\_\_\_\_, a retail establishment, without the authorization of the owner of said establishment.

NOTE: This section applies only in Caroline, Carroll, Harford, Montgomery, Prince George, and Wicomico Counties.

**2B 19-301  
PENALTY SEC. 19-302  
MISDEMEANOR  
\$100.00**



**\*\*ALC BEV/OPEN CONT/RETL EST\*\***

...did possess in an open container an alcoholic beverage while on [mall/adjacement parking area/ground] of \_\_\_\_\_. a privately owned retail establishment, without the authorization of the owner of said establishment.

**FRAUD**

**2B 22-101  
MISDEMEANOR  
\$500.00 - 1 YEAR**



**\*\*BEER/FAKE MKE/SELL AS REAL\*\***

...did [manufacture, sell and offer for sale/permit another to sell and offer for sale] a \_\_\_\_\_ (type of drink) not having been brewed and fermented as such.

**Beer-Mrg. or Sale, Etc.**

**2B 22-101  
MISDEMEANOR  
\$500.00 - 1 YEAR**



**\*\*BEER/COLORED SELL AS OTHER\*\***

...did [offer for sale/sell/permit to sell] beer, to which coloring matter and porterine had been added, representing the same by other than its proper name.

# AGRICULTURE ARTICLE

## Opening Gate of Another's Pasture, etc.

**AG 3-701**  
**MISDEMEANOR**  
**\$500.00 - 1 YEAR**



\* 2 2 9 0 0 \*

**\*\*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.).

# **BUSINESS OCCUPATIONS & PROFESSIONS ARTICLE**

## **Lawyers - Written Solicitation of Clients**

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



### **\*\*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.

# **BUSINESS REGULATIONS ARTICLE**

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



**\*\*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**



**\*\*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



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



**\*\*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**



**\*\*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**



**\*\*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

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



**\*\*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**



**\*\*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].

## Acting/Selling W/O License



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

**\*\*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.



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

**\*\*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.



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

**\*\*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).

## Misc. Prohibited Acts

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



### **\*\*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.

## Traders and Chain Stores

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



**\*\*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.

**BR 17-2103**  
**MISDEMEANOR**  
**\$300.00 – 30 DAYS**



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

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

# COURTS & JUDICIAL PROCEEDINGS

## ARTICLE

### PEACE ORDERS

#### **False Information**

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



**\*\*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**



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

...did fail to comply with an Order dated \_\_\_\_\_, issued under the Annotated Code of Maryland, Courts & Judicial Proceedings Article, that ordered the respondent to refrain from [committing or threatening to commit any of the acts specified in Section 3-1503(A) of said Courts & Judicial Proceedings Article against \_\_\_\_\_/contacting, attempting to contact, harassing \_\_\_\_\_/entering the residence of \_\_\_\_\_/remain away from the place of employment, school and temporary residence of \_\_\_\_\_].

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

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: Such an order may include any or all of the restrictions named, and may be violated in several ways by one section. Example: going to the petitioner's place of employment and assaulting petitioner. Use all applicable choices joined by the word "and." HOWEVER, each separate chronological incident is a separate offense.

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.

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



**\*\*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 departs 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.



# COMMERCIAL LAW ARTICLE

## **False Advertisements - Merchandise Etc./Part of Scheme Not to Sell at Advertise Price**

**CL 14-2903  
MISDEMEANOR  
\$500.00 - 1 YEAR**



### **\*\*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".

# 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**



**\*\*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(b)**  
**MISDEMEANOR**  
**\$5,000.00 - 5 YEARS**



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

...did wilfully fail to surrender within 30 days following \_\_\_\_  
(date), the date of forfeiture 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].

**CP 5-211(b)  
MISDEMEANOR  
\$1,000.00 - 1 YEAR**



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

...did wilfully fail to surrender within 30 days following \_\_\_\_\_ (date), the date of forfeiture and 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**



**\*\*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**



**\*\* 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.

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



**\*\*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)

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



**\*\*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).

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



\* 1 1 4 7 8 \*

**\*\*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 1 4 7 9 \*

**\*\*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 0 7 1 3 \*

**\*\* 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.

# 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 1 4 8 0 \*

**\*\*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 1<sup>st</sup> or murder 2<sup>nd</sup>.

NOTE: The statute violated must be a felony.

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



\* 1 0 7 7 4 \*

**\*\*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 0 7 7 6 \*

**\*\*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.

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.

## First Degree Murder

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



**\*\*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**



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

...did feloniously and with malice aforethought, kill and murder \_\_\_\_\_.



**CR 2-205  
 FELONY  
 LIFE  
 SUB. CONVICTION,  
 ENHANCED PENALTY  
 PRELIMINARY HEARING  
 RELEASE RESTRICTION**



\* 2 0 9 1 0 \*

**\*\*ATT 1ST DEG. MURDER\*\***

...did feloniously, willfully, and of deliberately premeditated malice aforethought, attempt to kill and murder \_\_\_\_\_.

**CR 2-206  
 FELONY  
 30 YEARS  
 SUB. CONVICTION,  
 ENHANCED PENALTY  
 PRELIMINARY HEARING  
 RELEASE RESTRICTION**



\* 2 0 9 2 0 \*

**\*\*ATT 2ND DEG. MURDER\*\***

...did feloniously and with malice aforethought, attempt to kill and murder \_\_\_\_\_.

MANSLAUGHTER**Generally**

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



\* 1 0 9 1 0 \*

**\*\*MANSLAUGHTER\*\***

...did, feloniously, without malice aforethought, kill and slay  
 \_\_\_\_\_.

NOTE: This section may not be used when the killing resulted unintentionally from the negligent operation of a motor vehicle or boat. In that event, the proper statute to use is Sec. 2-209. 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 SECTION.

**By Automobile, Boat, Etc.**

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



\* 1 0 9 0 9 \*

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

...did, unlawfully, in a grossly negligent manner, kill and slay  
 \_\_\_\_\_.

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.

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

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



\* 1 1 6 1 1 \*

...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.

**Homicide by MV/Vessel While Under the Influence**

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



\* 1 0 9 0 0 \*

**\*\*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.

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



\* 1 0 6 9 3 \*

**\*\*NEG HMCD-AUTO/BOAT-WHILE IMPAIRED\*\***

...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.

## Homicide by Motor Vehicle/Vessel Impaired-Drugs

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



**\*\*NEG HMCD-AUTO/BOAT-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.

## Homicide by Motor Vehicle/Vessel While Impaired-CDS.

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



**\*\*NEG HMCD-AUTO/BOAT-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: District Court has jurisdiction on these felonies.

**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 0 1 7 5 \*

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

...did, with purpose of assisting \_\_\_\_\_(name) to  
 [commit/attempt to commit] suicide, knowingly cause, by  
 coercion, duress or 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 0 1 8 0 \*

**\*\*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.

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



**\*\*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**



**\*\*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**



**\*\*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.

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



**\*\*ASSAULT SEC DEG –LAW ENFORCEMENT  
OFFICER, PAROLE/PROBATION AGENT\*\***

...did intentionally cause physical injury in the second degree to \_\_\_\_\_ (name), a [law enforcement officer/parole agent/probation agent] engaged in the performance of [his/her] official duties, in violation of CR 3-203.

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.

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



**\*\*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).

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



**\*\*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**



**\*\*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.



ASSAULT BY INMATES**On Division of Correction Employee, etc.**

**CR 3-210  
FELONY  
25 YEARS  
PRELIMINARY HEARING  
RELEASE RESTRICTION**

**\*\*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**

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

...did assault in the second degree, \_\_\_\_\_ (name), an  
[inmate/employee] of the [Division of Correction/Patuxent  
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.

**Life Threatening Injury by Motor Veh/Boat while Under Influence**

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



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

...unlawfully, as a result of [his/her] negligent driving, operation, and 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.

**Life Threatening Injury by Motor Veh/Boat While Impaired**

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



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

...unlawfully, as a result of [his/her] negligent driving, operation, and 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.

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

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



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

...unlawfully, as a result of [his/her] negligent driving, operation, and 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.

**Life Threatening Injury by Motor Veh/Boat Impaired-CDS**

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



**\*\*LIFE THRT INJ/VEH-BOAT/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 cause a life threatening injury to \_\_\_\_\_ (name of victim) against the peace, government, and dignity of the state.

POISON

**CR 3-213  
FELONY  
10 YEARS  
PRELIMINARY HEARING**



**\*\*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**



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

...did knowingly and willfully [contaminate/attempt to contaminate] the waters of a [well/spring/brook/lake/pond/stream/river/reservoir/source of water supply] used for drinking and domestic purposes by means of \_\_\_\_\_ (describe contaminant).

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



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

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

### 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 possibility 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*

## 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 mentally defective, 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.

## First Degree Rape

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



**\*\*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)*

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 seek imposition of mandatory minimum term of imprisonment. A court may not 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.



## Second Degree Rape

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



**\*\*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).)

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.

### First Degree Sexual Offense

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



**\*\*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.

## Second Degree Sexual Offense

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



### **\*\*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 mentally defective, 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.

## Sexual Offense Third Degree

**CR 3-307  
FELONY  
10 YEARS  
PRELIMINARY HEARING**



**\*\*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 mentally defective, 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.

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



**\*\* SEX OFF 4<sup>TH</sup> 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**



**\*\* SEX OFF 4<sup>TH</sup> 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.

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



**\*\* SEX OFF 4<sup>TH</sup> 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.

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



**\*\* SEX OFF 4<sup>TH</sup> –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”.

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

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



**\*\* SEX OFF 4<sup>TH</sup> –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.

**CR 3-309  
FELONY  
LIFE  
PRELIMINARY HEARING  
RELEASE RESTRICTION**



\* 2 1 1 2 0 \*

**\*\*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 1 1 1 0 \*

**\*\*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.



ATTEMPTED SEXUAL OFFENSES**Attempted First Degree Sex Offense**

**CR 3-311  
FELONY  
LIFE  
PRELIMINARY HEARING  
RELEASE RESTRICTION**



**\*\*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**



**\*\*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.

## Sexual Offenses by Correctional Employee

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



**\*\*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**



**\*\*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 3-315  
FELONY  
30 YEARS**



**\*\*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**



**\*\*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**



**\*\*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 bestiality.

**Carnal Knowledge of Another - Degrees of  
Consanguinity Etc. Prohibited**

**CR 3-323  
FELONY  
10 YEARS  
PRELIMINARY HEARING**



**\*\*INCEST\*\***

...did knowingly have carnal knowledge of \_\_\_\_ (name),  
[his/her] \_\_\_\_ (state relationship), such relationship being  
within the degrees of consanguinity within which marriage is  
prohibited.

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

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



**\*\*SEXUAL SOLICITATION 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.

**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 0 7 0 0 \*

**\*\*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 0 7 0 5 \*

**\*\*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.

CARJACKING**Carjacking**

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



\* 1 0 8 2 5 \*

**\*\*CARJACKING\*\***

...did obtain unauthorized possession and 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 0 8 2 6 \*

**\*\*ARMED CARJACKING\*\***

...did obtain unauthorized possession and 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.

**KIDNAPPING****Generally**

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

**\*\*KIDNAPPING\*\***

...did forcibly and fraudulently carry and cause to be carried a certain person, to wit: \_\_\_\_\_ (name) with the intent to have the said person carried and 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).

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



**\*\*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 principals.

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.



ABDUCTION**Child Under 12**

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



\* 1 1 0 0 5 \*

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

...did, without the color of right and against the consent of the [parent/lawful guardian] forcibly abduct, take and carry away, persuade, and entice \_\_\_\_\_ (name), a child under the age of 12 from his/her [home and usual place of abode/the custody and control of his/her parents/guardian], with the intent to deprive the [parent/guardian] of the custody, care, and control of \_\_\_\_\_(name of victim).

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



\* 1 0 1 6 3 \*

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

...did knowingly secrete and harbor \_\_\_\_\_ (name), a child under the age of 12, who had been forcibly abducted, taken carried away and persuaded, and enticed from [his/her home and usual place of abode/the custody and control of his/her parent/ guardian] without the color of right and against the consent of the [parent/guardian] with the intent to deprive the [parent/guardian] of the custody, care, and control of \_\_\_\_\_(name of victim).

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

## 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 child's health or welfare is harmed or threatened thereby; whether physical injuries are sustained or not.

3. Sexual abuse means any act that involves sexual molestation or exploitation of a child 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)

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



**\*\*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**



**\*\*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.

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



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

...did cause abuse to \_\_\_\_\_, a child under 18 years of age, the defendant having [permanent/temporary] care,custody, and responsibility for the supervision of, said child, in violation of CR 3-601(d) of the Annotated Code of Maryland.

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



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

...did cause abuse to \_\_\_\_\_ (name), a child under 18 years of age, the defendant being a [parent of the child/other person: to wit \_\_\_\_\_], in violation of CR 3-601(d) of the Annotated Code of Maryland.

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



**\*\*SEX ABUSE MINOR\*\***

...did cause sexual abuse to \_\_\_\_\_ (name), a minor, the defendant being [parent/other person], to wit: \_\_\_\_\_ (position) who has [permanent/temporary] [care/custody/responsibility for supervision] of \_\_\_\_\_ (name).

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



**\*\*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**



**\*\* 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**



**\*\*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].

**VULNERABLE ADULT ABUSE OR NEGLECT****Causing Abuse or Neglect of Vulnerable Adult**

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



\* 2 1 1 3 8 \*

**\*\*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.

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



\* 1 0 4 6 6 \*

**\*\*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.

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



**\*\*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 rehabilitative 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.

## Hazing Students Prohibited

**CR 3-607**  
**MISDEMEANOR**  
**\$500.00 - 6 MONTHS**



\* 1 0 1 0 3 \*

**\*\*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 1 0 0 2 \*

**\*\*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.



**CR 3-609(a)  
MISDEMEANOR  
3 YEARS**



**\*\*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)(1)(2)  
MISDEMEANOR  
\$1,000- 18 MOS**



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

...did [obtain/attempt to obtain/conspire with \_\_\_\_\_ (name) to obtain] by [actual/threat of] [force/violence/economic injury] [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)(1)(2)  
FELONY  
\$10,000 - 10 YRS  
PRELIMINARY HEARING**



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

...did [obtain/attempt to obtain/conspire with \_\_\_\_\_ (name) to obtain] by [actual/threat of] [force/violence/economic injury], [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.

**CR 3-701(b)(1)(2)**  
**FELONY**  
**\$15,000 - 15 YRS**  
**PRELIMINARY HEARING**



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

...did [obtain/attempt to obtain/conspire with \_\_\_\_\_ (name) to obtain] by [actual/threat of] [force/violence/economic injury], [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)(1)(2)**  
**FELONY**  
**\$25,000 - 25 YRS**  
**PRELIMINARY HEARING**



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

...did [obtain/attempt to obtain/conspire with \_\_\_\_\_ (name) to obtain] by [actual/threat of] [force/violence/economic injury], [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**



**\*\*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.

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



\* 1 1 2 1 0 \*

**\*\*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 1 2 1 1 \*

**\*\*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  
\$15,000 - 15 YRS  
PRELIMINARY HEARING**



**\*\*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**



**\*\*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.

**Extortion by State or Local Officer of Employee-Generally**

**CR 3-702**  
**MISDEMEANOR**  
**\$500.00 -18 MOS**



\* 1 1 2 1 4 \*

**\*\*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 1 2 1 5 \*

**\*\*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 1 2 1 6 \*

**\*\*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).

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



**\*\*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**



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

...did, being \_\_\_\_\_ (defendant's position, see note) of \_\_\_\_\_ (defendant's county or agency, see note), by force, intimidation, and 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.

## Extorting by False Accusation

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



\* 1 1 7 0 0 \*

### **\*\*EXTORT INT/FALS ACCUSATION\*\***

...[did/did threaten to] falsely accuse \_\_\_\_\_ (victim) of a crime,  
 to wit: \_\_\_\_\_, with the intent to extort  
 [money/property/labor/services/anything of value] from said  
 victim.

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



\* 1 1 7 0 1 \*

### **\*\*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 1 7 0 2 \*

### **\*\*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.

**CR 3-705(a)(1)  
FELONY  
\$10,000.00 - 10 YEARS  
PRELIMINARY HEARING**



\* 1 1 7 0 3 \*

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

...did verbally threaten to accuse \_\_\_\_\_(name) of \_\_\_\_\_  
(indictable crime) with the intent to extort and gain  
[money/property/labor/services/anything of value] from said  
person.

**Extortion Verbal Threat**

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



\* 1 1 7 0 4 \*

**\*\*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.



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**

**\*\*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**

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

...did knowingly [send/deliver/make for the purpose of being sent/did part with the possession of] a letter and writing to \_\_\_\_\_ (name victim) threatening to accuse said person of \_\_\_\_\_ (accusation) which, if true would bring said person into disrepute and contempt, with the intent to gain and extort money, goods, and chattels from the said person.

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



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

...did knowingly [send/deliver/make for the purpose of being sent/did part with the possession of] a letter and writing to \_\_\_\_\_ (recipient or addressee) threatening said person with injury to the person and property of \_\_\_\_\_ (recipient, addressee or third party), with the intent to extort and gain money, goods, and chattels from said person.

**Coercing/Intimidating Another Contribute/Donate**

**CR 3-707**  
**MISDEMEANOR**  
**\$100.00 - 90 DAYS**



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

...did engage in \_\_\_\_\_ (describe activity) with the intent to coerce and 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.

## Against State Officials To Injure, Kidnap Kill

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



**\*\*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**



**\*\*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.

HARASSMENT AND STALKING**Stalking**

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

**\*\*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 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.

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

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**



**\*\*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/and 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.

**CR 3-803  
MISDEMEANOR  
\$500.00 - 90 DAYS**



**\*\*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**



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

...did use telephone facilities and 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.

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



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

...did use telephone facilities and 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 cause 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**



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

...did use telephone facilities and 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.

