

## TABLE OF CONTENTS

Abduction .....	73
By Relative.....	415-420
<i>See Kidnapping</i>	
Abuse, Animal .....	358-362,365-368
Abuse, Child .....	74-77
Abuse, Vulnerable Adult .....	78,79
Accessory After The Fact .....	38
Adultery .....	357
Aircraft	
Explosive.....	455
Alcohol	
AWOL Machine.....	19,20
Retail/Retail Dealer.....	14-18
Tax .....	20-21
Intoxicated – Endanger .....	19
Disturbance .....	19
Drinking – Prohibited Places .....	17-20
<b>Minors – Citation Only Event – No Criminal Charges</b>	
Injury/Death .....	349
Prevent/Destroy Seized Alc .....	21-22
Proof of ID .....	349
Ammo, Illegal .....	442
Animal, Cruelty.....	358-362,365-368
Race Horse.....	365,366
Animal, Law Enforcement.....	361
Animal, Sale .....	364-366
Appropriate Property .....	197
Arson .....	164-167
Malicious Burning .....	165,166
Threat .....	167
Asbestos Removal .....	405
Assault	
First Degree.....	46
DOC/Employee.....	49, 399
Second Degree .....	46
Law Enforcement.....	47
Assault, Inmate .....	49
Assault Weapon .....	111, 112
Assisted Suicide.....	45,46
Athletic Contest, Interference .....	316,352
Attorney, Solicit Case .....	23
Bad Check .....	215-229
Court Cost .....	229
Bailbondsmen – Solicitation.....	34
Bail, Forfeiture .....	34
Bawdyhouse, Prostitution .....	382-386

Beer, Make-Sell .....	21
Bigamy .....	358
Boat .....	42-44,50-51
Bodily Fluid – Ingest .....	52
Breaking & Entering <i>See Burglary</i>	
Bribery .....	313-316
Bulletproof Body Armor .....	107, 108
Burglary .....	168-176,308
Explosives .....	175
First Degree/Home Invasion .....	168
Firearm .....	170
False Alarm .....	341
Research Facility .....	176
Rogue And Vagabond .....	174
Cargo- Disposal .....	260,261
Car Theft .....	196
Carjacking .....	70
Armed .....	70
Carrying Weapon .....	105-107
Carts-Grocery .....	198
Cemetery .....	24-26
Child –Abduction .....	73,415-420
Abuse – <i>See Minors</i>	
Abuse First Degree – Death .....	75
Abuse 1 <sup>st</sup> Deg – Severe Phys Injury .....	75
Abuse Second Deg –Parent .....	76
Abuse Second Deg – Custodian .....	76
Fail to report .....	77
Confine Unattended .....	414
Contribute to Conditions of Child (Delinquent) .....	32
Custody & Visitation .....	415-420
Fail Report Missing/Dead .....	80, 81
Desertion – Minor .....	421
Pornography .....	377-381
Sale, Barter, Trade .....	77
Citation, Fail to Appear .....	35
Cockfighting .....	360,362,363
Commercial Law .....	33
Common Law	
False Imprisonment .....	13
Obstructing .....	13
Riot .....	14
Common Nuisance .....	133-135
Computers	
Access .....	202-205
Disclose Number-Interactive Service .....	248
Contraband- Drugs, Escape, etc., Prison .....	327-332
Controlled Dangerous Substances	

<i>See Drugs</i>	
Correctional Services .....	398
Correctional Employee	
Assault.....	49
Sex Offense.....	66
Counterfeiting .....	296-306
Credit Card Offenses.....	230-245
Crime of Violence (Commit in Presence of Minor) .....	(See Part 1-Appendix L)
Crime of Violence, Pregnant Person.....	397
Criminal Procedure .....	34-37
Cruelty, Animal.....	358-362,365-368
Dangerous Dog .....	364,365
Dangerous Weapons	
Assault Weapons.....	111-112
Handgun.....	109-110
Minor .....	107
Robbery.....	69
School Property.....	106
Delinquent Child – <i>See Contribute to Condition of Child</i>	
Desecration of Flag .....	369
Desertion – Minor Child .....	421
Destitute Persons.....	422
Destruction of Property, Malicious .....	177-178
Destructive Devices .....	115,116,337,338
Disarm Law Enforcement Officer .....	106
Disorderly Conduct.....	350
Cemetery .....	357
Disorderly Intoxication .....	17,18
Disturbance – Public Peace.....	350,351
Dog – Dangerous .....	364,365
Dog Fight .....	359,361,362
Domestic Violence	
Violation of Order.....	412,413
Vulnerable Adult.....	78,79
Drinking – Prohibited .....	17-20
Drug – <i>See Health</i>	
Drug, Administer – Violent Crime .....	151,152
Drug	
Distribution .....	123-163
Hire Minor .....	154
Manufacture CDS .....	127, 128
School Zone .....	153
Weapon .....	148,149
Drug, Fake - Counterfeit .....	130-132,141
Drug, Inhale .....	159,160
Drug, Import .....	140,141
Drug, Large Amount.....	136-138
Drug Kingpin .....	139
Drug, Obtain by Fraud .....	120

Drug, Paraphernalia .....	144-147
Drug, Prescription .....	117,120-123,155-157,161-163
Drug, Proceeds .....	150,151
Drug Test, Alter .....	348
Drunken Boating .....	434
Drunkenness .....	17, 18
Education .....	400-403
Election .....	404
Electric Company – Tamper w/Equipment .....	178,179
Electronic Control Device .....	108
Electronic Harass .....	94-96
Electronic Theft Device .....	201,252,253
Embezzling, Property & Writings .....	197,307
Emergency Communication, Interference .....	339
Emergency Service Personnel .....	450,451
Environment .....	405-407
Escape from Confinement .....	323-329
Endangerment – Reckless .....	47,48
Ethnic/Religious Crimes (Hate Crimes) .....	353-355
Evidence –Alter/Fabricate .....	320, 321
Explosives	
Aircraft .....	455
Burglary .....	175
Extortion .....	81-88
Fail to Appear – Citation .....	35
Fail to Obey Lawful Order .....	351
Fail to Surrender – Bondsman .....	34
False Alarm .....	340
False Imprisonment (Common Law) .....	13
False Statement	
Destructive Device .....	337
MD Higher Education Commission .....	338
Peace Order .....	30
Peace Officer .....	335,336
Perjury .....	310-313
Secretary of Public Safety .....	398
State Official .....	336
Family Law	
Family Law Article .....	408-422
Abuse/Neglect Reporting .....	414
Marriage Unlawful .....	408-412
Protective Order – Violation of Order .....	412,413
Female Genital Mutilation .....	423,424
Fine/Forfeiture – Bad Check .....	229
Firearms	
Aircraft .....	455
Burglary .....	170
CDS Offense .....	148,149
Demonstrate – Public Place .....	111

Minors, Access.....	107,441
Regulated .....	437-446
Sale .....	437-439,443-446,449
Firefighters .....	450,451
Obstruct Firefighter.....	450
Personate/U/U Uniform .....	451
Fire Marshal .....	450
Personate.....	450
Fireworks .....	452
Food- Sealed Container.....	424
Forgery	
Currency.....	298
Order for Money/Goods.....	301
Prescription .....	120-123,156,157,302,303
Private Documents .....	296,297
Public Documents .....	299-301
Public Record.....	300
Ticket/Coupon/Token .....	305
Issue – Formerly Uttering .....	297
Vehicle Title.....	297
Fraud	
Bad Check .....	215-229
Beer .....	21
Breach of Trust .....	261
Cable TV .....	207-211
Conversion, Leased Goods .....	262
Corporate Officer .....	259
Court Process .....	295
Electric Company.....	178,179
Electric/Skimming Device.....	252-256
False Advertising .....	33
False Identification Documents .....	257,258
Food Commodities.....	264
Fund Raising .....	293
Gas Company.....	180
Horse Racing.....	309,392
Identity .....	246-251
Unauthorized Use Motor Vehicle .....	199
Medical Assistance .....	265-292
Pari-Mutual Tickets .....	309
Personal Identifying Information .....	246-251
Prescription .....	120-123,156,157,302,303
Public Assistance .....	263-292
Public Defender .....	294
Pyramid Promotional Scheme.....	260
Race Horse .....	246-251
Rental Vehicle – Fail to Return .....	200
Abandon.....	200
State Health Plan.....	265-292

Telecommunication Service.....	214
Vital Records .....	423
Welfare.....	263
FTA – Pub Safe Subpoena.....	398
Fugitive – Harbor.....	321,322
Gambling – Gaming.....	387-392
Gang – Threat .....	342
Graveyard, Desecration.....	356,357
Grocery Cart .....	198
Handgun.....	109-110
Person/Vehicle .....	109-110
Loaded/Unloaded.....	109-110
Sell without Lock.....	439
Use in Felony/Violent Crime .....	110-111
Harbor – Fugitive.....	321,322
Harassment.....	93
Course of Conduct .....	93
Electronic .....	94 -96
Follow .....	93
Stalking .....	92, 93
Hazardous Substance .....	405-407
Hazing .....	80
Health	
Condom Sale.....	344
Controlled Dangerous Substance.....	117
Drug – Administer to Another .....	118,151,152
Inhaling .....	159,160
Kingpin .....	139
Marijuana .....	118-123,141
Narcotic.....	126,127,129,131,132,135
Non-controlled Substance.....	143
Opiate .....	117
Paraphernalia.....	144-147
PCP .....	124,125,128,129,134,141,142
Possession of Firearm - Mental Disorder.....	448
Prescription	
Forgery.....	120-123,156,157,302,303
Proceeds of Offense .....	150,151
Registrant – Unlawful Act .....	163
Schedule I & II.....	117-141
Venereal Disease.....	343
Health General	
Female Genital Mutilation .....	423
Vital Statistics & Records.....	423
Home Improvement .....	27-29
Home Invasion .....	168
Homicide <i>See Murder</i>	
Manslaughter.....	41, 42
Motor Vehicle/Boat – Intoxicated- Under the Influence –Drugs .....	43,44

Murder.....	39,40
Negligent Homicide.....	42-44
Attempt .....	40, 41
Horse Race – Fraud.....	309,392
Household Violence – Domestic Violence - .....	412,413
Human Remains – Remove .....	356
Icebox - Abandon .....	341
Identification Card – Documents – Sale/Issue.....	257
Poss Identification Card State/Fed Health Plan .....	290
Identity Theft .....	246-251,256
Identity –Use Another (Sex Crime) .....	68
Import CDS .....	140,141
Imprisonment	
False (Common Law) .....	13
Correctional Employee .....	399
Incest .....	68
Indecent Exposure.....	373
Correctional Employee .....	399
Ingest – Bodily Fluid .....	52
Injuries - <i>See Assault</i>	
Life Threatening Cause.....	50,51
Issue Doc. ....	297
Junkyards .....	405
Juror	
Bribery .....	314
See Witness Intimidation – Influence.....	319-320
Juvenile, Sex Offense.....	66,67,76
Kidnapping.....	415-420
See Abduction.....	73
Knives – Switchblades.....	105-107
Labor & Employment	
Unemployment Insurance .....	427-430
Wages – Bad Check .....	222-224
Wages – Fail to Pay .....	425-426
Labor – Forced .....	104
Larceny - <i>See Theft</i>	
Burglary .....	168-176
Vehicles – Rental .....	200
Vehicles – Unauthorized.....	199
Laser Pointer .....	96
Law Enforcement	
Animal Harm .....	361
Assault & Second Degree .....	47
Disarm.....	106
Sex Act.....	67
Lawyers – Solicit Cases .....	23
Letters Wrongful Opening .....	98
Licenses.....	27-29