## Electronic Mail

**CR 3-805**  
**MISDEMEANOR**  
**\$500.00 - 1 YEAR**



**\*\*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**



**\*\*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].



## Laser Pointers

**CR 3-806**  
**MISDEMEANOR**  
**\$500.00**



**\*\*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.

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



**\*\*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).

VISUAL SURVEILLANCE**Private Place**

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



**\*\*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**



**\*\*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."

## Private Residence

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



**\*\*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**



**\*\*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**



**\*\*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.

**LETTERS - WRONGFULLY OPENING****Opening Letters w/o Permission**

**CR 3-905  
MISDEMEANOR  
\$15.00 - 6 DAYS**



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

...did take and break open a letter addressed to

\_\_\_\_\_ (name), without [his/her] permission.

**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**



**\*\*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**



**\*\*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**



**\*\*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.

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



**\*\*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**



**\*\*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 Patuxent 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).

**CR 4-104**  
**MISDEMEANOR**  
**\$1,000.00**



**\*\*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.

**Sale, etc. Unlawful**

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

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

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

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**

**\*\*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:

\_\_\_\_\_.



**CR 4-107  
MISDEMEANOR  
\$5,000.00 - 5 YEARS**



\* 1 1 4 5 1 \*

**\*\*POSS ARMOR AFTR CONVICTION\*\***

...did possess bulletproof body armor after having been convicted of a drug trafficking crime in violation of CR 5-621A.

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



\* 1 1 4 4 9 \*

**\*\*POSS BULLETPROOF ARMOR\*\***

...did [use/possess/purchase] bulletproof 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 0 5 9 5 \*

**\*\*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.]

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



**\*\*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**



**\*\*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.

**HANDGUNS****CR 4-203  
MISDEMEANOR  
(PENALTY SEC. 4-203 (c))  
SEE NOTE: PENALTIES****\*\*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.

**CR 4-203  
MISDEMEANOR  
SEE NOTE: PENALTIES**



**\*\*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**



**\*\*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)*

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).

**FIREARMS****Demonstration in Public Place**

**CR 4-208(a)(1)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

**\*\*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**

**\*\*ASSAULT WEAPON ROSTER VIO\*\***

...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.

**CR 4-305**  
**PENALTY CR 4-306**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**



**\*\*DETACH MAG OVER 10 RND\*\***

...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**



**\*\*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.)

## Manufacturer's Register; Inspection of Stock

**CR 4-403  
MISDEMEANOR  
\$100.00**



**\*\*MCHNGUN: FAIL KEEP REGISTER\*\***

...did fail to maintain a register showing the serial number of all machine guns which he manufactured.

**CR 4-403(b)  
MISDEMEANOR  
\$100.00**



**\*\*MCHN GUN: FAIL SHOW REGISTER\*\***

...did, after demand by \_\_\_\_\_ (name and title of Police Officer, Marshal, or Sheriff) of \_\_\_\_\_ [county/city], refuse and fail to produce for inspection the register of machine guns required to be kept under CR 4-403 of the Annotated Code of Maryland.

NOTE: CR 4-403 applies to manufacturers only.



**Use for Crime**

**CR 4-404  
FELONY  
20 YEARS  
PRELIMINARY HEARING**

**\*\*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 includes perpetration or attempt to perpetrate murder, manslaughter, rape, kidnapping, mayhem, assault in the first degree, under CR 3-402 or 403, burglary in any degree, theft, and escape in the first degree.

## Use for Aggressive Purpose

**CR 4-405(a)**  
**MISDEMEANOR**  
**10 YEARS**



\* 1 1 3 1 4 \*

**\*\*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);
6. to wit: \_\_\_\_\_ (name crime other than crime of violence as defined in CR 14-101).

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 14-101, 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, using the

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.

NOTE EXCEPTIONS SET FORTH IN SECTION 4-402. sixth choice or wording.

**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 0 7 2 0 \*

**\*\*DEST DEVICE MAN/POS/DIST\*\***

...did

knowingly[manufacture/transport/possess/control/store/sell/

distribute/use] \_\_\_\_\_ a destructive device.

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.

**CR 4-503(a)(2)**  
**FELONY**  
**\$250,000.00 - 25 YEARS**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**



**\*\*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.

**HEALTH - CONTROLLED DANGEROUS SUBSTANCES**

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.

### **Schedules I & II - Order Forms Required for Distribution**

**CR 5-303(d)  
MISDEMEANOR  
\$100,000.00 - 2 YEARS**



**\*\*CDS-DISTRIBUTE\*\***

...did distribute a [controlled dangerous substance/controlled dangerous substance analogue] of schedule \_\_\_\_, to wit: \_\_\_\_, the defendant not [being a registrant/acting pursuant to a proper order form].

NOTE: This section applies only to Controlled Dangerous Substances of Schedules I and II.

### **Opiates-Without Prescription Schedule II**

**CR 5-501  
MISDEMEANOR  
1ST: \$1,000.00  
2ND: \$2,000.00  
MORE THAN 2ND  
OFFENSE - 18 MONTHS**



**\*\*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.

**CR 5-601  
MISDEMEANOR  
\$25,000.00 - 4 YEARS**



**\*\*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**



**\*\*CDS: ADMINISTER - MARIJUANA\*\***

...did administer to \_\_\_\_\_ (name) a controlled dangerous substance of schedule \_\_\_\_\_, to wit: \_\_\_\_\_.

**CR 5-601(a)(1)  
MISDEMEANOR  
\$1,000.00 - 1 YEAR**



**\*\*CDS: POSSESSION –MARIJUANA \*\***

...did possess a controlled dangerous substance of Schedule I, to wit: Marijuana.

**CR 5-601(a)(1)  
MISDEMEANOR  
\$500.00 – 90 days**



**\*\*CDS: POSSESSION –MARIJUANA L/T 10 GRAMS \*\***

...did possess a controlled dangerous substance of schedule I, to wit: Marijuana, in the amount less than 10 grams.

NOTE: Unless specifically charged by the State, the use or possession of less than 10 grams of marihuana under CR 5-601 (c)(2)(II)(1) may not be considered a lesser included crime of any other crime.

**CR 5-601(a)(1)  
MISDEMEANOR  
\$25,000.00 - 4 YEARS**



**\*\*CDS: POSSESS-NOT MARIJUANA \*\***

...did possess a controlled dangerous substance of schedule \_\_\_\_\_, to wit: \_\_\_\_\_.

**CR 5-601(a)(2)**  
**MISDEMEANOR**  
**\$25,000.00 - 4 YEARS**



**\*\*CDS: OBTAIN BY FRAUD\*\***

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: \_\_\_\_/a controlled dangerous substance of Schedule \_\_\_\_, to wit: \_\_\_\_\_] by fraud, deceit, misrepresentation and subterfuge.

**CR 5-601(a)(2)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**



**\*\*OBTAIN MARIJUANA BY FRAUD\*\***

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: \_\_\_\_/a controlled dangerous substance of Schedule \_\_\_\_, to wit: \_\_\_\_\_] by fraud, deceit, misrepresentation and subterfuge.

**CR 5-601(2)(ii)**  
**MISDEMEANOR**  
**\$25,000.00 - 4 YEARS**



**\*\*CDS OBTN BY ALTER PRESCRIP\*\***

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: \_\_\_\_/a controlled dangerous substance of Schedule \_\_\_\_, to wit: \_\_\_\_\_] by [forging/altering] a [prescription/written order].



**CR 5-601(a)(2)(ii)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**



**\*\*MARIJUANA OBTN BY ALTR PRES\*\***

...did [obtain/attempt to obtain] [controlled paraphernalia, to  
wit: \_\_\_\_\_/a controlled dangerous substance of Schedule \_\_\_\_\_,  
to wit: \_\_\_\_\_] by [forging/altering] a [prescription/written  
order].

**CR 5-601(a)(2)(iii)(iv)**  
**MISDEMEANOR**  
**\$25,000.00 - 4 YEARS**



\* 1 0 2 5 0 \*

**\*\*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 0 5 7 1 \*

**\*\*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 0 2 5 1 \*

**\*\*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].

**CR 5-601(a)(2)(v)  
MISDEMEANOR  
\$1,000.00 - 1 YEAR**



**\*\*MARIJUANA 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**



**\*\*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.

**Unlawful Mfgr. Etc.; Counterfeiting, Etc.  
Possession, Etc Certain Equipment, Etc**

**CR 5-602  
FELONY  
\$15,000.00 - 5 YEARS  
PRELIMINARY HEARING  
RELEASE RESTRICTION**



**\*\*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.

**CR 5-602**  
**PENALTY SECTION 5-609**  
**FELONY**  
**\$20,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**



**\*\*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-phenylcyclohexylamine
2. 1-[1-phenylcyclohexy]-pyrrolidine
3. 1-[1-[2-thienyl]-cyclohexy]piperidine
4. Lysergic Acid Diethylamide

**CR 5-602  
FELONY  
PENALTY SECTION 5-609  
\$20,000.00 - 20 YEARS  
PRELIMINARY HEARING**



**\*\*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 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**



**\*\*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.

**CR 5-602(1)**  
**FELONY**  
**\$25,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**



**\*\*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**



**\*\*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.

**CR 5-603  
FELONY  
\$15,000.00 - 5 YEARS  
PRELIMINARY HEARING  
RELEASE RESTRICTION**



\* 1 0 6 6 0 \*

**\*\*MANUFACTURE CDS \*\***

...did unlawfully manufacture a controlled dangerous substance to wit: \_\_\_\_\_(describe).

NOTE: DO NOT USE FOR SCHEDULE I OR II NARCOTICS ( I.E., CRACK, COCAINE), LSD OR PCP.

**CR 5-603  
FELONY  
\$25,000.00 - 20 YEARS  
PRELIMINARY HEARING  
RELEASE RESTRICTION**



\* 1 0 6 6 1 \*

**\*\*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.

**CR 5-603  
FELONY  
PENALTY SECTION 5-609  
\$20,000.00 - 20 YEARS  
PRELIMINARY HEARING  
RELEASE RESTRICTION**



\* 1 0 6 6 2 \*

**\*\*MANUFACTURE CDS - PCP/LSD \*\***

...did unlawfully manufacture a controlled dangerous substance to wit: \_\_\_\_\_(describe).

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 0 2 3 7 \*

**\*\*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.



**CR 5-603  
PENALTY SECTION 5-609  
FELONY  
\$20,000.00 - 20 YEARS  
PRELIMINARY HEARING**



**\*\*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**



**\*\*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.

**CR 5-604  
FELONY  
\$15,000.00 - 5 YEARS  
PRELIMINARY HEARING  
RELEASE RESTRICTION**



\* 1 0 2 3 4 \*

**\*\*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 0 2 3 5 \*

**\*\*CDS/COUNTRFT POS W/INT DIS\*\***

...did possess with intent to distribute a counterfeit controlled dangerous substance of schedule \_\_\_\_, to wit: \_\_\_\_.

**CR 5-604  
FELONY  
\$15,000.00 - 5 YEARS  
PRELIMINARY HEARING  
RELEASE RESTRICTION**



\* 1 0 2 3 6 \*

**\*\*CDS/COUNTERFEIT: EQUIPMENT\*\***

...did manufacture, distribute or possess \_\_\_\_\_ (describe equipment) for the purpose of rendering [a drug/a counterfeit controlled dangerous substance].

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 0 2 3 4 \*

**\*\*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)(2)**  
**FELONY**  
**\$25,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**



\* 3 0 2 3 5 \*

**\*\*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(c)**  
**FELONY**  
**\$25,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**



\* 3 0 2 3 6 \*

**\*\*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 5-605  
PENALTY SECTION 5-607  
FELONY  
\$15,000.00 - 5 YEARS  
PRELIMINARY HEARING**



\* 1 0 2 3 8 \*

**\*\*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: 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.

**CR 5-605  
PENALTY SECTION 5-607  
FELONY  
\$15,000.00 - 5 YEARS  
PRELIMINARY HEARING**



\* 1 0 2 3 9 \*

**\*\*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].

**CR 5-605  
PENALTY SECTION 5-608  
FELONY  
\$20,000.00 - 20 YEARS  
PRELIMINARY HEARING**



\* 2 0 3 0 0 \*

**\*\*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 0 3 0 1 \*

**\*\*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: \_\_\_\_\_ .

**CR 5-605(a)(1)**  
**PENALTY SECTION 5-608**  
**FELONY**  
**\$20,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**



**\*\*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.

**CR 5-605(a)(2)**  
**PENALTY SECTION 5-608**  
**FELONY**  
**\$20,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**



**\*\*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**



**\*\*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 minimum sentence of 5 years imprisonment and a fine not exceeding \$100,000. There is no statutory maximum for imprisonment.



**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**



**\*\*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 minimum sentence of 5 years imprisonment and a fine not exceeding \$100,000. There is no statutory maximum for imprisonment.

**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 0 8 8 1 \*

**\*\*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 minimum sentence of 5 years imprisonment and a fine not exceeding \$100,000. There is no statutory maximum for imprisonment.

## Controlled Dangerous Substance Drug Kingpin

**CR 5-613**

**FELONY**

**\$1,000,000.00 20-40 YEARS**

**PRELIMINARY HEARING**

**RELEASE RESTRICTION**



**\*\*CDS-DRUG KINGPIN\*\***

...was then and there a drug kingpin and did occupy a position of organizer, supervisor, financier, and manager in a conspiracy with \_\_\_\_ (name), to manufacture, distribute, bring into the State, and transport in 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.

## Controlled Dangerous Substance Bring Into State

**CR 5-614**

**FELONY**

**\$50,000.00 - 25 YEARS**

**PRELIMINARY HEARING**



**\*\*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.]

**CR 5-614(b)  
FELONY  
\$10,000.00 - 10 YEARS  
PRELIMINARY HEARING**



**\*\*CDS: IMPORT 5 - 45 KILO MARI\*\***

...did unlawfully bring into this state at least five kilograms, and less than 45 kilograms of marijuana.

**CR 5-617  
FELONY  
\$15,000.00 - 5 YEARS  
PRELIMINARY HEARING**



**\*\*CDS: DIST CONTRFIT PCP/LSD\*\***

...did [create/distribute to \_\_\_\_\_] a counterfeit controlled dangerous substance of Schedule \_\_\_\_\_, to wit: \_\_\_\_\_, a counterfeit of \_\_\_\_\_ of Schedule \_\_\_\_\_ .

**CR 5-617  
FELONY  
\$20,000.00 - 20 YEARS  
PRELIMINARY  
HEARING**



**\*\*CDS: PW/I DIST CONTRFT PCP/LSD\*\***

...did possess with intent to distribute a counterfeit controlled dangerous substance of Schedule \_\_\_\_\_, to wit: \_\_\_\_\_, a counterfeit of \_\_\_\_\_, of Schedule \_\_\_\_\_ .

**CR 5-617  
FELONY  
\$20,000.00 - 20 YEARS  
PRELIMINARY  
HEARING**



**\*\*CDS: COUNTERFIT EQUIP: PCP/LSD\*\***

...did unlawfully[manufacture/distribute/possess] \_\_\_\_\_  
(describe equipment) for the purpose of rendering a controlled  
dangerous substance of Schedule \_\_\_\_\_, to wit: \_\_\_\_\_, a  
counterfeit controlled dangerous substance of \_\_\_\_\_, of  
Schedule \_\_\_\_\_ .

**CR 5-617(a)(1)  
FELONY  
\$15,000.00 - 5 YEARS  
PRELIMINARY HEARING**



**\*\*FAKE CDS DIST\*\***

...did [distribute to \_\_\_\_\_/attempt to distribute to \_\_\_\_\_/possess  
with the intent to distribute] a non-controlled substance upon  
the representation that the said substance was a controlled  
dangerous substance of Schedule \_\_\_\_\_, to wit: \_\_\_\_\_.

## Noncontrolled Substances Distribution

**CR 5-617(a)(2)**

**FELONY**

**\$15,000.00 - 5 YEARS**

**PRELIMINARY HEARING**



\* 1 0 2 4 6 \*

**\*\*FAKE CDS: POSS W/I DIST\*\***

...did [distribute to \_\_\_\_/ attempt to distribute to \_\_\_\_/  
possess with the intent to distribute] a non-controlled substance  
[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: \_\_\_\_\_].

**CR 5-618**

**MISDEMEANOR**

**\$500.00 - 1 YEAR**



\* 1 0 6 9 1 \*

**\*\*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.

**Controlled Dangerous Substance  
Paraphernalia/Use or Possession W/Intent to Use -  
Deliver/Sell, Etc. - Delivery to Minor -Advertise**

**CR 5-619(c)(1)  
MISDEMEANOR  
\$500.00  
SUB. OFFENSE  
\$2,000.00 - 2 YEARS**



**\*\*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: \_\_\_\_\_.

**CR 5-619(d)(1)  
MISDEMEANOR  
\$500.00  
SUB. OFFENSE  
\$2,000.00 - 2 YEARS**



**\*\*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: \_\_\_\_\_.



**CR 5-619(d)(4)**  
**MISDEMEANOR**  
**\$15,000.00 - 8 YEARS**



**\*\*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/r epack/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**



**\*\*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).

**CR 5-620**  
**FELONY**  
**\$25,000.00 - 4 YEARS**  
**MARIJUANA -**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**



\* 1 0 2 5 7 \*

**\*\*CDS MFG MATERIAL POSS/DIST\*\***

...did [possess/distribute to \_\_\_\_\_] controlled paraphernalia, to wit: \_\_\_\_\_ [lactose/quinine/mannite/mannitol/dextrose/sucrose/procaine hydrochloride/a substance suitable as a diluent or adulterant] in sufficient quantities and under circumstances to reasonably indicate illegal [manufacture/distribution/dispensing] of a controlled dangerous substance.

NOTE: A person who violates this section involving the use or possession of marijuana is subject to \$1,000.00 - 1 YEAR.

**CR 5-620(a)(2)**  
**MISDEMEANOR**  
**\$25,000.00 - 4 YEARS**



\* 1 0 2 5 5 \*

**\*\*CDS ADMIN EQUIP POSS/DIST\*\***

...did [possess/distribute to \_\_\_\_] controlled paraphernalia, to wit: \_\_\_\_ [hypodermic syringe/needle/instrument or implement adapted for administration of controlled dangerous substance by hypodermic injection].

**CR 5-620(a)(2)**  
**MISDEMEANOR**  
**\$25,000.00 - 4 YEARS**



**\*\*CDS PACK MATERL POSS/DISTR\*\***

...did [possess/distribute to \_\_\_\_\_] controlled paraphernalia, to wit: \_\_\_\_\_ [gelatin capsules/glassine envelopes/any container suitable for packaging individual quantities of controlled dangerous substance] in sufficient quantity to and under circumstances which reasonably indicate an intention to use any such item for the illegal [manufacture/distribution/dispensing] of any such controlled dangerous substance.

**CR 5-620(b)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**



**\*\*MARIJUANA PACKING POSS/DIS\*\***

...did [possess/distribute to \_\_\_\_] controlled paraphernalia, to wit: \_\_\_\_ [gelatin capsules/glassine envelopes/any container suitable for packaging individual quantities of controlled dangerous substance] in sufficient quantity to and under circumstances which reasonably indicate an intention to use any such item for the illegal [manufacture/distribution/dispensing] of any such controlled dangerous substance.

**CR 5-621(b)(1)  
FELONY  
20 YEARS  
PRELIMINARY HEARING**



**\*\*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: 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.

**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**



**\*\*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**



### **\*\*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.

## 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**



### **\*\*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.

**CR 5-623(b)(3)(4)(5)**  
**FELONY**  
**\$250,000.00 - 5 YEARS**  
**PRELIMINARY HEARING**



**\*\*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.

**CR 5-624(b)(1)**  
**MISDEMEANOR**  
**\$2,500.00 - 1 YEAR**



**\*\*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**



**\*\*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, mitigation, 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.



**CR 5-627(a)**  
**FELONY**  
**\$20,000.00 - 20 YEARS**  
**SUB OFFENSE \$40,000.00 -**  
**40 YEARS**  
**PRELIMINARY HEARING**



**\*\*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: 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**



**\*\*CDS: P W/I DIST: SCHL BUS/PROP\*\***

...did 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: 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.

**CR 5-628(a)(1)**  
**FELONY**  
**\$20,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**



**\*\*HIRE ETC MINOR: DIST CDS\*\***

...did unlawfully hire, solicit, engage, and use \_\_\_\_\_, a minor, on behalf of \_\_\_\_\_ (defendant), for the purpose of [manufacturing/distributing/delivering] a [controlled dangerous substance/controlled 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**



**\*\*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 felonies under CR 5-602 will qualify to permit a defendant to be charged under this section.

**CR 5-701(b)**  
**MISDEMEANOR**  
**\$1,000.00 - 2 YEARS**



\* 1 0 0 1 0 \*

**\*\*PRESC: ILLEGAL MANUFAC\*\***

...did unlawfully [manufacture/distribute] a prescription drug, to wit: \_\_\_\_\_.

**CR 5-701(d)(1)**  
**MISDEMEANOR**  
**\$1,000.00 - 2 YEARS**



\* 1 0 2 6 4 \*

**\*\*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 0 2 7 0 \*

**\*\*PRESCRIP/FALSE LABEL\*\***

...did unlawfully affix a [false/forged] label to a [package/container/other receptacle] containing a prescription drug.

**CR 5-701(d)(3)  
MISDEMEANOR  
\$1,000.00 - 2 YEARS**



**\*\*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**



**\*\*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**



**\*\*PRESC OBTN ALTER ORDER\*\***

...did unlawfully [obtain/attempt to obtain] \_\_\_\_\_, a prescription drug, by [forging/altering] a [prescription/written order].

**CR 5-701(d)(4)(iii)  
MISDEMEANOR  
\$1,000.00 - 2 YEARS**



**\*\*PRESC OBTN CONCEALMENT\*\***

...did unlawfully [obtain/attempt to obtain] \_\_\_\_\_, a prescription drug, by [concealing a material fact/using a false name and address].

**CR 5-701(d)(4)(v)  
MISDEMEANOR  
\$1,000.00 - 2 YEARS**



**\*\*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**



**\*\*PRESC OBTN MKE FORGERY\*\***

...did unlawfully [obtain/attempt to obtain] \_\_\_\_\_ a prescription drug, by [making/uttering] a [false/forged] [prescription/written order].

**CR 5-702(2)**  
**MISDEMEANOR**  
**\$500.00 - 12 MONTHS**



**\*\*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**



**\*\*CDS-UNSOLICIT MAILING\*\***

...did mail \_\_\_\_ [prescription drug/controlled dangerous substance/medicine] by bulk mail, addressed to ["resident"/"occupant"] \_\_\_\_ (name person) who did not request such drugs, etc., to be mailed to [him/her].

## Smelling/Inhaling Harmful Substance-Prohibited

**CR 5-708(b)(1)(2)**  
**MISDEMEANOR**  
**\$500.00 - 6 MONTHS**



### **\*\*CDS-INHALE HARM SUBSTANCE\*\***

...did willfully smell and 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**  
**\$500.00 - 6 MONTHS**



### **\*\*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.

**Smelling/Inhaling, Etc. Distribution/Possession  
W/Intent**

**CR 5-709(b)(1)(2)  
MISDEMEANOR  
\$1,000.00 - 18 MONTHS**



**\*\*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**



**\*\*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**



**\*\*DIST BUTANE CAN TO MINOR\*\***

...did distribute a butane canister to, \_\_\_\_\_ (name), a minor.



**CR 5-902(a)(1)  
MISDEMEANOR  
\$100,000.00 - 2 YEARS**



**\*\*CDS REGIS. REMOV/ALTR LABL\*\***

...did [omit/remove/alter/obliterate] \_\_\_\_\_ (symbol) required by federal law.

**CR 5-902(a)(2)  
MISDEMEANOR  
\$100,000.00 - 2 YEARS**



**\*\*CDS REGIS. RECORDS FAILURE\*\***

...did [refuse/fail] to make, keep and furnish a [record/ notification/order from/statement/invoice/information] required by Maryland Law.

**CR 5-902(a)(3)  
MISDEMEANOR  
\$100,000.00 - 2 YEARS**



**\*\*CDS REGIS REFUS AUTHR INSP\*\***

...did refuse to permit \_\_\_\_\_ (name), an authorized person, to enter premises required by law to be inspected.

**CR 5-902(a)(4)(i)(ii)**  
**MISDEMEANOR**  
**\$100,000.00 - 2 YEARS**



**\*\*CDS REGIS/NUISANCE LOCATN\*\***

...did, as a [registrant/authorized person], keep and 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 5-903(a)**  
**FELONY**  
**\$100,000.00 - 10 YEARS**



**\*\*CDS USE OF INV REGIS NMBR\*\***

...did 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: \_\_\_\_.

## Unlawful Acts - Registrants

**CR 5-904(a)**  
**MISDEMEANOR**  
**\$100,000.00 - 2 YEARS**  
**\$50,000.00 - CIVIL FINE**



**\*\*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**



**\*\*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**



**\*\*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.

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 6 5 0 0 \*

**\*\*ARSON-FIRST DEGREE\*\***

...did wilfully and maliciously set fire to and 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.

**CR 6-103  
FELONY  
\$30,000.00 - 20 YEARS  
PRELIMINARY HEARING  
RELEASE RESTRICTION**



**\*\*ARSON 2ND DEGREE\*\***

...did wilfully and maliciously set fire to and 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**



**\*\*MALICIOUS BURNING/1ST DEG\*\***

...did wilfully and maliciously set fire to and 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.

**CR 6-105(b)**  
**MISDEMEANOR**  
**\$500.00 - 18 MONTHS**



**\*\*MALICIOUS BURNING/2ND DEG\*\***

...did wilfully and maliciously set fire to and 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**



**\*\*MALICIOUS BURN/FRAUD\*\***

...did, with intent to defraud, set fire to and 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.

**CR 6-107**  
**MISDEMEANOR**  
**\$10,000.00 - 10 YEARS**



**\*\*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**



**\*\*ARSON-TRASH CONTAINER\*\***

...did wilfully and maliciously set fire to and 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.

## Burglary

**CR 6-202  
FELONY  
20 YEARS  
PRELIMINARY HEARING  
RELEASE RESTRICTION**



**\*\*BURGLARY-FIRST DEGREE\*\***

...did break and enter the dwelling house of \_\_\_\_\_ (owner, lessee, etc.), located at \_\_\_\_\_, with the intent to commit [theft/ 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 Part I.

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 6-203(a)  
 FELONY  
 15 YEARS  
 PRELIMINARY HEARING  
 RELEASE RESTRICTION**



**\*\*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.

**CR 6-203(b)  
FELONY  
20 YEARS  
PRELIMINARY HEARING  
RELEASE RESTRICTION**



**\*\*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.

**CR 6-204  
FELONY  
10 YEARS  
PRELIMINARY HEARING  
RELEASE RESTRICTION**



**\*\*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**



**\*\*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.

**CR 6-205(b)**  
**MISDEMEANOR**  
**3 YEARS**



**\*\*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.

**CR 6-205(c)**  
**MISDEMEANOR**  
**3 YEARS**



**\*\*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**



**\*\*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**



**\*\*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.

**CR 6-206(a)**  
**MISDEMEANOR**  
**3 YEARS**



**\*\*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**



**\*\*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].

**CR 6-207  
FELONY  
20 YEARS  
PRELIMINARY HEARING  
RELEASE RESTRICTION**



**\*\*BURGLARY WITH EXPLOSIVES\*\***

...did commit burglary in the [first/second/third] degree at \_\_\_\_\_ (location) and did [open/attempt to open] a vault, safe, or 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 deliberately 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.

**CR 6-208  
FELONY  
\$5,000.00 - 5 YEARS  
PRELIMINARY HEARING**



**\*\*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.



**CR 6-301  
MISDEMEANOR  
\$500.00 - 60 DAYS**



**\*\*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**



**\*\*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**



**\*\*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.

**Throwing Missiles - Occupied Vehicle of  
Instrumentality of Public Transportation**

**CR 6-302  
MISDEMEANOR  
\$500.00 - 1 YEAR**



**\*\*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.

**Electric Companies -Unauthorized Connections,  
Etc.; Tampering, Etc.**

**CR 6-303(1)(2)  
MISDEMEANOR  
\$500.00 - 6 MONTHS**



**\*\*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(1)(3)  
MISDEMEANOR  
\$500.00 - 6 MONTHS**



**\*\*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**



**\*\*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**



**\*\*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.

**CR 6-304(a)**  
**MISDEMEANOR**  
**\$250.00 - 6 MONTHS**



\* 2 2 6 9 9 \*

**\*\*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 0 2 1 3 \*

**\*\*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 0 2 1 2 \*

**\*\*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.

**CR 6-305(c)(1)**  
**MISDEMEANOR**  
**\$500.00 - 6 MONTHS**



**\*\*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**



**\*\*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**



**\*\*WATER SUPPLY METER: TAMPER\*\***

...did tamper with a meter used by \_\_\_\_\_ to measure water consumed.

MANUFACTURED ARTICLES**Removing/Defacing Serial Numbers**

**CR 6-306(a)**  
**MISDEMEANOR**  
**\$500.00 - 18 MONTHS**



**\*\*MAN SERIAL#: REMOV/OBLIT\*\***

...did remove, deface and obliterate the manufacturer's serial number [punched/affixed by plate] to \_\_\_\_\_ (article or product), with the intent of preventing the tracing or identification of said article or product.

**CR 6-306(b)**  
**MISDEMEANOR**  
**\$500.00 - 18 MONTHS**



**\*\*MAN SERIAL# RETAIN ITEM\*\***

...did knowingly [retain in his possession/offer for sale] \_\_\_\_\_ (article or product), from which the manufacturer's serial number had been removed, defaced and obliterated.

**CR 6-307(a)(1)**  
**MISDEMEANOR**  
**\$500.00 - 18 MONTHS**



**\*\*SELL/POSSES STOLEN MANF NO\*\***

...unlawfully did [sell/possess] stolen [manufactured serial numbers/vehicle identification plates/labels].

**CR 6-307(a)(2)**  
**MISDEMEANOR**  
**\$500.00 - 18 MONTHS**



**\*\*POSS SERIAL #/FRAUD PURPOSES\*\***

...unlawfully did possess [manufactured serial numbers/vehicle identification 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**



**\*\*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.

**CR 6-403  
MISDEMEANOR  
\$500.00 - 90 DAYS**



**\*\*TRESPASS: PRIVATE PROPERTY\*\***

...did [enter upon/remain upon/cross over] the land, 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**



**\*\*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.



## Operation Off-Road Vehicle On Public/Private Property

**CR 6-404(b)**  
**MISDEMEANOR**  
**\$500.00 - 90 DAYS**



### **\*\*OFF-ROAD VEHICLE ON PROPERTY\*\***

...did unlawfully operate and use an off-road vehicle upon the private property of \_\_\_\_\_(name) (see note), located at \_\_\_\_\_(address), without having the written consent of the owner and tenant of the property.

NOTE: Name in blank refers to private owner, lessee, etc.

**CR 6-405**  
**MISDEMEANOR**  
**\$500.00 - 90 DAYS**



### **\*\*OFF-ROAD VEH/GOV PROPERTY\*\***

...did unlawfully operate and use an off-road vehicle on property knowingly 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**



### **\*\*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.

**Entering/Remaining in Stable Area Of Race Track  
After Notice**

**CR 6-407  
MISDEMEANOR  
\$500.00 - 90 DAYS**



**\*\*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**



**\*\*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.

## Refuse Leave Public Building Or Grounds Upon Request

**CR 6-409(a)(2)**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**



**\*\*TRESPAS PUB AGENCY 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.

**CR 6-409(b)**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**



**\*\*TRESPASS PUB AGENCY 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.

**CR 6-410**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**



**\*\*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**



**\*\*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.

**Obstructing/Breaking Railroad to Overthrow  
 Railroad Vehicle**

**CR 6-502(b)(2)**  
**FELONY**  
**\$5,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**



**\*\*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**



**\*\*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**



**\*\*RR: INTERFERE W/SIGNALS\*\***

...did, without authorization, give a train signal to [start a stopped train / stop a moving train].

## Shooting/Throwing at Train

**CR 6-505(b)**  
**MISDEMEANOR**  
**\$1,000.00 - 5 YEARS**



**\*\*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**



**\*\*RR: UNAUTH BUY/SELL TCKTS\*\***

...did, without authorization, [buy/sell/engage in the business of buying and selling] [railroad tickets/unused portions of a railroad tickets].

**CR 6-506(a)(2)**  
**MISDEMEANOR**  
**\$100.00 - 6 MONTHS**



**\*\*RR: VENDR/BROKR-ACT W/O AUT\*\***

...did, without authorization, act as a [vendor/broker] of [whole/partial] railroad tickets.

**CR 6-506(a)(3)**  
**MISDEMEANOR**  
**\$100.00 - 6 MONTHS**



**\*\*RR: TCKTS BUY/SELL NO AUTH\*\***

...did, without authorization, solicit for the unlawful buying and selling of railroad tickets [personally/by sign/by advertisement/by other \_\_\_\_\_(describe)].

**CR 6-506(a)(4)**  
**MISDEMEANOR**  
**\$100.00 - 6 MONTHS**



**\*\*RR: TKTS AID/ABET TO BUY/SL\*\***

...did [aid/abet] in the unlawful buying and selling of railroad tickets.



# 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 0 6 2 4 \*

**\*\*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.

**CR 7-104  
FELONY  
DISTRICT COURT  
\$15,000.00 – 15 YEARS**



\* 1 0 6 2 3 \*

**\*\*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**



**\*\*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**



**\*\*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**



**\*\*THEFT LESS THAN \$100.00\*\***

...did steal \_\_\_\_\_ (property or service) of \_\_\_\_\_ (owner) having a value of less than \$100.00.

**CR 7-104  
MISDEMEANOR  
\$500.00 - 18 MONTHS**



**\*\*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**



**\*\*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**



**\*\*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.

**CR 7-104  
FELONY  
DISTRICT COURT  
\$25,000.00 - 25 YEARS**



\* 1 0 6 3 4 \*

**\*\*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 0 4 8 0 \*

**\*\*MOTOR VEH/UNLAWFUL TAKING\*\***

...did unlawfully, knowingly, and wilfully take out of \_\_\_\_\_'s (victim's) lawful custody, control, and 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.

**CR 7-106  
MISDEMEANOR  
\$500.00 - 60 DAYS**



\* 2 0 4 5 5 \*

**\*\*NEWSPAPER THEFT\*\***

...did wilfully and knowingly obtain and 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.

**EMBEZZLING PROPERTY AND WRITINGS**

**Fraudulent Misappropriation By Fiduciary**

**CR 7-113(1)  
MISDEMEANOR  
5 YEARS**



\* 1 2 7 9 9 \*

**\*\*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 0 4 6 0 \*

**\*\*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**



### **\*\*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**



### **\*\*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.

APPROPRIATING PROPERTY BY BAILEE

**CR 7-202  
MISDEMEANOR  
\$100.00 - 6 MONTHS**

**\*\*APPROP PROP - W/O CONSENT\*\***

...did wilfully [appropriate and use/permit \_\_\_\_ (person) to appropriate and use] \_\_\_\_\_ (name thing), which is the subject matter of a bailment, without the consent of \_\_\_\_\_ (owner), \_\_\_\_\_ (defendant) being [a bailee/an employee, servant, and agent of a bailee].

LARCENY - HORSES, BOATS OR VEHICLES**Unauthorized Use**

**CR 7-203  
MISDEMEANOR  
\$100.00 - 4 YEARS**

**\*\*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: Property subject to this section includes: a vehicle, a motor vehicle, a vessel, or livestock.