Life Threatening Injury – Cause (MV/Boat) .....	50,51
Litter.....	346-348
Livestock	
Motor Vehicle .....	199
Lottery .....	393-396
Machine Gun .....	112-114
Malicious Burning .....	165,166
Malicious Destruction of Property.....	177
Missiles .....	178
Manslaughter ( <i>See Murder</i> ) .....	41, 42
Manufactured Articles .....	182
Marriage - Forced .....	103
Marrying Unlawful .....	408-412
Medical Facility – Interference .....	353
Minors	
Access to Weapons .....	107,441
Child Abuse/Fail to Report .....	75-77
Child Neglect .....	77
Dangerous Weapon.....	105
Electronic Harass .....	94-96
Hire to Dist. CDS.....	154
Obscene Matter .....	375,376,380
Pornography.....	377-380
Fail to Furnish ID.....	349
Sex Abuse .....	66,67,76
Sex Solicitation .....	68
Tobacco Sale To .....	344,345
Weapons, Ammo.....	444
Motor Vehicle Theft .....	196
Murder ( <i>See Manslaughter – Homicide</i> ) .....	39,40
Attempt .....	40, 41
Narcotics	
<i>See Drugs &amp; Health</i>	
Natural Resources	
Public Landing – Destroy .....	433
Operate Boat/Reckless Manner.....	435
Operate Vessel Under Influence .....	434
Vessel – Conceal Name/Number .....	433
Newspaper Theft.....	197
Non-Support .....	420-422
Obscene Matter .....	373-375,381
Obstruct Justice.....	320
Witness Intimidation/Influence.....	317-320
Obstruct School Bus Driver .....	403
Obstructing & Hindering	
Interfere W/Arrest.....	327
Common Law.....	13
Fire Marshall .....	450
Off Road Vehicle .....	185



Open Container .....	21
Peace Orders	
False Statement .....	30
Violation Of .....	30
Peeping Tom .....	97,186
Perjury - <i>See False Statement</i> .....	310-313
Personal Identification Number .....	245
Personating Officer .....	436
Perverved Practice .....	67
<i>See Sex</i>	
Picketing – Dwelling .....	98
Poison - Contaminate .....	52
Police Officer – Personate .....	436
Prescription	
Forgery .....	120-123,157,157,302,303
Prostitution .....	382-386
Protective Order	
Violation Of Order .....	412,413
Public Assistance .....	263-292,294,295
Public Record .....	300
Public Safety .....	436-453
Railroad – Obstructing, etc. ....	189-191
Tickets Buy/Sell .....	191
Rape .....	53-57,64,65
<i>See Sex Offenses</i>	
Real Estate Settlements .....	454
Reckless Endangerment .....	47
From Car .....	48
Records, Public – Forgery, etc. ....	300
Recorded Material .....	212,214
Registration – Sex Offender .....	36, 37
Regulated Firearms .....	437-446
Religious/Ethnic Crimes (Hate Crime) .....	353-355
Reptiles, Sale as Pet .....	366
Resist Arrest .....	327
Rescue Squad .....	451
Rifles, <i>See Weapons, Regulated Firearm</i>	
Mental Disorder .....	448
Short Barreled .....	447
Riot .....	14
Robbery ( <i>See Theft, Burglary, Carjacking</i> ) .....	69
Armed .....	69
Rogue & Vagabond ( <i>See Burglary</i> ) .....	174
School	
Attendance .....	400,401
Distribute CDS – School Zone .....	153
Disturb Operation .....	402
Security .....	402
Trespass .....	402,403

Weapons.....	106
Sealed – Food Container .....	424
Sex Act/Production -Cause Another .....	90-91
Sex Offender – Registration/Notification .....	36, 37
Enter Property .....	37
Hire Registrant .....	37
Sex Trafficking .....	99-102
Sexual Displays.....	369-372
Sexual Image – Distribute.....	97
Sexual Offenses	
Sex Abuse – Minor .....	66,67,76
CDS Administer – Sex Offense .....	152
Correctional Employee .....	66
Display/Sell to Minor.....	370,371
Third Degree .....	58
Fourth Degree .....	59-63
Rape .....	53-57
Attempt .....	64,65
Perverted Practice .....	67
Sex Abuse Minor .....	66,67,76
Sodomy .....	67
Shotguns.....	447-449
Skimming Device.....	254,255
Slot Machines .....	397
Social Services Administration – Prohibited Acts.....	264
Solicit	
Attorney .....	23
Bail bondsman .....	34
Stalking .....	92
Suicide – Assisted.....	45,46
Surveillance	
Camera .....	98
Peeping Tom .....	97,186
Prurient Intent .....	97, 98
Unregistered.....	437
Tamper Gas/Electric Co. Equipment .....	178-180
Telecommunications Service – Fraud.....	214
Telephone Misuse .....	93,94
Temporary Order Violation	
Protective .....	412,413
Peace .....	30
Theft ( <i>See Bad Checks</i> )	
\$100 – Less than .....	194
<b>**Note Only** Fuel-Dispensed in Motor Vehicle .....</b>	<b>193</b>
\$100 to Under \$1,500 – Less than .....	194
\$1500 to Under \$25,000 .....	194
\$25,000 to Under \$100,000 .....	193
\$100,000 – Greater Than .....	193

Cable/Sat TV .....	207-211
Electronic Device .....	201
Scheme .....	195,196
Identity .....	246-251
Motor Vehicle – Unlawful Taking.....	196
Vulnerable Adult.....	307-309
Threats, etc.	
Arson .....	167
Coerce to Donate.....	88
Mass Violence.....	99
Of Injury.....	88
State Official .....	89
Tobacco – Minor .....	344,345
Trademark Counterfeiting .....	304
Traders .....	29
Trading in Human Remains .....	356
Transportation Law – Non Barcoded Charges	
Alcoholic Beverages Consumption.....	457
Possession of Motor Vehicle Master Key.....	455
Rental Vehicle – Under Influence of Alcohol or Drugs .....	456
Unauthorized Use of Rented Motor Vehicle .....	456
Vehicle w/Incorrect Odometer.....	456
Trespass.....	183-188
Boat .....	184
Railroad Equipment/Property .....	190
School .....	402,403
Unattended Child .....	414
Unauthorized Use/Removal .....	199
Unemployment Insurance Law .....	427-430,432
<i>See Labor &amp; Employment</i>	
Vehicle Laws - See Transportation.....	455-457
Vessels .....	433-435
Violate Release Condition .....	35-36
Violation of Temporary Order	
Peace .....	30
Protective .....	412,413
Extreme Risk.....	450
Visitation – Fail to Return.....	415
Visual Surveillance .....	97, 98
Vulnerable Adult.....	78,79,307-309
Wages - <i>See Labor &amp; Employment, Bad Check</i>	
Water Company – Meters & Equipment .....	81
Weapons	
Access by Minor .....	107
Assault.....	111, 112
Burglary .....	170
Carrying or Wearing .....	105-107
Intent to Injure.....	105
Contraband.....	327-332

Dangerous – Concealed .....	105
Disarm, Law Enf Off .....	106
Dist – Poss - CDS w/Firearm.....	148,149
Firearms	
Demonstrate Public Place .....	111
Handgun.....	109, 110
Use Fel/Violent Crime .....	110, 111
Knife – Switchblade.....	107
Mace – Chemical Device .....	105
Machine Gun.....	113-114
Rifles .....	447-449
School Property .....	106
Witness – Influence –Intimidation.....	317-318
Obstruct Justice.....	321

## New in 2019

Violate Release Condition-Stalking .....	36
Fail Report Child Abuse/Neglect.....	77
Harass Follow Another .....	93
Electronic Communication/Conduct Harass.....	95,96
Forced Marriage.....	103
Forced Labor .....	104
Prostitution, Procure/Solicit .....	385
Prostitution, Allow/Maintain Building .....	386
Crime of Violence-Pregnant Person .....	397

## **COMMON LAW**

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

**\*3\_5399\***

**\*\*AFFRAY \*\***

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

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

**\*1\_0042\***

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

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

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

**\*1\_0043\***

**\*\*OBSTRUCTING & HINDERING\*\***

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

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

**\*3\_1314\***

**\*\*RIOT\*\***

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

**ALCOHOLIC BEVERAGES**

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

**\*1\_1644\***

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

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

NOTE: See Alcoholic Beverages Article Title XX (Your County's Title), Subsection 2702 (EX. AB 18-2702 for Charles County, AB 31-2702 for Washington County) for local requirements where defendant must be charged by summons and may not be required to post bail pending trial).

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

**\*1\_1645\***

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

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

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

\*1\_1646\*

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

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

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

\*1\_1647\*

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

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

**AB 6-310**  
**MISDEMEANOR**  
**\$10.00**

\*1\_1648\*

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

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

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

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

\*1\_1649\*

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

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

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

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

\*1\_1650\*

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

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

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

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

\*1\_1651\*

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

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

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

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

\*1\_1652\*

**\*\* MISREP ALC BEV \*\***

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

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



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

\*1\_1653\*

**\*\* MISREP BEER COLOR \*\***

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

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

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

\*1\_1654\*

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

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

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

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

\*1\_1655\*

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

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

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

\*1\_1656\*

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

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

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

\*1\_1657\*

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

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

**AB 6-314**  
**MISDEMEANOR**  
**\$100.00 – 90 DAYS**

\*1\_1658\*

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

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

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

**AB 6-316**  
**MISDEMEANOR**  
**\$1000.00**

\*1\_1659\*

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

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

**AB 6-319**  
**MISDEMEANOR**  
**\$1000.00 - 2 YEARS**

\*1\_1660\*

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

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

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

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

**\*1\_1661\***

**\*\*INTOXICATED ENDANGER\*\***

... did endanger the safety of \_\_\_\_\_ (name or property) while being intoxicated.

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

**\*1\_1662\***

**\*\*INTOXICATED PUBLIC DISTURB\*\***

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

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

**\*1\_1666\***

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

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

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

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

\*1\_1667\*

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

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

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

**AB 6-327(a)**  
**FELONY**  
**\$1000.00 – 2 YEARS**

\*1\_1668\*

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

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

**AB 6-328(a)(1)**  
**MISDEMEANOR**  
**\$10000.00 – 5 YEARS**

\*1\_1669\*

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

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

**AB 6-328(a)(2)**  
**MISDEMEANOR**  
**\$10000.00 – 5 YEARS**

**\*1\_1670\***

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

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

**AB 6-328(a)(3)**  
**MISDEMEANOR**  
**\$10000.00 – 5 YEARS**

**\*1\_1671\***

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

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

**AB 6-328(a)(4)**  
**MISDEMEANOR**  
**\$10000.00 – 5 YEARS**

**\*1\_1672\***

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

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

**AB 6-329(a)(1)**  
**MISDEMEANOR**  
**\$1000.00 – 2 YEARS**

**\*1\_1673\***

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

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

**AB 6-329(a)(2)**  
**MISDEMEANOR**  
**\$1000.00 – 2 YEARS**

**\*1\_1674\***

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

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

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

## **AGRICULTURE ARTICLE**

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

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

**\*2\_2900\***

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

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

# **BUSINESS OCCUPATIONS & PROFESSIONS**

## **ARTICLE**

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

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

**\*2\_0500\***

#### **\*\*ATTY SOLICIT CIVIL CASE\*\***

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

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

NOTE: See section for time requirements.

## **BUSINESS REGULATIONS ARTICLE**

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

**\*1\_0980\***

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

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

NOTE: Cemetery defined in BR-602.

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

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

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

**\*1\_0981\***

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

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

NOTE: Cemetery defined in BR-602.

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

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



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

**\*1\_0982\***

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

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

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

**\*1\_0983\***

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

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

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

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

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

**\*1\_0984\***

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

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

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

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

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

**\*1\_0985\***

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

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

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

**\*1\_0986\***

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

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

## Acting/Selling W/O License

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

\*1\_1597\*

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

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

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

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

\*1\_1598\*

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

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

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

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

\*2\_0258\*

### **\*\*FAIL TO PERFORM CONTRACT\*\***

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

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

## Misc. Prohibited Acts

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

\*2\_0259\*

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

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

NOTE: Contractor means a person, other than an employee of an owner, who performs or offers or agrees to perform a home improvement for an owner.

NOTE: "Home improvement" is defined as the addition or alteration, conversion, improvement, modernization, remodeling, repair, or replacement of a building or part of a building that is used or designed to be used as a residence or a structure adjacent to that building or improvement to land adjacent to the building. It includes:

1. Construction, improvement or replacement, on land adjacent to the building of a driveway, fall-out shelter, fence, garage, landscaping, porch or swimming pool.
2. Connection, installation or replacement in the building of a dishwasher, disposal or refrigerator with an icemaker to existing plumbing lines.
3. Installation of an awning, fire alarm or storm window.
4. Work done on individual condominium units.

NOTE: "Home improvement" does not include:

1. Construction of a new home.
2. Work done to comply with a guarantee of completion for a new building project.
3. Connection, installation or replacement of an appliance to existing plumbing lines that requires alteration of the plumbing lines.
4. Sale of materials if the seller does not perform or arrange to perform any work using the materials.
5. Work done on apartment buildings with four or more single-family units.
6. Work done on the common areas of condominium units.
7. Shore erosion control projects as defined in 8-1001 of the Natural Resources Article.

## Traders and Chain Stores

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

\*3\_5100\*

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

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

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

NOTE: This section does not apply to:

1. A grower, maker or manufacturer of goods.
2. A non-resident traveling salesperson, sample merchant, or representative of a foreign mercantile or manufacturing business while selling to or soliciting an order from a licensed trader in the State.
3. A private individual while publicly selling the individual's personal effects on the individual's property, if the individual holds only one sale not exceeding fourteen [14] consecutive days in a calendar year.
4. An exhibitor, if the show is promoted by: a. A church, defined in Sec. 5-301[B] of the Corporations and Associations Article; b. A Governmental Unit; c. An amateur radio organization; d. An antique vehicle, machine and equipment organization; e. A volunteer fire department or rescue squad; or f. A model train collector's association.

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

\*1\_0892\*

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

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

# COURTS & JUDICIAL PROCEEDINGS

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

**\*2\_0100\***

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

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

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

**\*2\_0105\***

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

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

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

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

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 under CR 3-303 through CR 3-308 or attempted rape or sexual offense in any degree;
5. false imprisonment;
6. harassment under CR 3-803;
7. stalking under CR 3-802;
8. trespass under Title 6, Subtitle 4 of the Criminal Law Article;
9. malicious destruction of property under CR 6-301;
10. misuse of telephone facilities and equipment under CR 3-804;
11. misuse of electronic communication or interactive computer service under CR 3-805;
12. revenge porn under CR 3-809; or
13. visual surveillance under CR 3-901, CR 3-902, or CR 3-903.

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

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

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

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

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

**\*2\_0238\***

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

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

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

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

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

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

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

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

1. He is required by law to attend school and is habitually truant; or
2. He is habitually disobedient, ungovernable, and beyond the control of the person having custody of him;
3. He 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 Advertised Price**

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

**\*5\_2607\***

#### **\*\*FRAUD-FALSE ADV\*\***

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

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

# CRIMINAL PROCEDURE ARTICLE

## **CP 5-210**

### **MISDEMEANOR**

**1st Off: \$2,500 – 30 Day Lic.**

**Susp. If Licensed**

**2nd Off: \$5,000 – 90 Day Lic.**

**Susp. If Licensed**

**\*1\_1638\***

### **\*\*BAIL BONDSMAN-SOLICITATION\*\***

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

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

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

## **CP 5-211(c)**

### **MISDEMEANOR**

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

**\*1\_1474\***

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

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

## **CP 5-211(c)**

### **MISDEMEANOR**

**\$1,000.00 - 1 YEAR**

**\*1\_1475\***

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

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

**CP 5-212  
MISDEMEANOR  
\$500.00 - 90 DAYS**

\*1\_1476\*

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

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

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

**CP 5-213.1(1)  
MISDEMEANOR  
90 DAYS**

\*1\_0636\*

**\*\* VIOL REL COND – MINOR VIC\*\***

... did while charged with committing an act against a victim who is a minor, in violation of Title 3, Subtitle 3 of the Criminal Law Article, violate a condition of [pretrial/post-trial] release issued on case \_\_\_\_\_ (case#) that prohibited [him/her] from [contacting/harassing/abusing/going in the residence of/going in the place of employment of/going near the residence of/going near the place of employment of] the alleged victim, \_\_\_\_\_ (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 5-213.1(2)  
MISDEMEANOR  
90 DAYS**

\*1\_1464\*

**\*\* VIOL REL COND – CRIME OF VIOL \*\***

... did after being charged with a crime of violence under PS 5-101 to wit: \_\_\_\_\_ (see below), violate a condition of [pretrial/post-trial] release issued on case \_\_\_\_\_ (case#) that prohibited [him/her] from [contacting/harassing/abusing/going in the residence of/going in the place of employment of/going near the residence of/going near the place of employment of] the alleged victim, \_\_\_\_\_ (name) in violation of 5-213.1 of the Criminal Procedure Article.

- (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 former Article 27, § 386 of the Code;
- (10) mayhem as previously proscribed under former Article 27, § 384 of the Code;
- (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) home invasion under § 6-202(b) of the Criminal Law Article;
- (17) A felony offense under Title 3, Subtitle 11 of the Criminal Law Article.
- (18) an attempt to commit any of the crimes listed in items (1) through (17) of this subsection; or
- (19) assault with intent to commit any of the crimes listed in items (1) through (17) of this subsection or a crime punishable by imprisonment for more than 1 year.

**CP 5-213.1(3)**  
**MISDEMEANOR**  
**90 DAYS**

\*1\_1465\*

**\*\* VIOL REL COND – PERS ELIG RELIEF \*\***

... did, after being charged with a crime against \_\_\_\_\_ (name),  
 \_\_\_\_\_ (choose from below), a person eligible for relief, violate a  
 condition of [pretrial/post-trial] release issued on case \_\_\_\_\_ (case#)  
 that prohibited [him/her] from [contacting/harassing/abusing/going in the  
 residence of/going in the place of employment of/going near the residence  
 of/going near the place of employment of] the alleged victim, \_\_\_\_\_ (name)  
 in violation of § 5-213.1 of the Criminal Procedure Article.

- (1) the current or former spouse of the respondent;
- (2) a cohabitant of the respondent;
- (3) a person related to the respondent by blood, marriage, or adoption;
- (4) a parent, stepparent, child, or stepchild of the respondent or the person eligible for relief who resides or resided with the respondent or person eligible for relief for at least 90 days within 1 year before the filing of the petition;
- (5) a vulnerable adult;
- (6) an individual who has a child in common with the respondent; or
- (7) an individual who has had a sexual relationship with the respondent within 1 year before the filing of the petition.

**CP 5-213.1(4)**  
**MISDEMEANOR**  
**90 DAYS**

\*1\_1732\*

**\*\*VIOL REL COND - STALKING\*\***

... did after being charged with a violation of CR 3-802, violate a  
 condition of [pretrial/post-trial] release issued on case \_\_\_\_\_ (case#) that  
 prohibited [him/her] from [contacting/harassing/abusing/going in the  
 residence of/going in the place of employment of/going near the  
 residence of/going near the place of employment of] the alleged  
 victim, \_\_\_\_\_ (name) in violation of CP 5-213.1.

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

\*1\_1477\*

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

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

- 1. fail to register by deadline under CP 11-705 [(b)/(c)/(d)]
- 2. fail to register under the terms of 11-707(a) as a [Tier I Sex Offender/Tier II Sex Offender/Tier III Sex Offender/Sexually Violent Predator]
- 3. provide false information of a material fact as required by [CP 11-705/CP 11-706] to wit: \_\_\_\_\_ (describe false information)

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

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

**\*2\_1134\***

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

- ...did as a registrant, knowingly fail to provide \_\_\_\_ (pick 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).

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

**\*1\_1478\***

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

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

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

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

**\*1\_1479\***

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

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

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

**\*1\_0713\***

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

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

NOTE: Imprisonment for a lifetime sexual offender supervision violation is not subject to diminution 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\_1480\***

**\*\*ACCESS AFTER STATUTE\*\***

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

NOTE: Do not use this charge for accessory after the fact for  
 murder 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\_0774\***

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

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

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

**\*1\_0776\***

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

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

**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.

**CR 2-201  
FELONY  
Life W/O Poss Parole  
PRELIMINARY HEARING  
RELEASE RESTRICTION  
Less Inc. Off: 2<sup>nd</sup> Deg  
Murder ,Manslaughter,  
Assault**

**\*1\_0990\***

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

...did feloniously, willfully and of deliberately premeditated malice aforethought \_\_\_\_\_ (choose from below).

1. kill and murder \_\_\_\_\_ (name of victim)
2. solicit \_\_\_\_\_ (name) to kill and murder \_\_\_\_\_ (name of victim), which resulted in the death of said victim.
3. conspire with \_\_\_\_\_ (name) to kill and murder \_\_\_\_\_ (name of victim), which resulted in the death of said victim.

**Note: Use 1M0990 for a violation where victim was a minor.**

**CR 2-204  
FELONY  
40 YEARS  
PRELIMINARY HEARING  
RELEASE RESTRICTION  
Less Inc. Off.:  
Manslaughter, Assault  
Sub Con , Enhanced Penalty**

**\*1\_1107\***

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

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

**Note: Use 1M1107 for a violation where victim was a minor.**

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

**\*2\_0910\***

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

...did feloniously, willfully, and of deliberately premeditated malice aforethought, attempt to kill and murder \_\_\_\_\_ (name) in the first degree in violation of CR 2-205.

**Note: Use 2M0910 for a violation where victim was a minor.**



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

**\*2\_0920\***

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

...did feloniously and with malice aforethought, attempt to kill and murder \_\_\_\_\_ (name) in the second degree in violation of CR 2-206.

Note: Use 2M0920 for a violation where victim was a minor.

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

**\*1\_0911\***

**\*\*INVOLUNTARY MANSLAUGHTER\*\***

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

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

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

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

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

NOTE: Involuntary manslaughter is a common law offense, but penalties are provided in CR 2-207. a person convicted of manslaughter is subject to:

- (1) imprisonment not exceeding 10 years; or
- (2) imprisonment in a local correctional facility not exceeding 2 years or a fine not exceeding \$500 or both.

NOTE: Use 1M0911 for a violation where victim was a minor.

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

**\*1\_0910\***

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

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

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

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

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

NOTE: Manslaughter is a common law offense, but penalties are provided in CR 2-207. A person convicted of manslaughter is subject to:

- (1) imprisonment not exceeding 10 years; or
- (2) imprisonment in a local correctional facility not exceeding 2 years or a fine not exceeding \$500 or both.

**NOTE: Use 1M0910 for a violation where victim was a minor.**

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

**\*1\_0909\***

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

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

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

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

**NOTE: Use 1M0909 for a violation where victim was a minor.**

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

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

**\*1\_1611\***

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

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

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

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

**NOTE: Use 1M1611 for a violation where victim was a minor.**

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

**\*1\_0900\***

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

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

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

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

**\*1\_0693\***

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

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

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

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

\*1\_1720\*

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

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

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

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

\*1\_1436\*

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

...unlawfully, as a result of [his/her] negligent [driving/operation/control] of a [motor vehicle/vessel] while impaired by a controlled dangerous substance, did 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 MANS LAUGHTER-UNDER INFLUENCE, as the IMPAIRED version is a lesser included offense. Facts in the statement of probable cause must show observations supporting the fact that the defendant was under the influence.

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

**ASSISTED SUICIDE**

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

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

**\*2\_0175\***

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

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

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

**\*2\_0180\***

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

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

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

**\*2\_0185\***

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

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

**CR 3-202**  
**FELONY**  
**25 YEARS**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

**\*1\_1420\***

**\*\*ASSAULT-FIRST DEGREE**

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

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

**Statutory Assault Second Degree**

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

**\*1\_1415\***

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

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

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

\*1\_1416\*

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

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

1. law enforcement officer engaged in the performance of [his/her] official duties
2. [parole agent/probation agent] engaged in the performance of [his/her] official duties
3. [firefighter/emergency medical technician/rescue squad member/first responder] engaged in providing [emergency medical care/rescue services]

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

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

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

\*1\_1425\*

**\*\*RECKLESS ENDANGERMENT\*\***

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

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

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

\*1\_1430\*

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

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

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

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

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

\*1\_0222

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

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

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



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

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

**\*1\_1435\***

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

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

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

**\*1\_1440\***

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

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

**\*1\_0765\***

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

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

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

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

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

**\*1\_0770\***

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

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

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

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

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

**\*1\_0775\***

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

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

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

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

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

**\*1\_1640\***

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

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

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

POISON

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

**\*2\_0999\***

**\*\*POISON: ATTEMPT\*\***

...did attempt to poison \_\_\_\_\_ (name).