**Hires - Rental of Motor Vehicle  
Abandoning/Refusing to Return**

**CR 7-205  
MISDEMEANOR  
\$500.00 - 1 YEAR**



**\*\*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  
and 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**



**\*\*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.



**ELECTRONIC THEFT DEVICE**

**CR 7-301(c)  
MISDEMEANOR  
\$1000 - 1 YEAR**



**\*\*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**



**\*\*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.

## Computers - Illegal Access

**CR 7-302(c)(1)(i)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**



\* 1 2 8 0 4 \*

### **\*\*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**

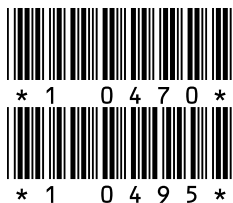


\* 1 0 9 1 4 \*

### **\*\*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).

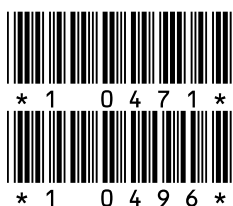
**CR 7-302(c)(2)(i)**  
**LOSS LESS THAN \$10,000**  
**(barcode 1-0470)**  
**MISDEMEANOR**  
**\$5,000.00 - 5 YEARS**  
**LOSS MORE THAN**  
**\$10,000.00**  
**(barcode 1-0495)**  
**FELONY**  
**\$10,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**



**\*\*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.

**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**



**\*\*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.

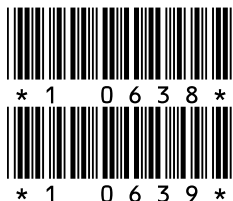
**CR 7-302(c)(3)**  
**LOSS LESS THAN \$10,000**  
**(barcode 1-0472)**  
**MISDEMEANOR**  
**\$5,000.00 - 5 YEARS**  
**LOSS MORE THAN**  
**\$10,000.00**  
**(barcode 1-0497)**  
**FELONY**  
**\$10,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**



**\*\*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.

**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**



**\*\*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 Public Service Company.

**CR 7-303**  
**MISDEMEANOR**  
**\$5,000.00 - 5 YEARS**



\* 2 0 2 9 0 \*

**\*\*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 0 2 9 1 \*

**\*\*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 0 2 9 2 \*

**\*\*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: \_\_\_\_\_].

**CR 7-303**  
**MISDEMEANOR**  
**\$5,000.00 - 5 YEARS**



**\*\*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**



**\*\*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**



**\*\*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].



**CR 7-303  
MISDEMEANOR  
\$5,000.00 - 5 YEARS**



\* 4 0 2 4 8 \*

**\*\*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 2 9 9 9 \*

**\*\*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.

**CR 7-303(c)(i)  
MISDEMEANOR  
\$1,000.00 - 6 MONTHS  
SUB OFFENSE  
\$2,500.00 - 1 YEAR**



\* 2 0 2 4 4 \*

**\*\*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: \_\_\_\_\_].

**CR 7-303(c)(ii)**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**  
**SUB OFFENSE**  
**\$2,500.00 - 1 YEAR**



\* 2 0 2 4 5 \*

**\*\*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 0 2 4 3 \*

**\*\*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 0 2 4 6 \*

**\*\*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.

**CR 7-303(5)(ii)**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**  
**SUB OFFENSE**  
**\$2,500.00 - 1 YEAR**



\* 2 0 2 4 7 \*

**\*\*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 0 2 4 8 \*

**\*\*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.

**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**

**\*\*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**

**\*\*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.

**CR 7-308(d)(2)**  
**(PENALTY SEC. CR 7-309)**  
**MISDEMEANOR**  
**\$2,500.00 - 1 YEAR**



**\*\*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**



**\*\*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.

**CR 7-308(e)  
MISDEMEANOR  
\$2,500.00 - 1 YEAR**



**\*\*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**



**\*\*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**



**\*\*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.

**BAD CHECKS**

**CR 8-103  
 PENALTY SEC. 8-106  
 FELONY  
 DISTRICT COURT  
 \$10,000 – 10 YEARS**



\* 1 1 2 1 8 \*

**\*\*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 [uttering/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/utterance] 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 cumulative value of property or services must be \$1,000 or more.

**CR 8-103  
PENALTY SEC. 8-106  
FELONY  
DISTRICT COURT  
\$10,000 – 10 YEARS**



**\*\*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 [uttering/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/utterance] 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 cumulative value of property or services must be \$1,000 or more.

If multiple bad checks are passed or uttered 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 uttered 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 affidavit under Commercial Law Article 15-802.



**CR 8-103(a)**  
**PENALTY SEC. CR 8-**  
**106(d)**  
**FELONY- DISTRICT CT**  
**\$25,000.00 – 25 YEARS**



\* 1 1 2 2 0 \*

**\*\*BD CHECK/UTTER/NSF 100K +\*\***

...did unlawfully and knowingly obtain \_\_\_ (property or service) having a value of \_\_\_\_, belonging to \_\_\_ (owner) by uttering 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 utterance 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 1 2 2 1 \*

**\*\*BD CHECK/UTTER/NSF 10K-<100K\*\***

...did unlawfully and knowingly obtain \_\_\_ (property or service) having a value of \_\_\_\_, belonging to \_\_\_ (owner) by uttering 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 utterance 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. 8-106**  
**FELONY 1K to <10K**  
**DISTRICT COURT**  
**\$10,000 – 10 YEARS**



\* 1 1 2 2 2 \*

**\*\*BD CK/UTTER/NSF/\$1,000 TO <\$10K\*\***

...did unlawfully and knowingly obtain \_\_\_\_ (property or service obtained) having a value of \_\_\_\_, belonging to \_\_\_\_, (victim) by uttering 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 utterance 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 uttering 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 **UTTERED**. Choose the appropriate wording under **BD CK/UTTER**, 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.

**CR 8-103 (a)  
MISDEMEANOR  
\$500 - 18 MONTHS**



**\*\*BD CK/UTTER/NSF/UND \$1,000\*\***

...did unlawfully and knowingly obtain \_\_\_\_ (property or service obtained) having a value of \_\_\_\_, belonging to \_\_\_\_, (victim) by uttering 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 utterance 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**



**\*\*BD CHECK/UTTER/NSF LESS \$100\*\***

...did unlawfully and knowingly obtain \_\_\_\_ (property or service) having a value of \_\_\_\_, belonging to \_\_\_\_ (owner) by uttering 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 utterance that payment would be refused by the drawee upon presentation, and the payment was refused by the drawee upon presentation.

**CR 8-103(b)**  
**PENALTY SEC. CR 8-**  
**106(d)**  
**FELONY – DISTRICT CT**  
**\$25,000 – 25 YEARS**



\* 1 1 2 2 4 \*

**\*\*BAD CHECK/STOP PAY/ \$100K +\*\***

...did unlawfully and knowingly obtain \_\_\_ (property or service) having a value of \_\_\_\_, belonging to \_\_\_ (owner) by uttering a certain bad check numbered \_\_\_\_, drawn on \_\_\_ (drawee) knowing that the drawer thereof at the time of utterance 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 1 2 2 5 \*

**\*\*BAD CHECK/STOP PAY/\$10K TO <\$100K \*\***

...did unlawfully and knowingly obtain \_\_\_ (property or service) having a value of \_\_\_\_, belonging to \_\_\_ (owner) by uttering a certain bad check numbered \_\_\_\_, drawn on \_\_\_ (drawee) knowing that the drawer thereof at the time of utterance 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. 8-106**  
**FELONY -DISTRICT CT**  
**\$1,000.00 - 15 YEARS**  
**\$10,000 – 10 YEARS**



\* 1 1 2 2 6 \*

**\*\*BD CK/UTTER/STP PAY/\$1K TO < \$10K \*\***

...did unlawfully and knowingly obtain \_\_\_\_ (property or service obtained), having the value of \_\_\_\_, belonging to (victim) by uttering a certain check numbered \_\_\_\_, drawn on \_\_\_\_ (drawee) knowing that the drawer thereof at the time of utterance 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 1 2 2 7 \*

**\*\*BD CK/UTTER/STOP PAY/UND \$1,000\*\***

...did unlawfully and knowingly obtain \_\_\_\_ (property or service obtained), having the value of \_\_\_\_, belonging to (victim) by uttering a certain check numbered \_\_\_\_\_, drawn on \_\_\_\_ (drawee) knowing that the drawer thereof at the time of utterance 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. CR 8-  
106(d)  
MISDEMEANOR  
\$500.00 - 90 DAYS**



\* 1 1 1 4 3 \*

**\*\*BAD CHECK/STOP PAY/LESS THAN \$100\*\***

...did unlawfully and knowingly obtain \_\_\_\_ (property or service) having a value of \_\_\_\_, belonging to \_\_\_\_ (owner) by uttering a certain bad check numbered \_\_\_\_, drawn on \_\_\_\_ (drawee) knowing that the drawer thereof at the time of utterance 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 1 2 2 8 \*

**\*\*BAD CHECK/EMPLOYEE/\$100K +\*\***

...did unlawfully and knowingly utter 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 utterance that payment would be refused by the drawee upon presentation.

**CR 8-103 (c)  
PENALTY SEC. CR 8-  
106(d)  
FELONY  
DISTRICT COURT  
\$15,000.00 – 15 YEARS**



\* 1 1 2 2 9 \*

**\*\*BAD CHECK/EMPLOYEE/\$10K TO <\$100K \*\***

...did unlawfully and knowingly utter 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 utterance that payment would be refused by the drawee upon presentation.

**CR 8-103(c)  
PENALTY SEC. 8-106  
FELONY  
DISTRICT COURT  
\$10,000 – 10 YEARS**



\* 1 1 2 3 0 \*

**\*\*BD CK/EMPLOYEE \$1K TO <\$10K\*\***

...did unlawfully and knowingly utter 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 utterance 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.

**CR 8-103(c)  
PENALTY SEC. 8-106  
MISDEMEANOR  
\$500 – 18 MONTHS**



**\*\*BD CK/EMPLOYEE/UND \$1,000\*\***

...did unlawfully and knowingly utter 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 utterance 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**



**\*\*BAD CHECK/EMPLOYEE/LESS THAN \$100\*\***

...did unlawfully and knowingly utter 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 utterance that payment would be refused by the drawee upon presentation.



**CR 8-103 (d)  
PENALTY SEC. CR 8-  
106(d)  
FELONY  
DISTRICT COURT  
\$25,000 – 25 YEARS**



**\*\*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**



**\*\*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.

**CR 8-103 (d)  
FELONY  
DISTRICT COURT  
\$10,000 – 10 YEARS**



**\*\*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**



**\*\*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.

**CR 8-103 (d)  
PENALTY SEC. CR 8-  
106(d)  
MISDEMEANOR  
\$500.00 - 90 DAYS**



\* 1 1 1 4 2 \*

**\*\*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**

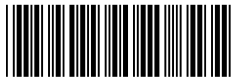


\* 1 1 2 3 6 \*

**\*\*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.

**CR 8-103(e)  
PENALTY SEC. 8-106  
FELONY  
DISTRICT COURT  
\$15,000.00 – 15 YEARS**



\* 1 1 2 3 7 \*

**\*\*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 1 2 3 8 \*

**\*\*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.

**CR 8-103(e)**  
**PENALTY SEC. 8-106**  
**MISDEMEANOR**  
**\$500 – 18 MONTHS**



**\*\*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**



**\*\*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**



**\*\*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 provided for, and payment of the check was refused by the drawee on presentment.

CREDIT CARD OFFENSES

**CR 8-203**  
**MISDEMEANOR**  
**\$500.00 - 18 MONTHS**

**\*\*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**

**\*\*CRED CARD: STEAL ANOTHER'S\*\***

...did take, steal and carry away a credit card issued to \_\_\_\_\_, without his consent.

**CR 8-204(a)(ii)**  
**MISDEMEANOR**  
**\$500.00 - 18 MONTHS**

**\*\*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).

**CR 8-204(b)(1)**  
**MISDEMEANOR**  
**\$500.00 - 18 MONTHS**



**\*\*CRED CRD LOST REC/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)(1)**  
**MISDEMEANOR**  
**\$500.00 - 18 MONTHS**



**\*\*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**



**\*\*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].

**CR 8-205(b)**  
**FELONY**  
**DISTRICT COURT**  
**\$1,000.00 - 15 YEARS**



**\*\*CREDIT CARD: COUNTERFEIT\*\***

...did, with intent to defraud \_\_\_\_ (issuer of card), falsely [make/emboss] 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**



**\*\*CRED. CARD SIGN ANOTHER'S\*\***

...did, with intent to defraud \_\_\_\_, sign a credit card issued to \_\_\_\_\_, without his consent.

**CR 8-206(a)(1)**  
**MISDEMEANOR**  
**\$500.00 - 90 DAYS**



**\*\*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].



**CR 8-206(a)(1)  
MISDEMEANOR  
\$500.00 - 18 MONTHS**



\* 3 4 1 2 0 \*

**\*\*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 1 2 4 1 \*

**\*\*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].

**CR 8-206(a)(1)**  
**FELONY**  
**DISTRICT COURT**  
**\$15,000.00 – 15 YEARS**



**\*\*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**



**\*\*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**



**\*\*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.



\* 1 1 2 4 5 \*

**CR 8-206(a)(2)**  
**FELONY**  
**DISTRICT COURT**  
**\$15,000 – 15 YEARS**

**\*\*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.



\* 1 1 2 4 6 \*

**CR 8-206(a)(2)**  
**FELONY**  
**DISTRICT COURT**  
**\$10,000 – 10 YEARS**

**\*\*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.



\* 3 4 1 3 0 \*

**CR 8-206(a)(2)**  
**MISDEMEANOR**  
**\$500.00 - 18 MONTHS**

**\*\*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.

**CR 8-206(a)(2)**  
**MISDEMEANOR**  
**\$500.00 - 90 DAYS**



**\*\*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**



**\*\*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**



**\*\*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].

**CR 8-206(b)**  
**MISDEMEANOR**  
**\$500.00 - 18 MONTHS**



**\*\*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**



**\*\*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**



**\*\*CRED CRD-PERSONATN/L/T \$100\*\***

...did, with intent to defraud \_\_\_\_\_ obtain  
[money/goods/services/things of value] having a value of \$500  
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].

**CR 8-207(a)(1)  
FELONY  
DISTRICT COURT  
\$25,000 – 25 YEARS**



**\*\*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**



**\*\*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**



**\*\*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].

**CR 8-207(a)(1)  
FELONY  
DISTRICT COURT  
\$10,000 – 10 YEARS**



**\*\*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**



**\*\*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].

**CR 8-207(a)(2)**  
**FELONY**  
**DISTRICT COURT**  
**\$25,000 – 25 YEARS**



**\*\*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**



**\*\*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**



**\*\*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).



**CR 8-207(a)(2)**  
**FELONY**  
**DISTRICT COURT**  
**\$10,000 – 10 YEARS**



**\*\*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**



**\*\*CRD CRD FALSE CLM-SL L/T \$100 \***

...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 8-208(b)(1)**  
**FELONY**  
**DISTRICT COURT**  
**\$1,000.00 - 15 YEARS**



\* 1 0 1 9 9 \*

**\*\*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 0 2 0 0 \*

**\*\*CRED. CARD EQUIP TO PRODUC\*\***

...did knowingly possess machinery, plates, and 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 1 2 5 5 \*

**\*\*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.

**CR 8-209(a)**  
**FELONY**  
**DISTRICT COURT**  
**\$15,000 – 15 YEARS**



**\*\*FLSE CRD CRD CHRГ 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**



**\*\*FALSE CRD CRD CHRГ 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.

**CR 8-209(a)**  
**MISDEMEANOR**  
**\$500.00 – 18 MONTHS**



**\*\*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**



**\*\*FALSE CRD CRD: CHRG GOODS L/T \$100\*\***

...did receive [money/goods/services/things of value] to wit:  
 \_\_\_ having a value of less than \$100 obtained by means of a  
 forged or misrepresented credit card issued to \_\_\_ and  
 negotiated by \_\_\_, knowing the said [money/goods, etc.] was  
 illegally obtained.

**Publish Number/Code of Telephone Credit Card**

**CR 8-210**  
**MISDEMEANOR**  
**\$500.00 - 12 MONTHS**



**\*\*TELEPHONE CRED CARD FRAUD\*\***

...did [publish/cause to be published] the [number/code] of a  
 telephone credit card with intent to defraud \_\_\_, (company).

NOTE: The published credit card number may be existing,  
 cancelled, revoked, expired or non-existent.

**CR 8-214  
PENALTY SEC 8-216  
FELONY  
DISTRICT COURT  
\$1,000.00 - 15 YEARS**



\* 2 0 5 5 0 \*

**\*\*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 0 5 6 0 \*

**\*\*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.

**CR 8-301(b)**  
**FELONY**  
**DISTRICT COURT**  
**\$25,000 – 25 YEARS**



**\*\* FRAUD-PER. IDENT. INFO. THEFT \$100K+ \*\***

...did knowingly, willfully, and with fraudulent intent [obtain/aid another person in obtaining] 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] in the name of \_\_\_\_\_( name).

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**



**\*\* FRAUD IDENT INFO THFT \$10K-<\$100K \*\***

...did knowingly, willfully, and with fraudulent intent [obtain/aid another person in obtaining] 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] in the name of \_\_\_\_\_( name).

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**  
**\$10,000 – 10 YEARS**



\* 1 1 2 6 0 \*

**\*\* FRAUD IDENT INFO THFT \$1K-<\$10K \*\***

...did knowingly, willfully, and with fraudulent intent [obtain/aid another person in obtaining] 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] in the name of \_\_\_\_\_( name).

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 1 2 6 1 \*

**\*\* FRAUD IDENT INFO THFT UND \$1,000\*\***

...did knowingly, willfully, and with fraudulent intent [obtain/aid another person in obtaining] 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] in the name of \_\_\_\_\_( name).

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(c)(1)  
MISDEMEANOR  
\$500 - 18 MONTHS**



**\*\*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.

**CR 8-301(c)(2)(i)(ii)  
FELONY  
DISTRICT COURT  
\$25,000 – 25 YEARS**



**\*\* FRAUD IDENT INFO THFT \$100K+ \*\***

...did knowingly and willfully assume the identity of [another/fictitious 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**



**\*\* FRAUD IDENT INFO THFT \$10K-<\$100K \*\***

...did knowingly and willfully assume the identity of  
 [another/fictitious 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**



**\*\* FRAUD IDENT INFO THFT \$1K-<\$10K \*\***

...did knowingly and willfully assume the identity of  
 [another/fictitious 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**



**\*\* FRAUD IDENT INFO THFT UND \$1,000\*\***

...did knowingly and willfully assume the identity of  
 [another/fictitious 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)(iii)  
FELONY  
DISTRICT COURT  
\$25,000 – 25 YEARS**



**\*\* 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**



**\*\* 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)).

**CR 8-301(c)(2)(iii)  
FELONY  
DISTRICT COURT  
\$10,000 – 10 YEARS**



\* 1 1 2 6 9 \*

**\*\* 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 1 2 7 0 \*

**\*\* 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)).

**CR 8-301(d)(1)  
FELONY  
DISTRICT COURT  
\$25,000.00 - 25 YEARS**



**\*\*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.

**CR 8-301(d)(1)  
FELONY  
DISTRICT COURT  
\$15,000.00 - 15 YEARS**



**\*\*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 1 2 7 3 \*

**\*\*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 1 2 7 4 \*

**\*\*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.

**CR 8-301(d)(2)**  
**FELONY**  
**DISTRICT COURT**  
**\$25,000.00 - 25 YEARS**



\* 1 1 2 7 5 \*

**\*\*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.

**CR 8-301(d)(2)**  
**FELONY**  
**DISTRICT COURT**  
**\$15,000.00 - 15 YEARS**



\* 1 1 2 7 6 \*

**\*\*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**



**\*\*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**



**\*\*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.

**CR 8-301(e)**  
**MISDEMEANOR**  
**\$500 - 18 MONTHS**



\* 1 1 2 7 9 \*

**\*\*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 1 2 8 0 \*

**\*\*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].



## AGE IDENTIFICATION CARDS AND DOCUMENTS

**CR 8-302(b)(1)**  
**MISDEMEANOR**  
**\$2,000.00 - 2 YEARS**  
**EACH CARD SEPARATE**  
**OFFENSE**



**\*\*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**



**\*\*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.

**CR 8-303(b)(1)(2)**  
**MISDEMEANOR**  
**\$500.00 - 6 MONTHS**



**\*\*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**



**\*\*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).

## Conversion of Partnership Money, Etc.

**CR 8-401(a)(1)**  
**MISDEMEANOR**  
**\$5,000.00 - 10 YEARS**



\* 2 2 7 0 1 \*

### **\*\*FRAUD-PARTNERSHIP MONEY\*\***

...did, as a partner, fraudulently convert to his own use \_\_\_\_\_  
 (describe), the property of \_\_\_\_\_ (name partnership).

**CR 8-401(a)(3)**  
**MISDEMEANOR**  
**\$5,000.00 - 10 YEARS**



\* 3 2 6 0 7 \*

### **\*\*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 2 6 0 7 \*

### **\*\*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)).

## Pyramid Promotional Scheme

**CR 8-404(b)**  
**MISDEMEANOR**  
**\$10,000.00 - 1 YEAR**



**\*\*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.

## Cargo, Wrongful Disposal/ Refusal to Pay Consideration

**CR 8-405(b)(1)(2)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**



**\*\*CARGO SEL DEF RD 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.

**CR 8-405(c)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**



\* 1 0 1 9 4 \*

**\*\*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, without the consent of its owner, and did refuse and neglect to pay such consideration to said owner, with the intent to defraud said owner.

**Breach of Trust, Bill of Lading Elevator or  
Warehouse Receipts**

**CR 8-406(a)**  
**MISDEMEANOR**  
**\$5,000.00 - 10 YEARS**



\* 1 2 6 0 2 \*

**\*\*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: 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.

## Conversion/Leased or Rented Goods

**CR 8-407**  
**MISDEMEANOR**  
**\$1,000.00 - 60 DAYS**



### **\*\*FRAUD CONVERSIN/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.

## Welfare-Obtaining Public Assistance by Fraud

**CR 8-503**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**



\* 7 2 6 0 7 \*

### \*\*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.

**SOCIAL SERVICES ADMINISTRATION - PROHIBITED ACTS****Appl. Written - False or Fraud State. Punished as Perjury, etc.****CR 8-504  
MISDEMEANOR  
10 YEARS**

\* 2 2 6 0 7 \*

**\*\*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 2 3 1 4 \*

**\*\*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).



**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**

**\*\*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**

**\*\*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.

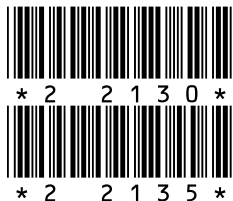
**CR 8-509(1)  
PENALTY SEC. 8-516  
FELONY  
\$200,000.00 - LIFE  
PRELIMINARY HEARING  
RELEASE RESTRICTION**



**\*\*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**



**\*\*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.

**CR 8-509(1)**  
**PENALTY SEC. 8-516**  
**FELONY**  
**\$250,000.00 EACH**  
**OFFENSE**  
**PRELIMINARY HEARING**



\* 2 2 1 4 0 \*

**\*\*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.

**CR 8-509(1)**  
**(PENALTY SEC. CR 8-**  
**516)**  
**FELONY**  
**LIFE - \$200,000.00**  
**BUSINESS ENTITY**  
**\$250,000.00**  
**PRELIMINARY HEARING**



\* 2 2 1 4 5 \*

**\*\*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 2 1 5 0 \*



\* 2 2 1 5 5 \*

**\*\*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 2 1 6 0 \*

**\*\*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).

**CR 8-509(2)**  
**FELONY**  
**\$200,000.00 - LIFE**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**



\* 2 2 1 6 5 \*

**\*\*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 2 1 7 0 \*

**\*\*OBTAIN BEN-FALSE REP-BUSINESS\*\***



\* 2 2 1 7 5 \*

...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).

**CR 8-509(2)**  
**PENALTY SEC. CR 8-516**  
**FELONY**  
**\$250,000.00 EACH**  
**PRELIMINARY HEARING**



**\*\*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**



**\*\*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 ).

**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**



**\*\*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**



**\*\*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).

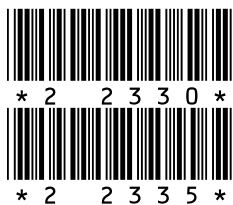
**CR 8-509(3)**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$200,000.00 - LIFE**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**



**\*\*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**



**\*\*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 \_\_\_\_\_ .



**CR 8-509(3)**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$250,000.00**  
**PRELIMINARY HEARING**



**\*\*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).

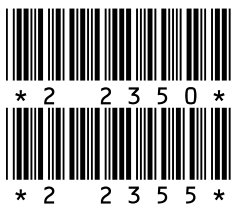
**CR 8-509(3)**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$250,000.00**  
**PRELIMINARY HEARING**



**\*\*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 ).

**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**



**\*\*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**



**\*\*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).

**CR 8-509(4)**  
**PENALTY SEC. 8-516**  
**FELONY**  
**\$200,000.00 - LIFE**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**



\* 2 2 3 6 5 \*

**\*\*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 2 3 7 0 \*

**\*\*FLS REP-HEALTH CARE--BUSINESS\*\***



\* 2 2 3 7 5 \*

...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: \_\_\_\_\_ ].

**CR 8-509(4)**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$250,000.00**  
**PRELIMINARY HEARING**



\* 2 2 3 8 0 \*

**\*\*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**

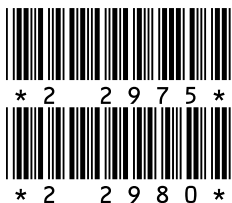


\* 2 2 3 8 5 \*

**\*\*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 ).

**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**



**\*\*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].

**CR 8-511(1)(2)**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$100,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**



**\*\*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).

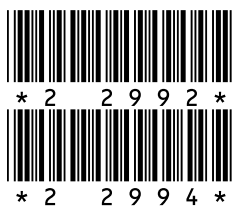
**CR 8-511(1)(2)**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$200,000.00 - LIFE**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**



**\*\*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 ).

**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**



**\*\*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**



**\*\*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).

**CR 8-511(1)(2)**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$200,000.00 - LIFE**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**



\* 2 2 9 9 6 \*

**\*\*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 2 8 6 5 \*



\* 2 2 8 7 0 \*

**\*\*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 \_\_\_\_\_ .



**CR 8-512  
(PENALTY SEC. CR 8-516)  
FELONY  
\$100,000.00 - 20 YEARS  
PRELIMINARY HEARING**



\* 2 2 8 7 5 \*

**\*\*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**

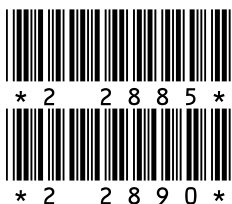


\* 2 2 8 8 0 \*

**\*\*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).

**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**



**\*\*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**



**\*\*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).

**CR 8-512  
(PENALTY SEC. CR 8-516)  
FELONY  
\$200,000.00 - LIFE  
PRELIMINARY HEARING**



\* 2 2 8 9 6 \*

**\*\*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 2 9 1 0 \*



\* 2 2 9 2 0 \*

**\*\*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  
\_\_\_\_\_.

**CR 8-513  
(PENALTY SEC. CR 8-516)  
FELONY  
\$100,000.00 - 20 YEARS  
PRELIMINARY HEARING**



\* 2 2 9 2 5 \*

**\*\*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**

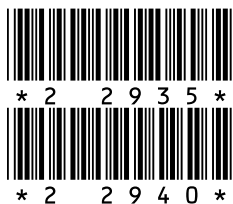


\* 2 2 9 3 0 \*

**\*\*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 ).

**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**



**\*\*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**



**\*\*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 ).

**CR 8-513  
(PENALTY SEC. CR 8-516)  
FELONY  
\$250,000.00 - LIFE  
PRELIMINARY HEARING  
RELEASE RESTRICTION**



\* 2 2 9 5 0 \*

**\*\*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 4 1 1 0 \*



\* 2 4 1 1 5 \*

**\*\*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].

**CR 8-514  
(PENALTY SEC. CR 8-516)  
FELONY  
\$100,000.00 - 20 YEARS  
PRELIMINARY HEARING**



\* 2 4 1 2 0 \*

**\*\*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**

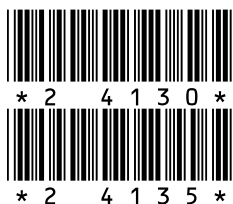


\* 2 4 1 2 5 \*

**\*\*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 ).

**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**



**\*\*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].



**CR 8-514  
(PENALTY SEC. CR 8-516)  
FELONY  
\$100,000.00 - 20 YEARS  
PRELIMINARY HEARING**



\* 2 4 1 4 0 \*

**\*\*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**

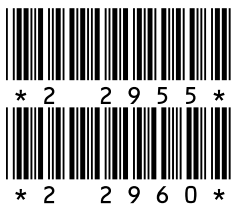


\* 2 4 1 4 5 \*

**\*\*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 ).

**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**



**\*\*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**



**\*\*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).

**CR 8-515  
(PENALTY SEC. CR 8-516)  
FELONY  
\$200,000.00 - LIFE  
PRELIMINARY HEARING  
RELEASE RESTRICTION**



\* 2 2 9 7 0 \*

**\*\*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 4 1 5 0 \*



\* 2 4 1 5 5 \*

**\*\*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.

**CR 8-515  
(PENALTY SEC. CR 8-516)  
FELONY  
\$100,000.00 - 20 YEARS  
PRELIMINARY HEARING**



\* 2 4 1 6 0 \*

**\*\*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 4 1 6 5 \*

**\*\*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).

**Misrepresentation in Fund Raising Campaigns -  
Identifying Police Dept. With**

**CR 8-520(c)(1)(2)  
MISDEMEANOR  
\$1,000.00 - 60 DAYS**



**\*\*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**



**\*\*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].

## Representation by Public Defender

**CR 8-521  
MISDEMEANOR  
\$1,000.00 - 1 YEAR**



\* 6 2 6 0 7 \*

**\*\*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 0 2 1 8 \*

**\*\*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: \_\_\_\_\_.

**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 2 6 0 4 \*

**\*\*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 0 2 1 9 \*

**\*\*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 0 4 1 9 \*

**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].

**COUNTERFEITING AND FORGERY**

**Private Instruments Generally**

**CR 8-601(a)  
FELONY  
DISTRICT COURT  
\$1,000.00 - 10 YEARS**



**\*\*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. 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.



**CR 8-601(b)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**



\* 1 1 5 0 2 \*

**\*\*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 2 5 1 3 \*

**\*\*ISSUE FALSE DOCUMENT\*\***

...did [issue/publish] as true a counterfeit \_\_\_\_\_ (type of document) with the intent to defraud.

**Possession Of Forged Motor Vehicle Title**

**CR 8-603**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**



\* 2 0 0 3 5 \*

**\*\*POSS FORGED VEH TITLE\*\***

...did possess, with unlawful intent, a counterfeit title to a motor vehicle.

## Public Documents Generally

**CR 8-604  
FELONY  
PENALTY  
\$10,000 - 10 YEARS  
DISTRICT COURT**



\* 1 0 0 6 7 \*

**\*\*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 0 0 6 9 \*

**\*\*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 0 4 9 4 \*

**\*\*POSS/ISSUE FORGED CURRENCY\*\***

...did knowingly [possess, with unlawful intent/issue] counterfeit United States Currency.

## Public Documents Generally

**CR 8-605(a)(1)**  
**FELONY**  
**10 YEARS**  
**DISTRICT COURT**



\* 1 2 5 0 0 \*

**\*\*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.

**CR 8-605(a)(2)**  
**FELONY**  
**10 YEARS**  
**DISTRICT COURT**



\* 1 2 5 0 4 \*

**\*\*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.

**Public Record-False Entry; Altering, Defacing, Etc.**

**CR 8-606(b)(1)  
MISDEMEANOR  
\$1,000.00 - 3 YEARS**



**\*\*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**



**\*\*PUBLIC RECORD-DESTROY ETC.\*\***

...[did/did attempt to] wilfully 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**



**\*\*PUB RECRD ACCESS W/O AUTH\*\***

...[did/did attempt to] without proper authority, wilfully and intentionally access public records.

**CR 8-606.1(a)(1)**  
**MISDEMEANOR**  
**\$10,000.00 - 5 YEARS**



\* 1 1 6 9 8

**\*\*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 1 6 9 9 \*

**\*\*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 2 5 0 1 \*

**\*\*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)

**CR 8-609(b)(2)  
FELONY  
10 YEARS  
DISTRICT COURT**



**\*\*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**



**\*\*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  
MISDEMEANOR  
2 YEARS**



**\*\*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).

**CR 8-610(b)(2)  
MISDEMEANOR  
2 YEARS**



\* 2 0 2 6 2 \*

**\*\*ISSUE FORGED PRESCRIP\*\***

...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 2 5 3 0 \*

**\*\*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 0 1 8 0 \*

**\*\*OBTAIN DRUG BY FRAUD\*\***

...did obtain or attempt to obtain a prescription drug, to wit: \_\_\_\_ (name drug) by fraud, deceit, and misrepresentation.

## Trademark Counterfeiting

**CR 8-611(b)**  
**FELONY**  
**\$10,000.00 - 15 YEARS**  
**DISTRICT COURT**



**\*\*COUNTERFEIT TRADEMARK/\$1000+**

...willfully did [manufacture/produce/display/advertise/offer for sale/sell/ possess] with the intent to sell or distribute an item and service, to wit: \_\_\_\_\_ (describe), having a value of \$1,000.00 or more, knowing the said item and service to be bearing and identified by a counterfeit mark

**CR 8-611(b)**  
**MISDEMEANOR**  
**\$1,000.00 - 18 MONTHS**  
**SUBSEQUENT OFFENSE**  
**\$5,000.00 - 18 MONTHS**



**\*\*COUNTERFEIT TM/UNDER \$1000**

...willfully did [manufacture/produce/display/advertise/offer for sale/sell/possess] with the intent to sell or distribute an item and service, to wit: \_\_\_\_\_ (describe), having a value of under \$1,000.00, knowing the said item and service to be bearing and identified by a counterfeit mark.

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.



## Tickets, Coupons, Tokens, Etc.

**CR 8-612(b)(1)**  
**MISDEMEANOR**  
**1 YEAR**



**\*\*FORGERY-TICKETS/COUPON ETC.\*\***

...did [counterfeit/cause/to be counterfeited/did aid or assist in counterfeiting] a \_\_\_\_\_ (describe ticket, coupon, token slug, etc.) without the authority of the [person/corporation] issuing selling and giving away the said item.

**CR 8-612(b)(2)**  
**MISDEMEANOR**  
**1 YEAR**



**\*\*UTTER FORGED TICKET, ETC.\*\***

...did knowingly [issue/pass] a counterfeited token made without authority \_\_\_\_\_ (describe ticket, coupon, token, slug, etc.), knowing it to be counterfeited.

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.

**Unlawful Operation/Vending or Slot Machine;  
Coin Box, Telephone, Etc.**

**CR 8-613  
MISDEMEANOR  
\$500.00 - 3 MONTHS**



**\*\*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**



**\*\*FORGERY-MF/SELL SLUGS\*\***

...did [manufacture for sale/sell/give away] a slug or device, or  
substance intended to be [deposited in an automatic vending  
machine.

**Wills, Patents, Deeds Records, Etc.**

**CR 8-701  
MISDEMEANOR  
7 YEARS**

**\*\*EMBEZZLE ETC-WRITINGS ETC\*\***

...did wilfully and 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: 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**

**\*\*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**

**\*\*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).

**CR 8-801(b)**  
**FELONY**  
**DISTRICT COURT**  
**\$10,000.00 - 10 YEARS**



**\*\*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**



**\*\*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).

**CR 8-801(b)**  
**FELONY**  
**DISTRICT COURT**  
**\$25,000.00 - 25 YEARS**



**\*\*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**



**\*\*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**



**\*\*FRAUD-PARI MUTUEL TICKETS\*\***

...did knowingly [present/give to \_\_\_\_\_ , to present] a [counterfeit/altered] pari-mutuel ticket for payoff.