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

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

**\*3\_0999\***

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

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

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

**\*1\_0321\***

**\*\*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)(Prior to its repeal on 9-30-2017) or CR 3-306 (Second Degree Sexual Offense)(Prior to its repeal on 9-30-2017) 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 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 substantially cognitively impaired, mentally incapacitated, or physically helpless and the defendant knew or reasonably should have known of the victim's condition; or
2. The victim is under 14 years of age and the defendant is at least four years older than the victim.

## ENHANCED PENALTIES – SECOND DEGREE RAPE

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

NOTE: As to both degrees of rape, any degree of penetration, no matter how slight, is sufficient to establish the element of vaginal intercourse. As of October 1, 2017, a sexual act is included in both degrees of rape.

## 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**

**\*1\_1102\***

### **\*\*RAPE FIRST DEGREE\*\***

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

NOTE: In addition to vaginal intercourse, as of 10-1-2017, a  
sexual act with another by force, or threat of force, without the  
consent of other is covered under rape.

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

NOTE: ENHANCED PENALTY for 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 (As it existed before its repeal on 9-30-17).

4. Second Degree Sex Offense CR 3-306 (As it existed before its repeal on 9-30-17).

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 (as it existed before its repeal on 9-30-2017) 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**

**\*2\_1103\***

### **\*\*RAPE SECOND DEGREE\*\***

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

NOTE: In addition to vaginal intercourse, as of 10-1-2017, a sexual act with another by force, or threat of force, without the consent of other is covered under rape.

NOTE: See CR 3-313 for subsequent offense penalties.

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 Offense Third Degree

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

**\*3\_3600\***

### **\*\*SEX OFFENSE THIRD DEGREE\*\***

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

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

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

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

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

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

d. Defendant had one or more co-defendants;

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

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

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

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

**\*4\_3600\***

**\*\* SEX OFF 4<sup>TH</sup> DEGREE – SEX CONTACT \*\***

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

Effective 10/01/2019

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

**\*1\_1623\***

**\*\* 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.

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

Effective 10/01/2019

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

**\*1\_1624\***

**\*\* 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.

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

Effective 10/01/2019

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

**\*1\_1625\***

**\*\* 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”. Effective 10-1-2014, this includes a contractor or coach employed by a public or private preschool, elementary school, or secondary school.

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

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

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

**\*1\_1626\***

**\*\* SEX OFF 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.

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

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

**\*2\_1120\***

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

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

Effective 10/01/2019



**CR 3-310  
FELONY  
20 YEARS  
PRELIMINARY HEARING  
RELEASE RESTRICTION**

**\*2\_1110\***

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

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

Effective 10/01/2019

## Sexual Offenses by Correctional Employee

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

**\*2\_1130\***

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

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

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

**\*2\_1132\***

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

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

NOTE: The facilities listed under HS 9-226 include:

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

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

**\*1\_1149\***

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

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

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

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

\*1\_1462\*

**\*\*LE OFF-SEX ACT W/PERS IN CUST\*\***

... did as a law enforcement officer, engage in [sexual contact/vaginal intercourse/a sexual act] with \_\_\_\_ (name), a person in [his/her] custody.

**CR 3-315**  
**PRELIMINARY HEARING**  
**FELONY**  
**30 YEARS**

\*2\_1136\*

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

...did engage in a continuing course of conduct over a period of 90 days or more with a victim under the age of 14 years, to wit: \_\_\_\_ (name), which includes three or more acts in violation of Section 3-303, 3-304, 3-307, or violations of 3-305 or 3-306 of the Criminal Law Article as it existed before 10-1-2017.

NOTE: Separate periods of 90 days or more shall be considered separate violations.

**CR 3-321**  
**FELONY**  
**10 YEARS**  
**PRELIMINARY HEARING**

\*5\_3600\*

**\*\*SODOMY-GENERALLY\*\***

...did unlawfully commit sodomy upon \_\_\_\_ (name).

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

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

\*6\_3600\*

**\*\*PERVERTED PRACTICE\*\***

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

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

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

**\*1\_3604\***

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

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

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

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

**\*1\_1604\***

**\*\*SEXUAL 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 Criminal Law Article [3-304/3-306/3-307/11-303/11-304/11-305/11-306/11-307].

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

NOTE: See article for definition of solicit.

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

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

**\*1\_1340\***

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

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

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

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

**ROBBERY**

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

**In General**

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

**\*2\_0700\***

**\*\*ROBBERY\*\***

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

**Robbery-Armed**

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

**\*2\_0705\***

**\*\*ARMED ROBBERY\*\***

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

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

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

**CARJACKING****Carjacking**

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

**\*1\_0825\***

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

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

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

**\*1\_0826\***

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

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

**KIDNAPPING****Generally**

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

**\*3\_1005\***

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

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

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

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

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

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

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

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

**\*4\_1005\***

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

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

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

NOTE: Aiders, abettors, and counselors are charged as 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\_1005\***

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

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

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

**\*1\_0163\***

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

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

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

## **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 by the treatment or act.

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

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

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

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

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

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

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

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

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

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

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

\*1\_0334\*

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

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

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

\*1\_1108\*

**\*\*CHILD ABUSE-1ST DEG: DEATH >13\*\***

...did cause abuse that resulted in the death of \_\_\_\_\_ (name), a child at least 13 years old, 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.

NOTE: See CR 3-601(c) for subsequent offense penalties.

**CR 3-601(b)(ii)**  
**FELONY**  
**LIFE**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

\*1\_1109\*

**\*\*CHILD ABUSE-1ST DEG: DEATH<13\*\***

...did cause abuse that resulted in the death of \_\_\_\_\_ (name), a child under the age of 13 years, 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**

\*1\_0173\*

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

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

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

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

\*1\_3802\*

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

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

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

\*1\_0322\*

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

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

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

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

\*1\_0922\*

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

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

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

**\*1\_1614\***

**\*\* NEGLECT OF MINOR \*\***

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

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

**CR 3-602.2**  
**MISDEMEANOR**  
**\$10,000 - 3 YEARS**

**\*1\_1725\***

**\*\*FAIL REPORT CHILD ABUSE/NEGLECT\*\***

...did as a person required to provide notice or written report of  
 suspected abuse or neglect of a child under FL 5-704, to wit:  
 \_\_\_\_\_ (describe position), knowingly fail to provide the  
 required notice or written report having actual knowledge of the  
 abuse or neglect.

NOTE: See FL 5-704 for persons required to report child abuse  
 or neglect.

**CR 3-603**  
**FELONY**  
**\$10,000.00 – 5 YEARS**

**\*1\_1719\***

**\*\*CHILD SELLING\*\***

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

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

**\*2\_1138\***

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

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

NOTE: Includes abuse that is sexual abuse.

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

\*1\_1138\*

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

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

NOTE: Includes abuse that is sexual abuse.

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

\*1\_0466\*

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

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

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

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

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

**\*2\_0350\***

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

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

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

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

Does not apply to abuse that is sexual abuse.

"Neglect" means the wilful deprivation of adequate food, clothing, essential medical treatment or habilitative therapy, shelter, or supervision.

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

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

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

## Hazing Students Prohibited

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

\*1\_0103\*

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

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

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

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

**CR 3-608(b)**  
**MISDEMEANOR**  
**3 YEARS**

\*1\_1002\*

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

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

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



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

**\*1\_1003\***

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

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

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

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

**\*1\_1286\***

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

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

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

**\*1\_1204\***

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

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

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

**\*1\_1206\***

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

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

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

**\*1\_1207\***

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

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

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

**\*1\_1209\***

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

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

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

**\*1\_1210\***

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

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

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

**\*1\_1211\***

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

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

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

**\*1\_1213\***

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

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

Effective 10/01/2019

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

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

**\*1\_1214\***

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

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

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

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

**\*1\_1215\***

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

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

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

**\*1\_1216\***

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

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

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

**\*1\_1217\***

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

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

**Extortion by State or Local Officer or Employee  
Against Another**

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

**\*4\_2100\***

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

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

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

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

**\*1\_1701\***

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

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

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

**\*1\_1702\***

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

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

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

**\*1\_1704\***

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

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

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

**\*1\_1706\***

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

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

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

**\*1\_1707\***

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

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

**Coercing/Intimidating Another Contribute/Donate**

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

**\*1\_2100\***

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

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

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



## Against State Officials To Injure, Kidnap Kill

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

\*1\_0477\*

### \*\*THREAT/ST OFFICIAL/TO INJURE\*\*

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

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

\*1\_0478\*

### \*\*THREAT/ST OFFICIAL/SENT\*\*

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

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

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

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

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

**CR 3-709(b)(1)**  
**MISDEMEANOR**  
**\$10,000.00 - 10 YEARS**

**\*1\_1452\***

**\*\*CAUSE ANOTH ENG SEX ACT- THREAT\*\***

...did cause \_\_\_\_\_(name) to engage in an act of sexual activity  
 by threatening to \_\_\_\_\_(choose from below)

1. accuse \_\_\_\_\_(name, any person), of [a crime/a thing, if true, would bring said person into contempt or disrepute to wit: \_\_\_\_\_(describe)]
2. cause physical injury to \_\_\_\_\_(name, any person)
3. inflict emotional distress on \_\_\_\_\_(name, any person)
4. cause economic damage to a person (name, any person)
5. cause damage to the property of \_\_\_\_\_(name, any person)

NOTE: See CR 3-809 for definitions.

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

"Sexual Activity" means 1. sexual intercourse, including genital-genital, oral-genital, anal-genital, oral-anal, whether between persons of the same or opposite sex. 2. Sodomy under CR 3-321 or an unnatural or perverted sexual practice under CR 3-322. 3. Masturbation; or 4. Sadomasochistic abuse.

**CR 3-709(b)(2)**  
**MISDEMEANOR**  
**\$10,000.00 - 10 YEARS**

\*1\_1453\*

**\*\*CAUSE ANOTH ENG SEX PROD-THRT\*\***

...did cause \_\_\_\_\_ (name) to engage as a subject in [a production of a visual representation/a performance] that [depicts said person intimate parts exposed/engaging in an act of sexual activity/simulating an act of sexual activity] by threatening to \_\_\_\_\_ (choose from below)

1. accuse \_\_\_\_\_ (name, any person), of [a crime/a thing, if true, would bring said person into contempt or disrepute to wit: \_\_\_\_\_ (describe)]
2. cause physical injury to \_\_\_\_\_ (name, any person)
3. inflict emotional distress on \_\_\_\_\_ (name, any person)
4. cause economic damage to a person (name, any person)
5. cause damage to the property of \_\_\_\_\_ (name, any person)

NOTE: See CR 3-809 for definitions.

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

"Sexual Activity" means 1. sexual intercourse, including genital-genital, oral-genital, anal-genital, oral-anal, whether between persons of the same or opposite sex. 2. Sodomy under CR 3-321 or an unnatural or perverted sexual practice under CR 3-322. 3. Masturbation; or 4. Sadomasochistic abuse.

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

\*1\_6525\*

**\*\*STALKING\*\***

...did engage in stalking \_\_\_\_\_ (name of person).

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

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

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

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

- I. serious bodily injury;
- II. assault in any degree;
- III. rape or sexual offense as defined by CR 3-303 through 3-308, or attempted rape or sexual offense in any degree;
- IV. false imprisonment; or
- V. death; or

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

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

NOTE: 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.

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

**\*1\_0191\***

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

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

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

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

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

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

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

**\*1\_5406\***

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

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

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

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

**\*1\_5309\***

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

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

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

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

**\*1\_0340\***

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

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

NOTE: This language is to be used for multiple calls (other than obscene calls, see below) whether anonymous or otherwise. If anonymous, in order for probable 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**

**\*1\_0341\***

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

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

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

**CR 3-805 (b)(1)**  
**MISDEMEANOR**  
**\$10,000 – 3 YEARS**

**\*1\_1712\***

**\*\*ELEC COMM 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: See CR 3-805 (a)(2) for definition of “Electronic communication”

NOTE: See CR 3-805(d) for exceptions.

**CR 3-805 (b)(2)**  
**MISDEMEANOR**  
**\$10,000 – 3 YEARS**

\*1\_1713\*

**\*\* INTACT COMP SERV: 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].

NOTE: See CR 3-805(a)(5) for definition of “Interactive computer service”. See CR 3-805(d) for exceptions.