**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**



**\*\*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**



**\*\*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.

**CR 9-101(a)(3)  
MISDEMEANOR  
10 YEARS**



\* 1 0 3 0 8 \*

**\*\*PERJURY/AFFID INDUCE COURT\*\***

...did wilfully 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 4 1 7 0 \*

**\*\*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 0 3 0 9 \*

**\*\*PERJURY/AFFID REQD BY GOV\*\***

...did wilfully 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.

**CR 9-101(a)(5)  
MISDEMEANOR  
10 YEARS**



**\*\*PERJURY/AFFID REQD MD RULE\*\***

...did wilfully 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**



**\*\*PERJURY CONTRADICTIONARY 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.



## Subornation of Perjury

**CR 9-102  
MISDEMEANOR  
10 YEARS**



\* 1 5 0 0 4 \*

**\*\*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 5 1 0 1 \*

**\*\*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).

\*See CR 9-201 for complete list of eligible parties.

**CR 9-201(c)**  
**MISDEMEANOR**  
**\$5,000.00 - 12 YEARS**



\* 1 5 1 0 3 \*

**\*\*BRIBE/DEMAND/RECEIVE PUBL EMP\*\***

...did, while \_\_\_\_\_ (position held), [demand/demand and receive/receive] a bribe from \_\_\_\_\_(name), for the purpose of influencing defendant in his/her said capacity.

\*See CR 9-201 for complete list of eligible parties.

**CR 9-202**  
**MISDEMEANOR**  
**6 YEARS**



\* 2 5 1 0 0 \*

**\*\*BRIBE A JUROR\*\***

...did procure \_\_\_\_\_ (name), a juror, to take \_\_\_\_\_ (describe gain or profit) for the rendering of [his/her] verdict in the case of \_\_\_\_\_ (state case).

**Embracery-Acceptance of Bribe By Juror**

**CR 9-202**  
**MISDEMEANOR**  
**6 YEARS**



\* 2 5 1 1 0 \*

**\*\*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.

**Bribery, etc. of Voter**

**CR 9-203(1)**  
**MISDEMEANOR**  
**\$500.00 - 6 MONTHS**



\* 1 5 1 0 4 \*

**\*\*BRIBE A VOTER\*\***

...did bribe \_\_\_\_\_ (name) for the purpose of securing [his/her] vote and ballot at the election of \_\_\_\_\_ (date).

**CR 9-203(2)**  
**MISDEMEANOR**  
**\$500.00 - 6 MONTHS**



\* 1 5 1 0 6 \*

**\*\*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.

**CR 9-204**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**



\* 1 5 1 0 0 \*

**\*\*BRIBE/ATT ATHLETIC CONTEST\*\***

...did [bribe/attempt to bribe] \_\_\_\_\_ (name) \_\_\_\_\_ (capacity)  
 for the purpose of influencing the outcome of an athletic  
 contest.

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 5 1 0 3 \*

**\*\*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.

**CR 9-302(a)**  
**MISDEMEANOR**  
**\$5,000.00 - 5 YEARS**



**\*\*INDUCE/INHIBIT TESTIMONY\*\***

...did [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].

**CR 9-302(a)**  
**FELONY**  
**20 YEARS**  
**PRELIMINARY HEARING**



**\*\*INDUCE INHIBIT TESTIMONY - FELONY OFF\*\***

...did [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], the offense being [a felonious violation of Title 5/the commission of a crime of violence as described under CR 14-101].

**CR 9-302(b)**  
**MISDEMEANOR**  
**\$5,000.00 - 5 YEARS**



**\*\*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].

**CR 9-302(c)(2)**  
**FELONY**  
**20 YEARS**  
**PRELIMINARY HEARING**



**\*\*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 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], the offense being [a felonious violation of Title 5/the commission of a crime of violence as described under CR 14-101].

**CR 9-303**  
**MISDEMEANOR**  
**\$5,000.00 - 5 YEARS**



**\*\*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**



**\*\*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.

**CR 9-305(a)  
MISDEMEANOR  
\$5,000.00 - 5 YEARS**



**\*\*INTIMIDATE/INFLUENCE JUROR\*\***

...did by [corrupt means/threat/force] endeavor to [influence/impede] \_\_\_\_ (name), a [juror/witness/court officer], in the discharge of [his/her] official duty.

**CR 9-305(a)**  
**FELONY**  
**20 YEARS**  
**PRELIMINARY HEARING**



**\*\*INTIMIDATE/INFLUENCE JUROR-FELONY OFF\*\***

.....did by [corrupt means/threat/force] endeavor to [influence/impede] \_\_\_\_\_ (name), a [juror/witness/court officer], in the discharge of [his/her] official duty, the offense being [a felonious violation of Title 5/the commission of a crime of violence as described under CR 14-101.

**\*\*NOTE:** This applies to conspiracy or solicitation to commit such a crime.

**CR 9-305(b)**  
**MISDEMEANOR**  
**\$5,000.00 - 5 YEARS**



**\*\*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**



**\*\*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**



**\*\*OBSTRUCT JUSTICE\*\***

...did, by [corrupt means/threat/force] [obstruct and impede/endeavor to obstruct and impede] the administration of justice in \_\_\_\_\_ (name court, and case if available).

**HARBORING**

**Fugitive**

**CR 9-402  
MISDEMEANOR  
\$1,000.00 - 1 YEAR**



**\*\*HARBOR/FLEEING FELON\*\***

...did knowingly harbor \_\_\_\_\_, a fugitive, with the intent to prevent [his/her] discovery and arrest, after notice that harboring that person was a punishable offense, and after notice that a felony warrant had been issued for that person's arrest.

**CR 9-402(c)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**



**\*\*HARBOR FELON/FUGITIVE\*\***

...did knowingly harbor \_\_\_\_\_, a person avoiding [prosecution for/custody and 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 facility 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 committed to the Department of Juvenile Services.

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.

## Escaped Prisoner

**CR 9-403**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**



\* 2 4 9 0 4 \*

### **\*\*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.

**CR 9-404(a)**  
**FELONY**  
**\$20,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**



\* 2 1 0 1 0 \*

**\*\*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 0 6 1 5 \*

**\*\*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 1 0 2 0 \*

**\*\*ESCAPE - SECOND DEGREE\*\***

...having been lawfully arrested, did knowingly depart from custody at \_\_\_\_\_, without the authorization of a [law enforcement/judicial] officer.

**CR 9-405(a)(2)**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**



\* 2 1 0 2 5 \*

**\*\*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 1 0 3 0 \*

**\*\*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.

**CR 9-405(b)(2)**  
**MISDEMEANOR**  
**\$5000.00 - 3 YEARS**



\* 1 0 7 6 6 \*

**\*\*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 0 6 0 0 \*

**\*\*RESIST/INTERFERE WITH ARREST\*\***

...did intentionally [resist/interfere with] a lawful arrest.

**CR 9-412(a)(1)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**



\* 2 1 0 8 0 \*

**\*\*CONTRABAND DELIVERY\*\***

...did deliver contraband to wit \_\_\_\_\_ (item) to  
 \_\_\_\_\_ (person) who was [detained at/confined in]  
 \_\_\_\_\_ (place of confinement).

**CR 9-412(a)(2)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**



**\*\*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**



**\*\*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**



**\*\*CONTRABAND - ESCAPE - DELIVER\*\***

...did deliver contraband: to wit \_\_\_\_\_ (item) to \_\_\_\_\_ (person) [detained at/confined in] \_\_\_\_\_ (place) with the intent to effect an escape.



**CR 9-413(a)(2)**  
**FELONY**  
**\$5,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**



\* 2 1 0 6 5 \*

**\*\*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 1 0 7 0 \*

**\*\*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 1 0 7 5 \*

**\*\*POSS/REC CONTRABAND - ESCAPE**

... did knowingly [possess/receive] contraband: to wit  
\_\_\_\_\_(item) while [detained at/ confined in]  
\_\_\_\_\_ to effect an escape.

**CR 9-414(a)(1)**  
**FELONY**  
**\$5,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**



\* 2 1 0 3 5 \*

**\*\*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 1 0 4 0 \*

**\*\*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 1 0 4 5 \*

**\*\*CONTRABAND - CONCEAL WEAPON\*\***

...did [deposit/conceal] a weapon to wit: \_\_\_\_\_  
 [in/about/on land appurtenant to] a place of confinement, to  
 effect an escape.

**CR 9-414(a)(4)**  
**FELONY**  
**\$5,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**



**\*\*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**



**\*\*ALCOHOLIC BEV - DELIVER\*\***

...did deliver an alcoholic beverage to wit  
 \_\_\_\_\_ (item) to \_\_\_\_\_ (person) who  
 was [detained at/confined in] \_\_\_\_\_ (place of  
 confinement).

**CR 9-415(b)(2)  
MISDEMEANOR  
\$1,000.00 - 3 YEARS**



**\*\*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.

**FIRE & SAFETY PERSONNEL**

**CR 9-415(c)  
MISDEMEANOR  
\$1,000.00 - 3 YEARS**



**\*\*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**



**\*\*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).

**CR 9-416(b)  
MISDEMEANOR  
\$1,000.00 - 3 YEARS**



**\*\*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**



**\*\*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.

**CR 9-417(a)(1)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**



\* 1 0 7 1 9 \*

**\*\*DELIVER TELECOMMUNICATION DEV\*\***

... did deliver \_\_\_\_\_ (device), a telecommunication device to \_\_\_\_\_ (name) while [detained/confined] in \_\_\_\_\_ (facility) where signs are posted that indicate such conduct is prohibited.

**CR 9-417(a)(2)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**



\* 1 0 7 2 1 \*

**\*\*POSS TELECOM W/INT DEL\*\***

... did possess \_\_\_\_\_ (device), a telecommunication device 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.

**CR 9-417(a)(3)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**



\* 1 0 7 2 2 \*

**\*\*DEPOSIT TELECOM W/INT OBT\*\***

... did [deposit/conceal] \_\_\_\_\_ (device), a telecommunication device [in/about] [\_\_\_\_\_] (facility)/property adjoining \_\_\_\_\_ (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.

**CR 9-417(a)(4)  
MISDEMEANOR  
\$1,000.00 - 3 YEARS**



**\*\*POSS/REC TELECOM DEV\*\***

... did knowingly [possess/receive] \_\_\_\_\_ (device), a telecommunication device while [detained/confined] in \_\_\_\_\_ (facility).

**CR 9-501  
MISDEMEANOR  
\$500.00 - 6 MONTHS**



**\*\*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 and other action to be taken.

**CR 9-501  
MISDEMEANOR  
\$500.00 - 6 MONTHS**



**\*\*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.

**CR 9-502  
MISDEMEANOR  
\$500.00 - 6 MONTHS**



**\*\*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.

**To Officials/Agencies of State or Subdivisions**

**CR 9-503  
MISDEMEANOR  
\$500.00 - 6 MONTHS**



**\*\*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**



**\*\*FALSE STMT-DESTRUCTIVE DEV\*\***

...did, knowing the same to be false and with the intent that it be acted upon, circulate and transmit to: \_\_\_\_\_ (describe other person or persons) a [statement/rumor] concerning the [location and possible detonation of a destructive device / location or possible release of toxic material] as defined in CR 4-501 of this article.

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.

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.

EXPLOSIVES**Devices Representing**

**CR 9-505**  
**FELONY**  
**\$10,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**

**\*\*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**

**\*\*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.

**INTERFERENCE WITH EMERGENCY COMMUNICATION**

**CR 9-601(b)**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**



**\*\*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**



**\*\*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.

**FIRE-FALSE ALARM****Prohibited; False Ambulance**

**CR 9-604(a)(1)  
MISDEMEANOR  
\$5,000.00 - 5 YEARS**



**\*\*FALSE ALARM/FIRE: CAUSE\*\***

...did knowingly [give/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**



**\*\*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).

**BURGLARY & ROBBERY - FALSE ALARM****Alarm - Non-emergency**

**CR 9-608**  
**MISDEMEANOR**  
**\$500.00 - 90 DAYS**

**\*\*INTENTIONAL FLSALARM/BURG-ROB\*\***

...did intentionally activate a burglary and robbery alarm signal 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**

**\*\*DEFECTIVE ALARM/CONT. USE\*\***

...did, being an alarm user, after written notice by a law enforcement agency, 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.

**CR 9-802**  
**MISDEMEANOR**  
**\$1,000.00 - 2 YEARS**



\* 1 1 7 7 0 \*

**\*\*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 1 7 7 1 \*

**\*\*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 0 6 1 9 \*

**\*\*ORGANIZE, SUPERVISE, FINANCE GANG \*\***

...did [organize/supervise/finance/manage] a criminal gang.

## Venereal Disease Remedies Advertising Cures

**CR 10-102(b)(1)(2)**  
**MISDEMEANOR**  
**\$500.00 - EACH VIOLATION**



**\*\*HEALTH ADVERTIS V/D REMEDY\*\***

...did advertise and permit to be advertised \_\_\_\_, [a medication and substance/a person from whom a medication and substance could be obtained/a place at which a medication and substance could be obtained] for the treatment and cure of a venereal disease, to wit: \_\_\_\_ (name disease).

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**



**\*\*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**



**\*\*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].

## Health - Condom Sale

**CR 10-104**  
**MISDEMEANOR**  
**\$1,000.00**



\* 1 0 4 6 7 \*

### **\*\*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.

## Tobacco Products Sales to Minors

**CR 10-107(b)(2)**  
**MISDEMEANOR**  
**\$300.00**



\* 2 4 0 4 0 \*

### **\*\*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.



**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**



**\*\*TOBACCO PURCH/SELL MINOR\*\***

...did [purchase for \_\_\_\_/sell to \_\_\_\_], a minor, \_\_\_\_ (describe tobacco product).

**CR 10-107(c)(2)  
MISDEMEANOR  
\$300.00**



**\*\*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.

ICEBOXES**Abandoned & Discarded**

**CR 10-109**  
**MISDEMEANOR**  
**\$100.00 - 30 DAYS**

**\*\*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**

**\*\*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."

**CR 10-110  
MISDEMEANOR  
\$12,500.00 - 1 YEAR**



\* 1 0 6 4 4 \*

**\*\*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 0 6 4 5 \*

**\*\*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**

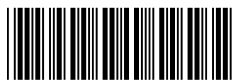


\* 1 0 6 4 6 \*

**\*\*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].

**CR 10-110(c)  
MISDEMEANOR  
\$1,500.00 - 30 DAYS**



\* 1 0 6 4 0 \*

**\*\*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 0 6 4 1 \*

**\*\*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**  
**VIOLATION \$5,000.00 - 3**  
**YEARS**



\* 1 0 2 8 4 \*

**\*\*ALTER DRUG/ALCOHOL TEST\*\***

...did intend to [defraud/alter] the outcome of a [drug/alcohol] screening test by\_\_\_\_\_.

Select from list:

- Alter bodily fluid sample;
- Substitute a bodily fluid sample in whole or in part, with a bodily fluid sample of another person or animal; or any other substance;
- Possess or use a bodily fluid adulterant;
- Sell, distribute, or offer to sell or distribute;
- Any bodily fluid from a human or any animal; or  
Any bodily fluid adulterant; or
- Transport into the State: Any bodily fluid adulterant; Any bodily fluid from a human or any animal.

NOTE: See CR 10-111 for definition of bodily fluid adulterant.

**Alcohol - Open Container**

**CR 10-120**  
**MISDEMEANOR**  
**\$50.00**



\* 2 4 1 9 9 \*

**\*\*FAIL: PROOF OF AGE AND ID\*\***

...did fail and 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.

**CR 10-131**  
**MISDEMEANOR**  
**1<sup>st</sup> Off: \$1,000**  
**2<sup>nd</sup> Viol: \$2,000**  
**3<sup>rd</sup> Viol: \$6,000**



**\*\*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.

**DISTURBANCE OF THE PUBLIC PEACE & DISORDERLY CONDUCT**

**CR 10-201(c)(1)**  
**MISDEMEANOR**  
**\$500.00 - 60 DAYS**



**\*\*DISTURB PEACE HINDER PASSG\*\***

...did willfully obstruct and 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**



**\*\*DISORDERLY CONDUCT\*\***

...did wilfully act in a disorderly manner to the disturbance of the public peace

**CR 10-201(c)(3)  
MISDEMEANOR  
\$500.00 - 60 DAYS**



**\*\*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**



**\*\*DISTURB THE PEACE\*\***

...did enter the [land/premises/beach] of \_\_\_\_\_(name), and did wilfully disturb the peace of persons thereon by unreasonably loud noise and did act in a disorderly manner.

**CR 10-201(c)(5)  
MISDEMEANOR  
\$500.00 - 60 DAYS**



**\*\*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.

## Keeping Disorderly House

**CR 10-202  
MISDEMEANOR  
\$300.00 - 6 MONTHS**



\* 5 5 3 1 1 \*

### **\*\*DISORDERLY HOUSE\*\***

...did keep a disorderly house, to wit: \_\_\_\_\_ (address), by \_\_\_\_\_ (describe method in which house was disorderly, see notes under statute).

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."

### INTERFERENCE IN ATHLETIC EVENTS

## Throwing/Projecting Objects

**CR 10-203(b)  
MISDEMEANOR  
\$250.00 - 3 MONTHS**



\* 1 5 3 9 9 \*

### **\*\*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.



## **Interference to/from Medical Facility**

**CR 10-204(c)  
MISDEMEANOR  
\$1,000.00 - 90 DAYS**



\* 1 0 4 7 9 \*

### **\*\*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 and exiting \_\_\_\_\_ (name and/or address) a medical facility, by physically [detaining/obstructing, hindering and 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).

## **RELIGIOUS AND ETHNIC CRIMES**

### **Deface, Etc. Religious Property; Obstruct, Etc. Religious Beliefs; Harass/Commit a Crime Upon Person For Ethnic Reasons, Etc.**

**CR 10-302  
PENALTY SEC. CR 10-306  
MISDEMEANOR  
\$5,000.00 - 3 YEARS**



\* 1 0 4 3 5 \*

### **\*\*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.

**CR 10-303**  
**PENALTY SEC. CR 10-306**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**



\* 1 0 4 3 6 \*

**\*\*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**  
**\*SEE NOTE - SEPARATE**  
**CRIME ENHANCED**



\* 1 0 4 3 7 \*

**\*\*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, \$20,000.00 or both.

**CR 10-305 (1)**  
**PENALTY SEC. CR10-306**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**



\* 2 0 2 5 2 \*

**\*\*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 0 2 5 1 \*

**\*\*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].

**REMOVAL OF HUMAN REMAINS FROM BURIAL SITES**

**CR 10-402  
MISDEMEANOR  
\$10,000.00 - 5 YEARS**

**\*\*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**

**\*\*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.

**CR 10-404(b)**  
**MISDEMEANOR**  
**\$500.00 - 2 YEARS**



\* 3 3 9 4 6 \*

**\*\*DESTROY GRAVEYARD PLANTS\*\***

...did unlawfully [destroy/cut/break/remove] a vegetation, to wit: \_\_\_\_\_, in \_\_\_\_\_ cemetery.

NOTE: This section covers all plantings within graveyards and cemeteries.

**CR 10-404(c)**  
**MISDEMEANOR**  
**\$500.00 - 2 YEARS**



\* 3 3 9 4 7 \*

**\*\*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 3 6 0 0 \*

**\*\*ADULTERY\*\***

...did commit adultery with \_\_\_\_\_(name).

**CR 10-502  
FELONY  
9 YEARS  
PRELIMINARY HEARING**



\* 1 3 8 0 4 \*

**\*\*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 0 5 0 0 \*

**\*\*ANIMAL CRUELTY\*\***

...did [overdrive/overload/deprive of necessary sustenance/inflict unnecessary suffering or pain on] a \_\_\_\_\_ (type of animal).

**CR 10-604(a)(4)**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**



\* 1 0 5 0 1 \*

**\*\*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 0 5 0 3 \*

**\*\*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 0 5 9 7 \*

**\*\*DOGFIGHT SPECTATOR\*\***

...did knowingly attend a deliberately conducted dogfight as a  
 spectator.

**CR 10-605(b)**  
**MISDEMEANOR**  
**\$2,500 - 1 YEAR**



\* 1 0 5 9 8 \*

**\*\*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 0 5 0 8 \*

**\*\*HARM/DEATH: LAW ENFOR. ANIMAL\*\***

...did intentionally inflict [bodily harm/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.



**CR 10-606(1)(2)  
FELONY  
DISTRICT COURT  
\$5,000.00 - 3 YEARS**



**\*\*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**



**\*\*ANIMAL CRUEL: DOG FIGHTING\*\***

...did [use a dog/allow a dog to be used 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(b)(2)  
FELONY  
DISTRICT COURT  
\$5,000.00 - 3 YEARS**



**\*\*DOG FIGHT: CONDUCT\*\***

...did [arrange/conduct] a dog fight.

**CR 10-607(b)(3)  
FELONY  
DISTRICT COURT  
\$5,000.00 - 3 YEARS**



**\*\*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**



**\*\*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**



**\*\*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 10-608(b)(2)  
FELONY  
\$5,000.00 - 3 YEARS  
DISTRICT COURT**



**\*\*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**



**\*\*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.

## Dangerous Dogs Restraining Restrictions

**CR 10-619(d)(1)  
MISDEMEANOR  
\$2,500.00**



**\*\*DANGEROUS DOG FAIL CONFINES\*\***

...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**



**\*\*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)  
MISDEMEANOR  
\$2,500.00**



**\*\*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.

**CR 10-619(e)(1)  
MISDEMEANOR  
\$2,500.00**



**\*\*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.

**Injury-Race or Show Horse, Etc.**

**CR 10-620(1)  
FELONY  
DISTRICT COURT  
3 YEARS**



**\*\*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**



**\*\*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)**



**\*\*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/poisonous snake specifically in the family groups of hydrophidae, elapidae, viperidae, or crocolidae].

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.

**CR 10-623(b)(1)  
MISDEMEANOR  
\$1,000.00 - 90 DAYS**



**\*\*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**



**\*\*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**



**\*\*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].

**CR 10-623(b)(4)  
MISDEMEANOR  
\$1,000.00 - 90 DAYS**



**\*\*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**



**\*\*RESTRAIN DOG - CAUSE INJURY\*\***

... did leave a dog outside and unattended by the use of a restraint that causes injury to the dog.



**DESECRATION OF THE NATIONAL OR STATE FLAG****Desecration of Flag**

**CR 10-704**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

**\*\*DESECRATE FLAG\*\***

...did intentionally [mutilate/deface/destroy/burn/trample upon/otherwise use] a flag in a manner [intended to incite and produce an imminent breach of the peace/ under circumstances likely to incite and 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.

**NUDITY AND SEXUAL DISPLAYS**

**CR 11-102**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**

**\*\*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 3 7 0 0 \*

**\*\*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 0 2 9 2 \*

**\*\*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.

**CR 11-103(b)(3)  
MISDEMEANOR  
\$1,000.00 - 6 MONTHS**



\* 3 3 7 1 0 \*

**\*\*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 3 7 0 0 \*

**\*\*SEX DISP MINR RET ESTABLMT\*\***

...did knowingly permit \_\_\_\_\_, a minor unaccompanied by his/her [parent/guardian], to enter into and remain at \_\_\_\_\_ (name and address of premises), a 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.

**CR 11-105(b)  
MISDEMEANOR  
\$1,000.00 - 6 MONTHS**



\* 1 0 2 9 3 \*

**\*\*SEX DISPLAY PERMIT ON PREM\*\***

...did knowingly permit the display of a \_\_\_\_\_ [picture/photo/drawing/verbal description/narrative account] depicting \_\_\_\_\_ [sodomasochistic 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 3 7 0 0 \*

**\*\*SEX DIS/ADVERTISMNT PURPOS\*\***

...did knowingly display for advertising purposes a \_\_\_\_\_ [picture/ photo/drawing/verbal description/narrative account] depicting \_\_\_\_\_ [sodomasochistic abuse/sexual conduct/sexual excitement].

**INDECENT EXPOSURE**

**CR 11-107  
MISDEMEANOR  
\$1,000.00 - 3 YEARS**

**\*\*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 to breasts, buttocks, or genitals. 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 some 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**

**\*\*OBSCENE MAT/SALE CAUSE/SND\*\***

...did knowingly [send/cause to be sent] into this State for sale or distribution \_\_\_\_\_, obscene matter.

**CR 11-202(a)(2)**  
**MISDEMEANOR**  
**FIRST OFFENSE**  
**\$1,000.00 - 1 YEAR**  
**SUBSEQUENT OFFENSE**  
**\$5,000.00 - 3 YEARS**



**\*\*OBSCENE MAT/SAL CAUS/BRING\*\***

...did knowingly bring and cause to be brought into this State  
 for sale and distribution \_\_\_\_\_, obscene matter.

**CR 11-202(a)(3)**  
**MISDEMEANOR**  
**FIRST OFFENSE**  
**\$1,000.00 - 1 YEAR**  
**SUBSEQUENT OFFENSE**  
**\$5,000.00 - 3 YEARS**



**\*\*OBSCENE MAT/PUBLISH/DISTRIB\*\***

...did, in this State, knowingly prepare, publish, print, exhibit,  
 distribute and offer to distribute \_\_\_\_\_, obscene matter.

**CR 11-202(a)(4)**  
**MISDEMEANOR**  
**FIRST OFFENSE**  
**\$1,000.00 - 1 YEAR**  
**SUBSEQUENT OFFENSE**  
**\$5,000.00 - 3 YEARS**



\* 1 0 2 9 6 \*

**\*\*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: 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.

**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 3 7 9 9 \*

**\*\*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**



**\*\*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: "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.



## Child Pornography

**CR 11-207(a)(1)  
FELONY  
\$25,000.00 - 10 YEARS  
PRELIMINARY HEARING  
SUBSEQUENT  
VIOLATION  
\$50,000.00 - 20 YEARS**



\* 1 0 2 9 8 \*

**\*\*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:

\_\_\_\_\_.

**CR 11-207(a)(1)  
FELONY  
\$25,000.00 - 10 YEARS  
PRELIMINARY HEARING  
SUBSEQUENT  
VIOLATION  
\$50,000.00 - 20 YEARS**



\* 2 3 7 9 9 \*

**\*\*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 0 2 9 9 \*

**\*\*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].

**CR 11-207(a)(4)**  
**FELONY**  
**\$25,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**  
**SUBSEQUENT**  
**VIOLATION**  
**\$50,000.00 - 20 YEARS**



\* 1 0 3 0 0 \*

**\*\*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].

**CR 11-207(a)(5)**  
**FELONY**  
**\$25,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**  
**SUBSEQUENT**  
**VIOLATION**  
**\$50,000.00 - 20 YEARS**



\* 1 0 3 1 5 \*

**\*\*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 /sodomasochistic abuse of] a minor.

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.

**CR 11-208  
MISDEMEANOR  
2,500.00 - 5 YEARS**



\* 1 1 7 5 6 \*

**\*\*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.

**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 3 7 9 9 \*

**\*\*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.

**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 1 0 8 0 \*

**\*\*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 1 0 8 2 \*

**\*\*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/assignment].

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 0 7 5 2 \*

**\*\*HUMAN TRAFFICKING – EXPLICIT PERFORM\*\***

...did engage in a [device/scheme/continuing course of conduct] intended to cause \_\_\_\_\_ (victim's name) to believe that if \_\_\_\_\_(victim'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 0 7 6 2 \*

**\*\*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.

**CR 11-303(a)(2)**  
**MISDEMEANOR**  
**\$5,000.00 – 10 YEARS**



\* 1 1 0 8 3 \*

**\*\*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 0 7 8 6 \*

**\*\*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 0 7 8 8 \*

**\*\*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/assignment].

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**



**\*\*HUMAN TRAFFICKING – EXPLICIT PERFORM\*\***

...did engage in a [device/scheme/continuing course of conduct] intended to cause \_\_\_\_\_ (victim's name) to believe that if \_\_\_\_\_(victim'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**



**\*\*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**



**\*\*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.



**CR 11-303(b)(2)  
FELONY  
DISTRICT COURT  
\$15,000.00 – 25 YEARS**



\* 1 0 7 8 7 \*

**\*\*HUMAN TRAFFICKING – FORCE\*\***

... did knowingly and unlawfully [take/detain] \_\_\_\_\_ (name), a minor, 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 0 7 5 7 \*

**\*\*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  
\$15,000.00 – 25 YEARS**



\* 1 0 7 5 8 \*

**\*\*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).

**CR 11-303(e)(2)**  
**MISDEMEANOR**  
**\$5,000.00 – 10 YEARS**



**\*\*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**  
**\$15,000.00 – 25YEARS**



**\*\*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**



**\*\*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.

**CR 11-305(a)(1)**  
**MISDEMEANOR**  
**\$5,000.00 - 10 YEARS**



**\*\*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].

**CR 11-305(a)(2)**  
**MISDEMEANOR**  
**\$5,000.00 - 10 YEARS**



**\*\*PROSTITUTION - UNDER 16/SECRETE\*\***

...did knowingly [secrete/harbor/aid in the secreting of/aid in the harboring 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].

**CR 11-306  
MISDEMEANOR  
\$500.00 - 1 YEAR**



\* 1 1 0 9 3 \*

**\*\*PROSTITUTION - GENERAL\*\***

...did knowingly \_\_\_\_\_(select from language below)

1. engage in [prostitution/assignment] by any means.
2. [keep/set up/occupy/maintain/operate] a [building/structure/conveyance] for [prostitution/assignment].
3. allow a [building/structure/conveyance] [owned/under a person's control] to be used for [prostitution/assignment].
4. [procure/solicit/offer to procure/offer to solicit] for [prostitution/assignment].
5. [allow/agree to allow] a person into a [building/structure/conveyance] for [prostitution/assignment].

NOTES: Means includes actual participation as well as:

- keep, set up, occupy, maintain, or operate a building, structure, or conveyance for prostitution or assignment;
- allow or agree to allow a person into a building, structure, or conveyance for prostitution or assignment;or
- procure or solicit or offer to procure or solicit for prostitution or assignment.

**Betting, Wagering or Gambling Pools on Horses, Etc.**

**CR 12-102(a)(1)(2)  
MISDEMEANOR  
\$1,000.00 - 1 YEAR**



\* 1 3 9 0 1 \*

**\*\*BET/WAGER/GAMBLE\*\***

...did [bet/wager/gamble/make a pool/sell a pool] on the result of [race/contest/contingency].

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.

**CR 12-102(3)(4)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**



**\*\*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**



**\*\*GAMING/CARDS, DICE, ETC.\*\***

...did play \_\_\_\_\_ (name game) for [money/ \_\_\_\_\_ (name other valuable)].

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.

## Keeping, Etc., Gaming Table/Place

**CR 12-104  
MISDEMEANOR  
\$500.00 - 1 YEAR**



\* 1 3 9 0 8 \*

### **\*\*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 3 9 2 1 \*

### **\*\*GAMING-KEEP TABLE/PLACE\*\***

...did keep a [gaming table/house/vessel/place] to wit:  
\_\_\_\_(location), for the purpose of gambling.

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.

## Owner/Occupant of Building, Etc. Permitting Keeping of Tables

**CR 12-104(2)**  
**MISDEMEANOR**  
**\$500.00 - 1 YEAR**



### **\*\*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**



### **\*\*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.

**OFF-SHORE GAMBLING****Gambling on boat, pier, Wharf, etc**

**CR 12-105**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

**\*\*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: 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.

**Results of Horse Race**

**CR 12-109**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**

**\*\*FIXED HORSE RACE\*\***

...did wilfully, knowingly, and unlawfully [cause/attempt to cause] the prearrangement and predetermination of the results of a horse race, to wit: \_\_\_\_\_ (name race).



## Lotteries - Prohibited



**\*\*LOTTERY-SELL\*\***

...did hold a lottery.

**CR 12-203  
MISDEMEANOR  
\$1,000.00 - 12 MONTHS**



**\*\*LOTTERY-SELL\*\***

...did sell a lottery device to \_\_\_\_\_.

**CR 12-203  
MISDEMEANOR  
\$1,000.00 - 12 MONTHS**

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.

**CR 12-204  
MISDEMEANOR  
\$100.00 - 1 YEAR  
SUBSEQUENT OFFENSE  
SEC. 12-210  
\$5,000.00 - 5 YEARS**



**\*\*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.

**CR 12-204  
MISDEMEANOR  
\$1,000.00 - 1 YEAR  
SUBSEQUENT OFFENSE  
SEC. 12-21  
\$5,000.00 - 5 YEARS**



**\*\*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 0 2 8 6 \*

**\*\*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 3 9 1 8 \*

**\*\*LOTTERY: INTERSTATE TRANSP\*\***

...did bring into the State of Maryland a [lottery ticket/policy/certificate]; to wit \_\_\_\_\_ (name item).

**CR 12-205(b)(2)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**  
**SUBSEQUENT OFFENSE**  
**SEC. 12-210**  
**\$5,000.00 - 5 YEARS**



\* 1 0 2 8 7 \*

**\*\*LOTTERY POSS SALES MONEY\*\***

...did possess a record of money received and to be received from the sale of a [lottery device/policy/certificate \_\_\_\_\_ (specify)].

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 3 9 1 5 \*

**\*\*LOTTERY-PUBLISH ACCT\*\***

...did [publish/aid and assist in publishing] an account of a lottery.

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.

SLOT MACHINES**Defined; Prohibited; Limited, etc.**

**CR 12-302**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

**\*\*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.

# **CORRECTIONAL SERVICES ARTICLE**

**CS 2-113.1(b)  
MISDEMEANOR  
\$500.00**



**\*\*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**



**\*\*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.

**CS 8-801  
FELONY  
30 YEARS  
PRELIMINARY HEARING**



**\*\*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.

**CS 8-803  
MISDEMEANOR  
\$1,000.00 - 3 YEARS**



**\*\*INDECENT EXPOSE CORRECTION EMPL\*\***

...did, with the intent to annoy, abuse, torment, harass and embarrass a (correctional officer/authorized personnel), to wit: \_\_\_\_\_ (name/employee) lewdly, lasciviously and indecent 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**



**\*\*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 16 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 16 to be covered by this section.



## Compulsory Attendance

**ED 7-301**  
**MISDEMEANOR**  
**\$500.00 - 30 DAYS**



\* 1 0 1 0 1 \*

**\*\*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 0 1 0 2 \*

**\*\*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.

SCHOOL SECURITY**Disturbing Activities at School Etc.  
Molesting/Threatening Students****ED 26-101  
MISDEMEANOR  
\$2,500.00 - 6 MONTHS**

\* 1 0 0 7 0 \*

**\*\*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 1 3 0 7 \*

**\*\*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 5 7 0 7 \*

**\*\*SCHOOL: TRESPASS ON GROUND\*\***

...did unlawfully trespass upon the grounds of \_\_\_\_\_(name of school), a public institution of [elementary/secondary/higher education].

## Trespass-Public Educational Institution

**ED 26-102  
MISDEMEANOR  
\$1,000.00 - 6 MONTHS**



\* 8 5 7 0 7 \*

**\*\*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 5 7 0 7 \*

**\*\*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, statues, monuments, memorials, trees, shrubs, grasses, or flowers.