**CR 3-805 (b)(3)**  
**MISDEMEANOR**  
**\$10,000 - 3 YEARS**

\*1\_1714\*

**\*\*ELEC COMM: HARASS-MINOR\*\***

...did with intent, maliciously engage in electronic communication to wit: \_\_\_\_ (describe), that was a part of a series of communication and had the effect of [intimidating/harassing] \_\_\_\_ (name of minor) and causing [physical injury/serious emotional distress] to said minor.

NOTE: See CR 3-805 (a)(2) for definition of “Electronic communication”. See CR 3-805(d) for exceptions.

**CR 3-805 (b)(4)**  
**MISDEMEANOR**  
**\$10,000 - 3 YEARS**

\*1\_1715\*

**\*\*ELEC COMM: HARASS-MINOR- SIG ACT\*\***

...did with intent, use electronic communication to maliciously engage in \_\_\_\_ (choose from below), and had the effect of [intimidating/harassing] \_\_\_\_ (name of minor) and causing [physical injury/serious emotional distress] to said minor.

1. A single significant act to wit: \_\_\_\_ (describe) after receiving a reasonable warning or request to stop
2. A single significant act to wit: \_\_\_\_ (describe), that was sent with reasonable expectation that the recipient would share the communication with a third party
3. A single significant act to wit: \_\_\_\_ (describe), that shocks the conscience.
4. A course of conduct to wit: \_\_\_\_ (describe)

NOTE: See CR 3-805(d) for exceptions

**CR 3-805 (b)(5)**  
**MISDEMEANOR**  
**\$10,000 - 3 YEARS**

\*1\_1716\*

**\*\*ELEC CONDUCT: HARASS-MINOR\*\***

...did with intent, maliciously engage in electronic conduct to wit: \_\_\_\_\_(describe), that had the effect of [intimidating/harassing] \_\_\_\_\_(name of minor) and causing [physical injury/serious emotional distress] to said minor.

NOTE: See CR 3-805 (a)(3) for definition of "Electronic conduct" .

NOTE: See CR 3-805(d) for exceptions.

**CR 3-805 (b)(6)**  
**MISDEMEANOR**  
**\$10,000 – 10 YEARS**

\*1\_1717\*

**\*\*ELEC HARASS MINOR COMM SUICIDE\*\***

...did violate CR 3-805b [1/2/3/4/5] with the intent to induce a minor to commit suicide by \_\_\_\_\_(describe violation).

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

\*2\_0070\*

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

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

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

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

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

\*1\_1001\*

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

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

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

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



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

**\*1\_1326\***

**\*\*DIST INTIMATE/SEX IMAGE\*\***

... did knowingly distribute a visual representation of \_\_\_\_\_ (name), that displays said [person's intimate parts exposed/ person engaged in an act of sexual activity], with the intent to [harm/harass/intimidate/threaten/coerce] said person, [under circumstances in which he or she knew said person did not consent to the distribution/with reckless disregard as to whether said person consented to the distribution] and under circumstances in which the other person had a reasonable expectation that the image would remain private.

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

"Sexual Activity" means 1. sexual intercourse, including genital-genital, oral-genital, anal-genital, oral-anal, whether between persons of the same or opposite sex. 2. Sodomy under CR 3-321 or an unnatural or perverted sexual practice under CR 3-322. 3. Masturbation; or 4. Sadomasochistic abuse.

NOTE: This charge does not apply to:

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

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

**\*1\_0013\***

**\*\*PEEPING TOM.\*\***

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

NOTE: See Section for Definitions.

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

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

**\*3\_5715\***

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

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

NOTE: See Section for definitions and exclusions.

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

**\*1\_1760\***

**\*\*VIS SURV – PRIVATE AREA\*\***

...did, with prurient intent, by use of camera, [conduct/procure another to conduct, to wit: \_\_\_\_\_(name)] visual surveillance of the private area of \_\_\_\_\_(name), without [his/her] consent.

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

**\*1\_1759\***

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

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

NOTE: See Section for exclusions.

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

**\*1\_5307\***

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

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

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

**\*1\_0345\***

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

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

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

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

**\*1\_5706\***

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

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

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

\*1\_1335\*

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

...did knowingly [threaten to commit/threaten to cause to be committed] a crime of violence under CR 14-101 to wit: \_\_\_\_\_(describe), that placed \_\_\_\_\_(victims), at least five people at a substantial risk of [death/serious physical injury] if the threat were carried out.

**CR 3-1102 (a)(1)(i)(ii)(iii)**  
**MISDEMEANOR**  
**\$5,000.00 - 10 YEARS**

\*1\_1080\*

**\*\*SEX 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 3-1102 (a)(1)(iv)**  
**MISDEMEANOR**  
**\$5,000.00 – 10 YEARS**

\*1\_1082\*

**\*\*SEX 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 3-1102 (a)(1)(v)**  
**MISDEMEANOR**  
**\$5,000.00 – 10 YEARS**

\*1\_0752\*

**\*\*SEX 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 3-1102 (a)(1)(vi)**  
**MISDEMEANOR**  
**\$5,000.00 – 10 YEARS**

\*1\_0762\*

**\*\*SEX 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 3-1102(a) by \_\_\_\_\_ (describe violation).

NOTE: Do not use this charge if the victim is a minor.

**CR-3-1102 (a)(2)**  
**MISDEMEANOR**  
**\$5,000.00 – 10 YEARS**

\*1\_1083\*

**\*\*SEX 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 3-1102 (b)(1)**  
**FELONY - DISTRICT COURT**  
**\$15,000.00 - 25 YEARS**

\*1\_0786\*

**\*\*SEX 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 3-1102(c) for penalty section.

**CR-3-1102 (b)(1)**  
**FELONY - DISTRICT COURT**  
**\$15,000.00 – 25 YEARS**

\*1\_0788\*

**\*\*SEX 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 3-1102(c) for penalty section.

**CR 3-1102 (b)(1)**  
**FELONY –DISTRICT COURT**  
**\$15,000.00 – 25 YEARS**

**\*1\_0754\***

**\*\*SEX 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 3-1102 (b)(1)**  
**FELONY – DISTRICT COURT**  
**\$15,000.00 – 25 YEARS**

**\*1\_0756\***

**\*\*SEX 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 3-1102(a) by \_\_\_\_\_ (describe violation).

NOTE: Use this charge if the victim is a minor.

**CR 3-1102 (b)(1)**  
**FELONY**  
**DISTRICT COURT**  
**\$15,000.00 - 25 YEARS**

**\*1\_0789\***

**\*\*SEX 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 3-1102(b) for penalty section involving minor.

**CR 3-1102 (b)(2)**  
**FELONY**  
**DISTRICT COURT**  
**\$15,000.00 – 25 YEARS**

**\*1\_0787\***

**\*\*SEX TRAFFICKING – FORCE/FRAUD\*\***

...did violate CR 3-1102(a) \_\_ (paragraph violated) with the [use of/intent to use] [force/threat/coercion/fraud].

NOTE: Use this charge whether victim is a minor or not.

**CR 3-1102 (e)(1)**  
**MISDEMEANOR**  
**\$5,000.00 – 10 YEARS**

\*1\_0757\*

**\*\*SEX 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 3-  
 1102(a) to wit: \_\_\_\_\_(describe violation).

NOTE: Do not use this charge if the victim is a minor.

**CR 3-1102 (e)(1)**  
**FELONY – DIST COURT**  
**\$15,000.00 – 25 YEARS**

\*1\_0758\*

**\*\*SEX 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 3-  
 1102(b) to wit: \_\_\_\_\_(describe violation).

NOTE: Use this charge if the victim is a minor or if victim under CR 3-  
 1102(b)(2).

**CR 3-1102 (e)(2)**  
**MISDEMEANOR**  
**\$5,000.00 – 10 YEARS**

\*1\_0759\*

**\*\*SEX TRAFFICKING –CONSPIRE/AID/ABET\*\***

...did knowingly [aid/abet/conspire] with \_\_\_\_\_(name(s), to violate CR 3-  
 1102(a) to wit: \_\_\_\_\_(describe violation).

NOTE: Do not use this charge if the victim is a minor.

**CR 3-1102 (e)(2)**  
**FELONY – DIST COURT**  
**\$15,000.00 – 25 YEARS**

\*1\_0761\*

**\*\*SEX TRAFFICKING –CONSPIRE/AID/ABET\*\***

...did knowingly [aid/abet/conspire] with \_\_\_\_\_(name(s), to violate CR 3-  
 1102(b) to wit: \_\_\_\_\_(describe violation).

NOTE: Use this charge if the victim is a minor or if victim under CR 3-  
 1102(b)(2).

**CR 3-1103 (a)(1)**  
**FELONY**  
**DISTRICT COURT**  
**\$15,000.00 - 25 YEARS**

\*1\_1726\*

**\*\* FORCED MARRIAGE \*\***

... did \_\_\_\_\_ (choose from below) to compel said person to marry another person.

1. [take/detain] \_\_\_\_\_ (name), with the intent to use [force/threat/coercion/fraud]
2. receive a [financial benefit/thing of value to wit: \_\_\_\_\_] in the [taking/detaining] of \_\_\_\_\_ (name), in which the intent was to use [force/threat/coercion/fraud]
3. [aid/abet/conspire[take/detain] \_\_\_\_\_ (name), with the intent to use [force/threat/coercion/fraud]

**CR 3-1103 (a)(2)**  
**FELONY**  
**DISTRICT COURT**  
**\$15,000.00 - 25 YEARS**

\*1\_1727\*

**\*\* BENEFIT - FORCED MARRIAGE \*\***

... did receive a [financial benefit/thing of value to wit: \_\_\_\_\_] in the [taking/detaining] of \_\_\_\_\_ (name), in which the intent was to use [force/threat/coercion/fraud] to compel said person to marry another person.

**CR 3-1103 (a)(3)**  
**FELONY**  
**DISTRICT COURT**  
**\$15,000.00 - 25 YEARS**

\*1\_1728\*

**\*\* CON-FORCED MARRIAGE \*\***

... did [aid/abet/conspire with] \_\_\_\_\_ (name), to [take/detain] \_\_\_\_\_ (name), with the intent to use [force/threat/coercion/fraud] to compel said person to marry another person.

**CR 3-1103 (a)(3)**  
**FELONY**  
**DISTRICT COURT**  
**\$15,000.00 - 25 YEARS**

\*1\_1729\*

**\*\* CON-BENEFIT - FORCED MARRIAGE \*\***

... did [aid/abet/conspire with] \_\_\_\_\_ (name), to receive a [financial benefit/thing of value to wit: \_\_\_\_\_] in the [taking/detaining] of \_\_\_\_\_ (name), in which the intent was to use [force/threat/coercion/fraud] to compel said person to marry another person.

**CR 3-1202(a)(1)**  
**FELONY**  
**PRELIMINARY HEARING**  
**\$15,000 - 25 YEARS**

\*1\_1721\*

**\*\*FORCE/FRAUD SERV/LABOR\*\***

...did [take/place/harbor/persuade/induce/entice] \_\_\_\_\_ (name),  
 by [force/fraud/coercion] to provide [services/labor] to wit:  
 \_\_\_\_\_ (describe).

**CR 3-1202(a)(2)**  
**FELONY**  
**PRELIMINARY HEARING**  
**\$15,000 - 25 YEARS**

\*1\_1722\*

**\*\*RECV BENEFIT - FORCE/FRAUD LABOR\*\***

...did receive a [benefit/thing of value] to wit: \_\_\_\_\_ (describe),  
 from the [provision of services/labor] of \_\_\_\_\_ (name of  
 other person), that was induced by [force/fraud/coercion].

**CR 3-1202(b)**  
**FELONY**  
**PRELIMINARY HEARING**  
**\$15,000 - 25 YEARS**

\*1\_1723\*

**\*\*CON-FORCE/FRAUD SERV/LABOR\*\***

...did [aid/conspire with] \_\_\_\_\_ (name) to  
 [take/place/harbor/persuade/induce/entice] \_\_\_\_\_ (name), by  
 [force/fraud/coercion] to provide [services/labor] to wit:  
 \_\_\_\_\_ (describe).

**CR 3-1202(b)**  
**FELONY**  
**PRELIMINARY HEARING**  
**\$15,000 - 25 YEARS**

\*1\_1724\*

**\*\*CON-RECV BENEFIT - FORCE/FRAUD LABOR\*\***

...did [aid/conspire] with \_\_\_\_\_ (name) to receive a  
 [benefit/thing of value] to wit: \_\_\_\_\_ (describe), from the  
 [provision of services/labor] of \_\_\_\_\_ (name of other person),  
 that was induced by [force/fraud/coercion].



**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.

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

**\*2\_5200\***

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

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

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

**\*1\_5202\***

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

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

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

**\*1\_5200\***

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

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

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

\*1\_5203\*

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

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

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

See CR 4-102(a) for exceptions.

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

\*1\_1460\*

**\*\*DISARM LAW OFFICER\*\***

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

1. a law enforcement officer who, in an official capacity is authorized by law to make arrest;
2. a sheriff;
3. a deputy sheriff;
4. an assistant sheriff;
5. an employee of the Division of Correction;
6. an employee of the 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**

\*2\_0239\*

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

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

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

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

NOTE: Section does not apply if:

1. Minor's access supervised by person 18 years or older;
2. Minor's access obtained as result of unlawful entry;
3. Firearm in possession or control of law enforcement officer engaged in official duties;
4. Minor has certificate of firearm and hunter safety as set forth in section 10-301.1 of Natural Resources Article.

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

\*1\_5214\*

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

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

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

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

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

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

\*1\_1450\*

**\*\*WEAR BULLETPROOF ARMOR\*\***

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

\_\_\_\_\_.

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

**\*1\_1449\***

**\*\*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\_0595\***

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

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

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

**\*1\_0596\***

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

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

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

**\*1\_1284\***

**\*\*RES FIREARM AMMO–CRM VIOLENCE\*\***

... 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.

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

**\*1\_0175\***

**\*\*HANDGUN IN VEHICLE\*\***

...did [wear/carry/knowingly transport] a handgun in a vehicle upon the public roads, highways, waterways, airways or 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 (a)(1)v**  
**MISDEMEANOR**  
**3 YEARS (MIN 30 Days)**  
**\$2,500 (MIN. \$250)**

**\*1\_1454\***

**\*\*LOADED HANDGUN IN VEHICLE \*\***

...did [wear/carry/knowingly transport] a loaded handgun in a vehicle upon the public roads, highways, waterways, airways or parking lots generally used by the public.

NOTE: See 4-203(b) for exceptions.

Penalty - (See statute for additional information - enhanced penalty for subsequent conviction.) See CJIS Code 1-1456 for 2<sup>nd</sup> offense and 1-1458 for 3<sup>rd</sup> offense. Subsequent offenses to be brought by State's Attorney only.

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

**\*1\_5212\***

**\*\*HANDGUN ON PERSON\*\***

...did [wear/carry/transport] a handgun upon and about their person.

NOTE: See 4-203(b) for exceptions.

**CR 4-203 (a)(1)(v)**  
**MISDEMEANOR**  
**3 YEARS (MIN. 30 Days)**  
**\$2,500 (MIN. \$250)**

**\*1\_1455\***

**\*\*LOADED HANDGUN ON PERSON\*\***

...did [wear/carry/transport] a loaded handgun upon or about their person.

NOTE: See 4-203(b) for exceptions.

NOTE: See 1-1457 for 2<sup>nd</sup> offense and 1-1459 for 3<sup>rd</sup> offense. Subsequent offenses to be brought by State's Attorney only.

**CR 4-204 (b)**  
**MISDEMEANOR**  
**SEE NOTE: PENALTIES**  
**SUB. CONVICTION,**  
**ENHANCED PENALTY**

**\*1\_5299\***

**\*\*FIREARM USE/FEL-VIOL CRIME\*\***

...did use a firearm in the commission of a [felony/crime of violence].

NOTE: See CR 4-204(a) for definition of "firearm".

NOTE: Any felony will suffice to satisfy this statute. A "crime of violence" is defined in PS 5-101 or any felony and includes the common-law attempts at such crimes, and 1st & 2nd degree assault.

NOTE: To find probable cause under this section, the handgun must have been used in a felony or crime of violence as defined.

NOTE: Use in commission of felony or crime of violence under PS 5-101 or any felony whether the firearm is operable or inoperable at the time of the crime;

- 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: Crimes of violence carrying mandatory sentences are also defined in CR 14-101(a).

*(Note for charge 1-5299 continued on page 111)*

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.

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

\*3\_5299\*

**\*\*FIREARM DEMONST PUB PLACE\*\***

...did have on and about [his/her] person a firearm [at a demonstration in a public place/in a vehicle within 1000 feet of a demonstration in a public place] after being told by a law enforcement officer that a demonstration was occurring at the public place and being ordered by the law enforcement officer to leave the area of the demonstration.

NOTE: Law enforcement officers excepted.

**CR 4-303**  
**(PENALTY SEC. CR 4-306)**  
**MISDEMEANOR**  
**\$5,000.00-3 YEARS**

\*3\_5250\*

**\*\*ASSAULT WEAPON POSS/SELL\*\***

...did unlawfully [possess in/sell in/offer to sell in/transfer in/purchase in/receive in/transport into] Maryland, an assault weapon, to wit: \_\_\_\_\_ (describe weapon).

Note: See CR 4-303(b) for exceptions.

Note: An assault weapon includes an assault long gun, an assault pistol, or a copy cat weapon. See CR 4-301 for definitions and list of applicable firearms.

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

**\*3\_5255\***

**\*\*DETACH MAG OVER 10 RNDs\*\***

...did unlawfully [manufacture/sell/offer for sale/purchase/receive/transfer] a detachable magazine with a capacity of more than 10 rounds of ammunition.

Note: See CR 4-305(a) for exceptions.

**CR 4-305.1**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**

**\*1\_1448\***

**\*\* RAPID FIRE TRIGGER ACTIVTR VIOL \***

... did [transport into the State/manufacture/possess/sell/offer to sell/transfer/purchase/receive] a rapid fire trigger activator.

NOTE: See CR 4-305.1 for exceptions. This charge does not apply to a person who:

- Possessed the rapid fire trigger activator before 10-1-2018;
- Applied to the Federal Bureau of ATF before 10-1-2018, for authorization to possess a rapid fire trigger activator.; AND
- Is in compliance with all federal requirements for possession of a rapid fire trigger activator.

**CR 4-306(b)(1)**  
**MISDEMEANOR**  
**PENALTY - See Notes**

**\*3\_5260\***

**\*\*ASSAULT WEAPON/ MAG. USE\*\***

...did use [an assault weapon/a rapid fire trigger activator/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: 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.)



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

**\*3\_5200\***

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

...did as a manufacturer of machine guns, fail to maintain a register of each machine gun [manufactured/handled] containing the information required under CR 4-403(a).

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

**\*3\_5201\***

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

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

NOTE: CR 4-403 applies to manufacturers only.

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

**\*2\_5299\***

**\*\*MACHINE GUN-USE FOR CRIME\*\***

...did [possess/use] a machine gun in the [perpetration/attempted perpetration] of a crime of violence, to wit: \_\_\_\_\_.

NOTE: Machine gun is defined as a weapon, loaded or unloaded, from which more than one shot or bullet may be automatically discharged from a magazine by a single function of the firing device.

Crimes of Violence under CR 4-401 includes perpetration or attempt to perpetrate murder, manslaughter, rape, kidnapping, mayhem, assault in the first degree, robbery under CR 3-402 or 403, burglary in any degree, home invasion, theft, and escape in the first degree.

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

\*1\_1314\*

**\*\*MACH GUN AGGRESSIVE PURPOSE\*\***

...did possess and use a machine gun, to wit: \_\_\_\_ (describe weapon), for an aggressive and offensive purpose (choose appropriate wording below):

1. in that the said machine gun was not registered as required by CR 4-403 of the Annotated Code of Maryland;
2. in that the said machine gun was on premises not owned or rented by the defendant;
3. in that shells for the said machine gun were found in the immediate vicinity of the said machine gun (see note below);
4. in that the said machine gun was in the possession of an unnaturalized foreign-born person, to wit: \_\_\_\_ (name);
5. in that the said machine gun was in the possession of defendant, who had been previously convicted of a crime of violence, to wit: \_\_\_\_ (name crime);

NOTE: See CR 4-402(b) for exceptions.

NOTE: There is no precise definition of "aggressive" or "offensive" purpose in the statute. In CR 4-405, a machine gun is presumed to be possessed for such a purpose under certain circumstances. These are presented in the first five choices in the above charge. If the machine gun was possessed or used in a crime of violence as defined in CR 4-401, the defendant should be charged under CR 4-404. If the machine gun was possessed or used in the perpetration of any other crime or attempted crime, the defendant should be charged under CR 4-405.

NOTE: Under CR 4-405, if the machine gun was found in close proximity to shells, it does not matter whether the shells were empty or loaded as long as they could be used in that machine gun.

**DESTRUCTIVE DEVICES**

NOTE: The Acts of 1997 revised the laws on explosives to consolidate the law on this subject and to ensure that the creation of any device intended to cause damage to property or injury to persons by way of explosion, fire, or poison is covered by the law. This revision does not prohibit or regulate any materials that are currently legal and commonly used in households and in business. This subheading would apply to such materials only when they are intentionally combined with a delivery system so as to create a destructive capacity for which they were never intended. Items that have legitimate uses become subject to the provisions of this subheading when a person uses them for a criminal purpose.

**CR 4-503(a)(1)**  
**FELONY**  
**\$250,000.00 - 25 YEARS**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

**\*1\_0720\***

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

...did knowingly  
 [manufacture/transport/possess/control/store/sell/distribute/use]  
 \_\_\_\_\_ a destructive device.

NOTE: See CR 4-503(b)(3) for additional administrative penalties.

NOTE: "Destructive Device" means explosive, incendiary, or toxic material that has been combined with a delivery or detonating apparatus so as to be capable of inflicting injury to persons or damage to property.

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

**\*1\_0725\***

**\*\*POSS EXPL/INCEND W/INTENT\*\***

...did possess [explosive/incendiary/toxic] material with intent to create a destructive device.

NOTE: "Explosive material" means material which explodes when detonated and has a destructive capability, including: dynamite, ammonium nitrate, natural gas, oxygen cannisters.

"Incendiary material" means a flammable or combustible liquid, and includes gasoline, acetone, benzene, butane, jet fuel, fuel oil, kerosene, and diesel fuel.

"Toxic material" is defined as material which is capable of causing death or serious bodily injury almost immediately on being absorbed through the skin, inhaled, or ingested. It includes nerve gas, mustard gas, cyanide gas, chlorine gas, sulphuric acid, their precursors, and biological substances containing disease organisms. See CR 4-501 for complete definitions and exclusions.

Section 5-202 of the Criminal Law Article allows the Maryland Department of Health and Mental Hygiene (the “Department”) to add substances to the schedule list of controlled dangerous substances. If a substance is adopted as a controlled dangerous substance by the the Department, it may apply to CDS charges under Title 5 of the Criminal Law Article.

**Opiates-Without Prescription Schedule II**

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

**\*1\_0031\***

**\*\*CDS OPIATE W/O PRESCRIPT.\*\***

...did dispense a [controlled dangerous substance/controlled dangerous substance analogue] of schedule \_\_\_\_, to wit: \_\_\_\_, without a valid prescription from a duly authorized prescriber in this state.

NOTE: The Commissioner Education Committee advises that no probable cause should be found and persons should not be charged with violations of CR 5-601, 5-619, and 5-620 if ALL of the circumstances specified in CP 1-201(b) and CP 1-201(c) are applicable. Please see below.

**CP 1-210(b)**

A person who, in good faith, seeks, provides, or assists with the provision of medical assistance for a person reasonably believed to be experiencing a medical emergency after ingesting or using alcohol or drugs shall be immune from criminal arrest, charge, or prosecution for a violation of CR 5-601, 5-619, 5-620, 10-114, 10-116, and 10-117 if the evidence for the criminal arrest, charge, or prosecution was obtained solely as a result of the person's seeking, providing, or assisting with the provision of medical assistance.