**ED 26-104  
MISDEMEANOR  
\$1,000.00 – 90 days**



\* 1 0 6 1 1 \*

**\*\* 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.

## ELECTION LAW ARTICLE



\* 1 0 7 8 3 \*

**EL 16-802**  
**FELONY**  
**\$10,000.00 - 3 YEARS**

**\*\*DESTRUCTION-ELECTION EQUIPMENT\*\***

...did willfully and knowingly [tamper with/damage or attempt to damage/prevent or attempt to prevent operation of/possess key for/make key for] voting equipment.



\* 1 0 7 8 4 \*

**EL 16-803**  
**FELONY**  
**\$10,000.00 - 3 YEARS**

**\*\*DESTRUCTION-ELECTION EQUIPMENT\*\***

...did [remove/deface/destroy] [equipment/supplies] in a polling place.



\* 1 0 7 8 5 \*

**EL 16-804**  
**FELONY**  
**\$50,000.00 - 10 YEARS**

**\*\*TAMPERING ELECTION SYSTEM\*\***

...did [access/tamper with/alter] voting system without authorization of election authority.

# ENVIRONMENT ARTICLE

## **Junkyard/Automobile Graveyard Adjoining Body of Water**

**EN 5-10A-02  
MISDEMEANOR  
\$500.00 - 90 DAYS**



\* 7 5 5 9 9 \*

### **\*\*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  
1<sup>st</sup> Offense: \$20,000  
Sub Offense: \$25,000 - 2 Yrs**



\* 1 1 6 0 5 \*

### **\*\*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 0 0 1 2 \*

### **\*\*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.

## Illegal Disposal

**EN 7-265  
FELONY  
\$100,000.00 - 5 YEARS  
PRELIMINARY HEARING**



**\*\*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**



**\*\*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).



**EN 7-265  
FELONY  
\$100,000.00 - 5 YEARS  
PRELIMINARY HEARING**

**\*\*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**

**\*\*HAZARDOUS SUBST/ENDANGER OTHER\*\***

...did unlawfully [store/treat/dump/discharge/abandon/dispose  
of][transport for treatment/ storage/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.

# **FAMILY LAW ARTICLE**

## **MARRYING UNLAWFULLY**

### **Within 3 Degrees of Direct Lineal/ First Degree of Collateral Consanguinity**

**FL 2-202(b)  
MISDEMEANOR  
\$1,500.00**



#### **\*\*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



## Marrying within Other Prohibited Degrees

**FL 2-202[c]  
MISDEMEANOR  
\$500.00**



**\*\*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

**FL 2-406(c)  
MISDEMEANOR  
\$500.00**



**\*\*MARRIAGE-UNAETH. BY MINISTER\*\***

...did unlawfully and without authority perform a marriage ceremony between \_\_\_\_\_ (bride) and \_\_\_\_\_ (groom).

NOTE: See section for list of authorized persons.

**Minister, etc. Marrying Persons Within Prohibited Degrees**

**FL 2-406(d)  
MISDEMEANOR  
\$500.00**



**\*\*MARRIAG UNAETH 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 official/clerk/deputy clerk/judge].

**FL 2-406(e)**  
**MISDEMEANOR**  
**\$500.00**



**\*\*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 administrative judge of the circuit court for that county.
4. A judge.

## Advertising/Solicitation of Marriages

**FL 2-408(a)(2)**  
**MISDEMEANOR**  
**FIRST OFFENSE \$100.00**  
**SUB OFFENSE \$500.00 - 1**  
**YEAR**



### **\*\*MARRIAGE-ILL ADVERTISING\*\***

...did [erect/maintain] \_\_\_\_\_ (describe advertising structure)  
 located at \_\_\_\_\_, that was intended to help solicit the  
 performance of a marriage ceremony.

## Domestic Violence

**FL 4-508.1**  
**MISDEMEANOR**  
**FIRST OFFENSE \$1,000.00**  
**- 90 DAYS**  
**SUB OFFENSE \$2,500.00 -**  
**1YEAR**



### **\*\*VIOLATE OUT OF STATE ORDER\*\***

...did fail to comply with a court order issued by the State of  
 \_\_\_\_\_ and filed with the [District/circuit court of \_\_\_\_\_]  
 that ordered the respondent to refrain from [further abuse to  
 \_\_\_\_\_/threat of abuse to \_\_\_\_\_/ contacting \_\_\_\_\_/ attempting  
 to contact \_\_\_\_\_/harassing \_\_\_\_\_/ entering the residence of  
 \_\_\_\_\_/remain away from the place of employment, school,  
 temporary residence of \_\_\_\_\_].

**FL 4-509  
MISDEMEANOR  
\$1,000.00 - 90 DAYS  
SUB. OFFENSE  
\$2,500.00 - 1 YEAR  
RELEASE RESTRICTION  
(Under Certain Conditions)**



\* 2 0 2 5 4 \*

**\*\*VIOLATE EXPARTE/PROT ORDER\*\***

...did fail to comply with an Order of Court dated \_\_\_\_\_, issued under the Annotated Code of Maryland, Family Law Article, that ordered the respondent to refrain from further [abuse to \_\_\_\_\_/ threats of abuse to \_\_\_\_\_/ contacting \_\_\_\_\_/ attempting to contact \_\_\_\_\_/ harassing \_\_\_\_\_/entering the residence of \_\_\_\_\_/vacate the residence of \_\_\_\_\_/remain away from the place of employment, school, and temporary residence of \_\_\_\_\_/surrender firearms to law enforcement/possessing a firearm] .

NOTE: Failure to surrender firearms to law enforcement and possessing a firearm are only applicable when a temporary protective order or a final protective order is issued.

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: Such an order may include any or all of the restrictions named, and may be violated in several ways by one action. Example: returning to the residence and abusing, harassing, and threatening may all occur in one incident. Use all applicable choices joined by the word "and". HOWEVER, each separate chronological incident is a separate offense.

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.

**FL 5-705.2**  
**MISDEMEANOR**  
**\$10,000 .00 – 5 YEARS**



**\*\*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**



**\*\*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.

CHILD CUSTODY AND VISITATION

**FL 9-304**  
**PENALTY SEC. FL 9-307**  
**MISDEMEANOR**  
**\$250.00 - 30 DAYS**



\* 1 0 3 6 4 \*

**\*\*DETAIN CHILD/RELATIVE 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 0 3 6 5 \*

**\*\*HIDE CHLD/ABD BY REL IN ST\*\***

...did, as a relative and with intent to deprive the lawful custodian, harbor and 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.

**FL 9-304  
PENALTY SEC. FL 9-307  
MISDEMEANOR  
\$250.00 - 30 DAYS**



**\*\*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.

**FL 9-304  
PENALTY SEC. FL 9-307  
MISDEMEANOR  
\$250.00 - 30 DAYS**

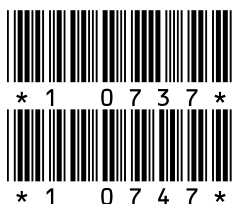


**\*\*ABDUCT CHILD/RELATIV IN ST\*\***

...did, as a relative and with intent to deprive the lawful custodian, knowingly abduct, take, and 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**



**\*\*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.

**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 0 7 3 8 \*

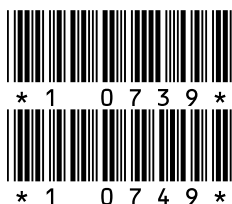


\* 1 0 7 4 8 \*

**\*\*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.

**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**



**\*\*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.

**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**



**\*\*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**



**\*\*NONSUPPORT SPOUSE\*\***

...did, without just cause, willfully fail to provide for the support of \_\_\_\_\_ [his/her] spouse.

**FL 10-203  
MISDEMEANOR  
\$100.00 - 3 YEARS**



**\*\*DESERTION-MINOR CHILD\*\***

...did desert \_\_\_\_\_ (name) [his/her] minor child.

**Desertion/Nonsupport - Minor Child**

**FL 10-203  
MISDEMEANOR  
\$100.00 - 3 YEARS**



**\*\*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**



**\*\*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.

## Support Destitute Parent

**FL 13-102  
MISDEMEANOR  
\$1,000.00 - 1 YEAR**



\* 1 3 8 0 8 \*

**\*\*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 3 8 9 9 \*

**\*\*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.

# HEALTH – GENERAL ARTICLE

## Vital Statistics and Records

**HG 4-226(f)**  
**PENALTY SEC. HG 4-227**  
**MISDEMEANOR**  
**\$1,000.00 - 30 DAYS**



\* 1 0 6 9 5 \*

### **\*\*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.

## Performing female genital mutilation

**HG 20-601(a)**  
**PENALTY HG 20-601(a)**  
**FELONY**  
**\$5,000 - 5 YEARS**  
**PRELIMINARY HEARING**



\* 1 0 9 6 5 \*

### **\*\*FEM GENITAL MUTILATION\*\***

...did unlawfully and knowingly circumcise, excise, and infibulate the whole and any part of the labia majora, labia minora, and clitoris of \_\_\_\_\_(name), an individual under 18 years of age.

**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**



**\*\*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, or infibulation of the whole or any part of the labia majora, labia minora or clitoris of the said child.

**FOOD PACKAGES AND CONTAINERS**

**Opening Sealed Food Container**

**HG 21-259.1  
MISDEMEANOR  
\$25.00**



**\*\*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 0 6 9 8 \*

### **\*\*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 0 6 9 9 \*

### **\*\*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.

**LE 3-504  
PENALTY SEC. LE 3-  
508(c)  
MISDEMEANOR  
\$1,000.00**



**\*\*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.

**LE 3-505  
PENALTY SEC. LE 3-  
508(c)  
MISDEMEANOR  
\$1,000.00**



**\*\*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 0 7 0 2 \*

**\*\*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 0 8 0 1 \*

**\*\*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.

**LE 8-1301  
PENALTY SEC. LE 8-1305  
MISDEMEANOR  
\$1,000.00 - 90 DAYS  
RESTITUTION PLUS  
INTEREST  
DISQUALIFICATION**



**\*\*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**



**\*\*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**



**\*\*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.



**LE 8-1302**  
**PENALTY SEC. LE 8-1305**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

**\*\*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**

**\*\*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**

**\*\*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).

**LE 8-1302  
PENALTY SEC. LE 8-1305  
MISDEMEANOR  
\$1,000.00 - 90 DAYS**



\* 1 0 8 1 1 \*

**\*\*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 0 8 0 0 \*

**\*\*EMPLOYER/FAIL TO CONTRIBUTE\*\***

...did, as employer, willfully fail and refuse to make a contribution or other payment as required by the unemployment 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 0 8 1 0 \*

**\*\*EMPLOYER/FAIL TO REPORT\*\***

...did, as employer, willfully fail and refuse to submit a report to wit: \_\_\_\_\_ as required by the unemployment insurance law, in violation of the Labor and Employment Article, Sec. 8-1302(2)(ii).

**LE 8-1302  
PENALTY SEC. LE 8-1305  
MISDEMEANOR  
\$1,000.00 - 90 DAYS**



\* 2 0 8 2 0 \*

**\*\*EMPLOYER/RECORDS PRODUCTION\*\***

...did, as employer, willfully fail and 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 0 8 3 0 \*

**\*\*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(2)(ii).

**LE 8-1303  
PENALTY SEC. LE 8-1305  
MISDEMEANOR  
\$1,000.00 - 1 YEAR**



\* 1 0 8 1 3 \*

**\*\*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.

**LE 8-1303  
PENALTY SEC. LE 8-1305  
MISDEMEANOR  
\$1,000.00 - 1 YEAR**



\* 1 8 0 1 2 \*

**\*\*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.



# NATURAL RESOURCES ARTICLE

## **Operating Vessel/Number, Name Or Home Port Designation Concealed**

**NR 8-713.1  
MISDEMEANOR  
\$500.00 - 6 MONTHS**



### **\*\*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**



### **\*\*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.

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**



**\*\*OP. VESSEL/UNDER INFLUENCE\*\***

...unlawfully [did/did attempt to] operate a vessel, to wit:  
 \_\_\_\_\_, while under the influence of alcohol.

**NR 8-738(a)(2)(3),(4)**  
**MISDEMEANOR**  
**\$500.00 - 2 MONTHS**  
**SUBSEQUENT OFFENSE**  
**\$1,000.00 - 1 YEAR**



**\*\*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.

**Operation in Reckless Manner etc.**

**NR 8-738.1**  
**MISDEMEANOR**  
**\$200.00 - 30 DAYS**  
**SUB CONV: \$500.00 -**  
**60 DAYS**



\* 1 5 5 0 0 \*

**\*\*BOATS-OPER/RECKLESS MANNER\*\***

...did operate a boat in a reckless manner or a manner endangering the persons and the property of others.

# PUBLIC SAFETY ARTICLE

## **Personating Police Officer Unauthorized Use Uniform, etc.**

**PS 3-502(b)  
MISDEMEANOR  
\$2,000.00 - 2 YEARS**



\* 1 1 7 6 9 \*

### **\*\*PERSONATE 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.

## **Personating Police Officer Unauthorized Use Uniform, etc.**

**PS 3-502(c)  
MISDEAMEANOR  
\$2,000.00 - 2 YEARS**



\* 1 0 6 0 4 \*

### **\*\*PERSONATION: 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.

## Surveillance

**PS 3-503**  
**MISDEMEANOR**  
**\$1,000.00 - 2 YEARS**



\* 2 5 1 2 0 \*

**\*\*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 5 2 1 0 \*

**\*\*REG FIREARM: SALE W/O LICENSE\*\***

...did engage in the business of selling, renting, and transferring regulated firearms without lawfully possessing and conspicuously displaying at his place of business 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.

**Improper sale by dealer or person**

**PS 5-123**  
**PENALTY SEC. 5-143**  
**MISDEMEANOR**  
**\$10,000.00 - 5 YEARS**

**\*\*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**

**\*\*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.

**PS 5-125(b)**  
**PENALTY SEC. 5-143**  
**MISDEMEANOR**  
**\$10,000.00 - 5 YEARS**



**\*\*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**



**\*\*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**



**\*\*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.

**PS 5-133(b)**  
**MISDEMEANOR**  
**\$10,000.00 - 5 YEARS**



\* 1 1 1 0 6 \*

**\*\*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 incompetent 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, 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.

NOTE: If the person before you has a physician's certification that the person is capable of possessing a regulated firearm, without undue danger to the person or to others, you are to consult your Duty Judge/State's Attorney/Administrative Commissioner.



**PS 5-133(c)  
FELONY  
15 YEARS  
PRELIMINARY HEARING**



**\*\*FIREARM-POSS W/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**



**\*\*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.

**PS 5-133.1**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**



\* 1 1 2 8 5 \*

**\*\*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..

## Restrictions on Sale, Transfer and Possession of Regulated Firearms

**PS 5-134(b)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**



**\*\*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].

**PS 5-134(d)(i)(2)  
MISDEMEANOR  
\$1,000.00 - 1 YEAR**



**\*\*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**



**\*\*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**



**\*\*STRAW PURCHASE\*\***

...did knowingly and willfully participate in a straw purchase of a regulated firearm, to wit: \_\_\_\_\_ (describe firearm).

## Sale, Transfer, etc., of Regulated Firearm

**PS 5-138  
PENALTY SEC. 5-143  
MISDEMEANOR  
\$10,000.00 - 5 YEARS**



\* 1 2 8 0 1 \*

### **\*\*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 5 2 1 0 \*

### **\*\*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 5 2 9 5 \*

### **\*\*TRANS REG FIREARM/SALE/TRAF\*\***

...did transport regulated firearms into this state for the purpose of illegal sale or trafficking of regulated firearms.

**PS 5-141  
MISDEMEANOR  
\$25,000.00 - 10 YEARS**



**\*\*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.)**



**\*\*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**



**\*\*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).

## Short-barreled

**PS 5-203(a)**  
**MISDEMEANOR**  
**\$5,000.00 - 5 YEARS**



\* 2 5 2 1 2 \*

**\*\*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.

**PS 5-205(b)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**



**\*\*RFL/SHOTGN POSS-MENT. DIS.\*\***

...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 incompetent 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.

NOTE: If the person before you has a physician's certification that the person is capable of possessing a regulated firearm, without undue danger to the person or to others, you are to consult your Duty Judge/State's Attorney/Administrative Commissioner.



**PS 5-206  
FELONY  
15 YEARS  
PRELIMINARY HEARING**



**\*\*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**



**\*\*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**



**\*\*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).

## Interference, Obstruction, False Representation

**PS 6-602(b)**  
**MISDEMEANOR**  
**3 YEARS**



\* 2 0 2 4 9 \*

### **\*\*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 5 3 9 8 \*

### **\*\*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 5 3 9 9 \*

### **\*\*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]].

**PS 7-402(b)  
MISDEMEANOR  
3 YEARS**



**\*\*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**



**\*\*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].

## Permits to Discharge or Sell



\* 1 0 0 1 6 \*

**PS 10-104(a)(1)**  
**MISDEMEANOR**  
**\$250.00 EACH OFFENSE**

**\*\*FIREWORKS DISCHARGE W/O PERMIT\*\***

...did discharge fireworks without required permit.



\* 1 0 0 2 1 \*

**PS 10-104(a)(2)**  
**MISDEMEANOR**  
**PENALTY SEC. 10-111**  
**\$250.00 EACH OFFENSE**

**\*\*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.



\* 1 0 0 2 9 \*

**PS 10-110(b)(1)**  
**MISDEMEANOR**  
**PENALTY SEC. 10-111**  
**\$1,000.00 EACH OFFENSE**

**\*\*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 what is and what is not a "firework".

**PS 10-112  
MISDEMEANOR  
\$1,000.00**



**\*\*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**



**\*\*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.

# REAL PROPERTY ARTICLE

## Fee/Other Consideration Obtaining Settlement, etc.

**RP 14-127  
MISDEMEANOR  
\$1,000.00 - 6 MONTHS**



### **\*\*REAL EST.-ILL SETTLMNT FEE\*\***

...did [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

# **TRANSPORTATION ARTICLE**

## **Firearms or Explosives Aboard Aircraft**

**TR 5-1008  
FELONY  
10 YEARS  
PRELIMINARY HEARING**



\* 2 5 2 0 3 \*

### **\*\*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.

### **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.



**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.