**CP 1-210(c)**

A person who reasonably believes that the person is experiencing a medical emergency after ingesting or using alcohol or drugs shall be immune from criminal arrest, charge, or prosecution for a violation of CR 5-601, 5-619, 5-620, 10-114, 10-116, and 10-117 if the evidence for the criminal arrest, charge, or prosecution was obtained solely as a result of the person seeking or receiving medical assistance.

NOTE: No probable cause should be found if a participant of the Opioid-Associated Disease Prevention and Outreach Program is charged with violations of § 5-601, § 5-619, § 5-620, or § 5-902(c) or (d) of the Criminal Law Article under the circumstances specified in HG 24-908(a).

**HG 24-908**

(a) Immunity from prosecution. -- A Program staff member, Program volunteer, or Program participant may not be arrested, charged, or prosecuted for violating § 5-601, § 5-619, § 5-620, or § 5-902(c) or (d) of the Criminal Law Article for possessing or distributing controlled paraphernalia or drug paraphernalia whenever the possession or distribution of the controlled paraphernalia or drug paraphernalia is a direct result of the employee's, volunteer's, or participant's activities in connection with the work of a Program authorized under this subtitle.

(b) Permitted prosecutions. -- Notwithstanding the provisions of subsection (a) of this section, a Program staff member, Program volunteer, or Program participant is not immune from criminal prosecution for any activities not authorized or approved by a Program.

**CR 5-601  
MISDEMEANOR  
\$5,000-1 YEAR**

**\*1\_1110\***

**\*\*CDS: ADMIN - NOT MARIJUANA\*\***

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

NOTE: See CR 5-601(c) for subsequent offense penalties.

See note on page 118.

**CR 5-601**  
**MISDEMEANOR**  
**\$1,000.00 – 6 MONTHS**

\*1\_1559\*

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

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

**CR 5-601(a)(1)**  
**MISDEMEANOR**  
**\$1,000.00 – 6 MONTHS**

\*1\_1564\*

**\*\*CDS: POSS-MARIJUANA 10 GM+\*\***

...did possess a controlled dangerous substance of Schedule I, to wit: Marijuana, in an amount of \_\_\_\_\_ grams (10 grams or more).

NOTE: Eff 10-1-2014, under CR 5-601.1, possession or use of marijuana under 10 grams is a civil offense and may not be charged criminally.

**CR 5-601(a)(1)**  
**MISDEMEANOR**  
**\$5,000-1 YEAR**

\*1\_1111\*

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

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

NOTE: See CR 5-601(c) for subsequent offense penalties.

See note on page 118.

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

**\*1\_1112\***

**\*\*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.

NOTE: See CR 5-601(c) for subsequent offense penalties.

**CR 5-601(a)(2)**  
**MISDEMEANOR**  
**\$1,000.00 – 6 MONTHS**

**\*1\_1560\***

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

**\*1\_1113\***

**\*\*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].

NOTE: See CR 5-601(c) for subsequent offense penalties.



See note on page 118.

**CR 5-601(a)(2)(ii)**  
**MISDEMEANOR**  
**\$1,000.00 – 6 MONTHS**

**\*1\_1562\***

**\*\*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].

Effective 10/01/2019

See note on page 118.

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

**\*1\_1114\***

**\*\*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].

NOTE: See CR 5-601(c) for subsequent offense penalties.

**CR 5-601(a)(2)(iii)(iv)**  
**MISDEMEANOR**  
**\$1,000.00 – 6 MONTHS**

**\*1\_1563\***

**\*\*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**  
**\$5,000.00 - 1 YEAR**

**\*1\_1115\***

**\*\*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].

NOTE: See CR 5-601(c) for subsequent offense penalties.

See note on page 118.

**CR 5-601(a)(2)(v)**  
**MISDEMEANOR**  
**\$1,000.00 – 6 MONTHS**

**\*1\_1561\***

**\*\*MARJUANA 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**  
**\$5,000.00 – 1 YEAR**

**\*1\_1117\***

**\*\*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.

NOTE: See CR 5-601(c) for subsequent offense penalties.

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

**\*1\_0233\***

**\*\*CDS POSS W/INT TO DIST\*\***

...did unlawfully possess a [controlled dangerous substance/controlled dangerous substance analogue] of schedule \_\_\_\_, to wit: \_\_\_\_ in sufficient quantity to indicate an intent to distribute the same.

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

**CR 5-602**  
**PENALTY SECTION 5-609**  
**FELONY**  
**\$15,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

\*1\_1127\*

**\*\*CDS: DIST-PCP/LSD/HALLUCINOGEN\*\***

...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, LSD, OR HALLUCINOGEN LISTED UNDER CR 5-609. DO NOT USE FOR NARCOTICS OR OTHER CDS.

CR 5-609 (a):

- (1) phencyclidine;
- (2) 1-(1-phenylcyclohexyl) piperidine;
- (3) 1-phenylcyclohexylamine;
- (4) 1-piperidinocyclohexanecarbonitrile;
- (5) N-ethyl-1-phenylcyclohexylamine;
- (6) 1-(1-phenylcyclohexyl)-pyrrolidine;
- (7) 1-(1-(2-thienyl)-cyclohexyl)-piperidine;
- (8) lysergic acid diethylamide; or
- (9) 750 grams or more of 3, 4-methylenedioxymethamphetamine (MDMA).

NOTE: See CR 5-609 for subsequent offense penalties.

**CR 5-602  
FELONY  
PENALTY SECTION 5-609  
\$15,000.00 - 20 YEARS  
PRELIMINARY HEARING**

**\*1\_1128\***

**\*\*CDS: POS W/I DIST:PCP/LSD/HALLUCINOGEN\*\***

...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, LSD, OR HALLUCINOGEN LISTED UNDER CR 5-609. DO NOT USE FOR NARCOTICS OR OTHER CDS.

NOTE: See CR 5-609 for subsequent offense penalties.

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

**\*2\_3550\***

**\*\*CDS DIST - OTHER\*\***

...did unlawfully distribute to \_\_\_\_\_(name) a [controlled dangerous substance/controlled dangerous substance analogue] of schedule \_\_\_\_\_, to wit: \_\_\_\_\_.

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

**CR 5-602(1)**  
**FELONY**  
**\$15,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

**\*1\_1118\***

**\*\*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**  
**\$15,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

**\*1\_1119\***

**\*\*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\_0660\***

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

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

NOTE: See CR 5-607 for subsequent offense penalties.

NOTE: Do not use for violations involving schedule I or II narcotic drugs listed under CR 5-608 (i.e. crack, cocaine) or certain hallucinogenic substances under CR 5-609 (i.e. LSD or PCP).

**CR 5-603  
FELONY  
\$15,000.00 - 20 YEARS  
PRELIMINARY HEARING  
RELEASE RESTRICTION**

**\*1\_1120\***

**\*\*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  
\$15,000.00 - 20 YEARS  
PRELIMINARY HEARING  
RELEASE RESTRICTION**

**\*1\_1129\***

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

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

NOTE: USE THIS CODE FOR PCP, LSD, OR HALLUCINOGEN LISTED UNDER CR 5-609. DO NOT USE FOR NARCOTICS OR OTHER CDS.

NOTE: See CR 5-609 for subsequent offense penalties.

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

**\*1\_0237\***

**\*\*CDS: PRODUCTION EQUIPMENT\*\***

...did unlawfully [manufacture/distribute/possess] \_\_\_\_\_ (describe equipment) adopted for the production of a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule \_\_\_\_\_, to wit: \_\_\_\_\_, under circumstances reasonably indicating an intention to use same to produce such [controlled dangerous substance/controlled dangerous substance analogue].

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



**CR 5-603**  
**PENALTY SECTION 5-609**  
**FELONY**  
**\$15,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**

**\*1\_1131\***

**\*\*CDS: PROD EQUIP:PCP/LSD/HALLUCINOGEN \*\***

...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 HALLUCINOGEN LISTED  
 UNDER CR 5-609. DO NOT USE FOR NARCOTICS (I.E.,  
 CRACK, COCAINE) OR OTHER CDS.

NOTE: See CR 5-609 for subsequent offense penalties.

**CR 5-603**  
**FELONY**  
**\$15,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

**\*1\_1121\***

**\*\*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\_0234\***

**\*\*CDS/COUNTRFT CREATE/DISTR\*\***

...did [create/distribute to] \_\_\_\_ (name) a counterfeit controlled dangerous substance of schedule \_\_\_\_, to wit: \_\_\_\_.

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

**\*1\_0235\***

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

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

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

\*1\_0236\*

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

...did [manufacture/distribute/possess] equipment that is designed to [print/imprint/reproduce] an [authentic/imitation] [trademark/trade name/identifying mark/imprint/number/device of \_\_\_\_] onto a [drug/container of a drug/label of a drug] rendering the drug a counterfeit substance.

NOTE: See CR 5-607 for subsequent offense penalties.

NOTE: Do not use for violations involving narcotic drugs listed under CR 5-608 or certain hallucinogenic substances under CR 5-609.

NOTE: All three of the above charges deal with counterfeit controlled dangerous substances, as defined in CR5-604. These are substances that have been made to look like a substance that is legally sold, or to resemble some other manufacturer's product. These sections should not be used to charge a violation dealing with a non-controlled substance which has been made to look like an illegal controlled dangerous substance. That charge is found in CR5-604. See the definitions contained in CR 5-604 if you have questions.

**CR 5-604(b)(1)**  
**FELONY**  
**\$15,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**

\*1\_1122\*

**\*\*CDS: DIST CNTRFT NARC\*\***

...did [create/distribute to \_\_\_\_ (name)] a counterfeit controlled dangerous substance of Schedule [I/II], to wit: \_\_\_\_\_, a counterfeit of a narcotic drug.

**CR 5-604(b)(1)**  
**FELONY**  
**\$15,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**  
**PEN. SEC. CR 5-609**

\*1\_1556\*

**\*\*CDS: DIST CNTRFT PCP/LSD/HALLUCINOGEN \*\***

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

**CR 5-604(b)(2)**  
**FELONY**  
**\$15,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**

**\*1\_1123\***

**\*\*NARC/COUNTRFIT POS W/I DIS\*\***

...did possess with intent to distribute a counterfeit controlled dangerous substance of Schedule [I/II], to wit: \_\_\_\_\_, a counterfeit of a narcotic drug.

**CR 5-604(b)(2)**  
**FELONY**  
**\$15,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**  
**PEN. SEC. CR 5-609**

**\*1\_1557\***

**\*\*PCP/LSD/HALLUGN COUNTRFIT POS W/I DIS\*\***

...did possess with intent to distribute a counterfeit controlled dangerous substance of Schedule [I/II] \_\_\_\_\_, to wit: \_\_\_\_\_.

**CR 5-604(c)**  
**FELONY**  
**\$15,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**

**\*1\_1124\***

**\*\*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 [I/II], to wit: \_\_\_\_\_.

**CR 5-604(c)**  
**FELONY**  
**\$15,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**  
**PEN. SEC. CR 5-609**

**\*1\_1558\***

**\*\* PCP/LSD/HALLUGN/COUNTERFIT EQUIPMENT\*\***

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

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

\*1\_0238\*

**\*\*COMM NUIS/ADMINISTER CDS\*\***

...did keep and maintain a common nuisance, to wit: \_\_\_\_\_  
 (describe, see note) resorted to by drug abusers for purposes of  
 illegally administering [controlled dangerous  
 substance/controlled dangerous substance analogue].

NOTE: See CR 5-607 for subsequent offense penalties.

NOTE: Do not use for violations involving narcotic drugs listed  
 under CR 5-608 or certain hallucinogenic substances under CR  
 5-609.

NOTE: A common nuisance can be any building, structure,  
 vessel, vehicle, airplane, or any place whatsoever controlled by  
 the defendant. Give an address if a building, or describe the  
 vehicle, vessel, etc., and its location at the time and date  
 charged.

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

\*1\_0239\*

**\*\*COMM NUIS/DISTRIB CDS\*\***

...did keep and maintain a common nuisance, to wit: \_\_\_\_\_  
 (describe) for the illegal  
 [manufacture/distribution/dispensing/storage/concealment] of a  
 [controlled dangerous substance/controlled dangerous  
 substance analogue/controlled paraphernalia].

NOTE: See CR 5-607 for subsequent offense penalties.

NOTE: Do not use for violations involving narcotic drugs listed  
 under CR 5-608 or certain hallucinogenic substances under CR  
 5-609.

**CR 5-605  
PENALTY SECTION 5-609  
FELONY  
\$15,000.00 - 20 YEARS  
PRELIMINARY HEARING**

**\*1\_1132\***

**\*\*CDS: COM NUIS: ADMIN PCP/LSD/HALLUGN \*\***

...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: See CR 5-609 for list of substances and subsequent  
offense penalties.

**CR 5-605  
PENALTY SECTION 5-609  
FELONY  
\$15,000.00 - 20 YEARS  
PRELIMINARY HEARING**

**\*1\_1133\***

**\*\*CDS: COM NUIS: DIST. PCP/LSD/HALLUGN \*\***

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

NOTE: See CR 5-609 for list of substances and subsequent  
offense penalties.

**CR 5-605(a)(1)**  
**PENALTY SECTION 5-608**  
**FELONY**  
**\$15,000- 20 YEARS**  
**PRELIMINARY HEARING**

**\*\*CDS: COM NUIS: ADMIN NARC\*\***

**\*1\_1125\***

...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 [I/II], to wit: \_\_\_\_\_.

NOTE: See CR 5-608 for enhanced penalties.

**CR 5-605(a)(2)**  
**PENALTY SECTION 5-608**  
**FELONY**  
**\$15,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**

**\*1\_1126\***

**\*\*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 [I/II], to  
 wit: \_\_\_\_\_.

NOTE: See CR 5-608 for enhanced penalties.

**CR 5-608.1(a)**  
**FELONY**  
**10 YEARS**  
**PRELIMINARY HEARING**

**\*1\_0908\***

**\*\*DIST/PWID FENTANYL/HEROIN MIX\*\***

...did knowingly [distribute to \_\_\_\_\_ (name)/possess in  
 sufficient quantity to indicate an intention to distribute] [a  
 mixture that contains heroin and a detectable amount of  
 fentanyl/a mixture of heroin and a detectable amount of an  
 analogue of fentanyl/fentanyl/an analogue of fentanyl].

NOTE: This code may be charged in addition to applicable  
 violations under CR 5-602.

**CR 5-612  
FELONY  
5 YR MANDATORY MIN  
NO MAX JAIL TIME IN  
STATUTE  
\$100,000.00 Max Fine  
NO MAX  
PRELIMINARY HEARING  
RELEASE RESTRICTION**

\*1\_0879\*

**\*\*CDS MANUF - LG AMT\*\***

...did unlawfully manufacture a controlled dangerous substance of Schedule \_\_\_\_\_, to wit: \_\_\_\_\_, in the amount of \_\_\_\_\_. (see note)

NOTE: Substance and unlawful amount must fall under CR 5-612 to charge.

CR 5-612(a) – Unlawful Amounts

1. 50 pounds or more of marijuana;
2. 448 grams or more of cocaine;
3. 448 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, of cocaine;
4. 448 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. 28 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium;
7. 5 grams or more of fentanyl or any structural variation of fentanyl that is scheduled by the United States Drug Enforcement Administration;
8. 28 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, or fentanyl or any structural variation of fentanyl that is scheduled by the United States Drug Enforcement Administration;
9. 1,000 dosage units or more of lysergic acid diethylamide;
10. any mixture containing the equivalent of 1,000 dosage units of lysergic acid diethylamide;
11. 16 ounces or more of phencyclidine in liquid form;
12. 448 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, of phencyclidine;
13. 448 grams or more of methamphetamine; or
14. 448 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, 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  
PRELIMINARY HEARING  
RELEASE RESTRICTION**

\*1\_0880\*

**\*\*CDS DIST/DISPENSE- LG AMT\*\***

...did unlawfully [distribute/dispense] a controlled dangerous substance of Schedule \_\_\_\_\_, to wit: \_\_\_\_\_, in the amount of \_\_\_\_\_. (see note)

NOTE: Substance and unlawful amount must fall under CR 5-612 to charge.

CR 5-612(a) – Unlawful Amounts

1. 50 pounds or more of marijuana;
2. 448 grams or more of cocaine;
3. 448 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, of cocaine;
4. 448 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. 28 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium;
7. 5 grams or more of fentanyl or any structural variation of fentanyl that is scheduled by the United States Drug Enforcement Administration;
8. 28 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, or fentanyl or any structural variation of fentanyl that is scheduled by the United States Drug Enforcement Administration;
9. 1,000 dosage units or more of lysergic acid diethylamide;
10. any mixture containing the equivalent of 1,000 dosage units of lysergic acid diethylamide;
11. 16 ounces or more of phencyclidine in liquid form;
12. 448 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, of phencyclidine;
13. 448 grams or more of methamphetamine; or
14. 448 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, 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  
PRELIMINARY HEARING  
RELEASE RESTRICTION**

\*1\_0881\*

**\*\*CDS POSSESS - LG AMT\*\***

...did unlawfully possess a controlled dangerous substance of Schedule \_\_\_\_\_, to wit: \_\_\_\_\_, in the amount of \_\_\_\_\_ . (see note)

NOTE: Substance and unlawful amount must fall under CR 5-612 to charge.

CR 5-612(a) – Unlawful Amounts

1. 50 pounds or more of marijuana;
2. 448 grams or more of cocaine;
3. 448 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, of cocaine;
4. 448 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. 28 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium;
7. 5 grams or more of fentanyl or any structural variation of fentanyl that is scheduled by the United States Drug Enforcement Administration;
8. 28 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, or fentanyl or any structural variation of fentanyl that is scheduled by the United States Drug Enforcement Administration;
9. 1,000 dosage units or more of lysergic acid diethylamide;
10. any mixture containing the equivalent of 1,000 dosage units of lysergic acid diethylamide;
11. 16 ounces or more of phencyclidine in liquid form;
12. 448 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, of phencyclidine;
13. 448 grams or more of methamphetamine; or
14. 448 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, 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.

**Controlled Dangerous Substance Drug Kingpin****CR 5-613****FELONY****\$1,000,000.00 20-40 YEARS****PRELIMINARY HEARING****RELEASE RESTRICTION****\*1\_0488\*****\*\*CDS-DRUG KINGPIN\*\***

...did as an [organizer/supervisor/financier/manager] in a conspiracy with \_\_\_\_, to [manufacture/distribute/bring into the State/transport into the State] a controlled dangerous substance of Schedule \_\_\_\_ to wit: \_\_\_\_, in the amount of \_\_\_\_ (see note).

NOTE: The type of CDS and the amount must equal one or more of the types and amounts set out in CR 5-613. The amount may be calculated on the basis of the aggregate amount of CDS involved in the conspiracy within a 90 day period.

NOTE: A District Court Commissioner may not authorize the pre-trial release of a defendant charged as a drug kingpin under this section.

## Controlled Dangerous Substance Bring Into State

**CR 5-614**

**FELONY**

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

**PRELIMINARY HEARING**

**\*3\_3550\***

**\*\*CDS: IMPORT INTO STATE\*\***

...did unlawfully bring into this State (choose one):

[at least 45 kilograms of marijuana, a controlled dangerous substance of Schedule I./ at least 28 grams of cocaine, a controlled dangerous substance of Schedule II./ a mixture containing at least 28 grams of cocaine, a controlled dangerous substance of Schedule II./ at least 4 grams of [morphine/opium], a controlled dangerous substance of Schedule I./ at least 4 grams of a [derivative/salt/isomer/salt of an isomer] of [morphine/ opium] a controlled dangerous substance of Schedule I./ at least 1000 dosage units of Lysergic Acid Diethylamide, a controlled dangerous substance of Schedule I./ a mixture containing the equivalent of at least 1000 dosage units of lysergic acid diethylamide, a controlled dangerous substance of Schedule I./at least 28 grams of phencyclidine, a controlled dangerous substance of Schedule II./ at least 112 grams of a mixture containing phencyclidine, a controlled dangerous substance of Schedule II./at least 1000 dosage units of methaqualone, a controlled dangerous substance of Schedule I./ at least 28 grams of methamphetamine,a controlled dangerous substance of Schedule II./ a mixture containing at least 28 grams of methamphetamine, a controlled dangerous substance of Schedule II./ at least 4 grams of [fentanyl /fentanyl analogue] a controlled dangerous substance of Schedule II.]

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

**\*1\_0730\***

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

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

Effective 10/01/2019

**Noncontrolled Substances Distribution****CR 5-617****FELONY****\$15,000.00 - 5 YEARS****PRELIMINARY HEARING****\*1\_0246\*****\*\*FAKE CDS: DIST/POSS W/I DIST\*\***

...did [distribute to \_\_\_\_ / attempt to distribute to \_\_\_\_ /  
possess with the intent to distribute] a non-controlled substance  
[represented to be a controlled dangerous substance of Schedule  
\_\_\_\_\_, to wit: \_\_\_\_ /intended for use and distribution as a  
controlled dangerous substance of Schedule \_\_\_\_\_, to wit:  
\_\_\_\_\_/under circumstances where one reasonably should know  
that the said substance would be used and distributed for use as  
a controlled dangerous substance of Schedule \_\_\_\_\_, to wit:  
\_\_\_\_\_].

**CR 5-618**  
**MISDEMEANOR**  
**\$500.00 - 1 YEAR**

\*1\_0691\*

**\*\*CDS POS/PUR NONCONT SUBST\*\***

...did [possess/purchase] a noncontrolled substance reasonably believed to be a controlled dangerous substance.

NOTE: "Elements"

Noncontrolled substance packaged in a manner normally used for illegal distribution of controlled dangerous substance.

Noncontrolled substance purchased and amount of consideration was substantially greater than the reasonable value of the non controlled substance.

Physical appearance or noncontrolled substance substantially identical to that of a controlled dangerous substance.

See note on page 118.

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

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

**\*5\_3550\***

**\*\*CDS: POSS PARAPHERNALIA\*\***

...did [use/possess with intent to use] drug paraphernalia, to wit:  
\_\_\_\_\_ (describe paraphernalia), used to  
[plant/propagate/cultivate/grow/harvest/manufacture/  
compound/convert/produce/process/prepare/pack/repack/store/c  
ontain/conceal/inject/ingest/inhale/ introduce into the human  
body by \_\_\_\_\_ (describe method)] a controlled dangerous  
substance of Schedule \_\_\_\_\_, to wit: \_\_\_\_\_.

**Note:** Effective 2-20-2016, this charge **DOES NOT** apply to the use or  
possession of drug paraphernalia involving the use or possession of  
marijuana under CR 5-619 (c)(1).

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

**\*6\_3550\***

**\*\*CDS: DIST PARAPHERNALIA\*\***

...did [deliver and sell to \_\_\_\_\_/ possess with the intent to deliver  
and sell/manufacture with the intent to deliver and sell] drug  
paraphernalia, to wit: \_\_\_\_\_ (describe paraphernalia)  
[knowing/under circumstances where one reasonably should  
know] that the said paraphernalia would be used to  
[plant/propagate/cultivate/grow/harvest/manufacture/compound  
/convert/produce/process/prepare/pack/repack/store/contain/con  
ceal/inject/ ingest/inhale/introduce into the human body by  
\_\_\_\_\_ (describe method)] a controlled dangerous substance of  
Schedule \_\_\_\_\_, to wit: \_\_\_\_\_.



See note on page 118.

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

**\*7\_3550\***

**\*\*CDS PARA-DELIVERY TO MINOR\*\***

...did, being 18 years of age or over, deliver to \_\_\_\_ (name), a person under 18 years of age and at least 3 years his junior, drug paraphernalia to wit: \_\_\_\_ [knowing/under circumstances where one reasonably should know] that it would be used to [plant/propagate/cultivate/grow/harvest/manufacture/compound/convert/produce/process/prepare/pack/repack/store/contain/conceal/ inject/ingest/inhale/introduce into the human body by \_\_\_\_ (describe)] a controlled dangerous substance of Schedule \_\_\_\_, to wit: \_\_\_\_\_.

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

**\*9\_0082\***

**\*\*CDS PARA-ADVERTISE\*\***

...did unlawfully advertise [by sound truck/in \_\_\_\_ (describe publication)] [knowing/under circumstances where one reasonably should know] that a purpose of the advertisement was to promote the sale and delivery of drug paraphernalia as described in CR 5-619(e).

See note on page 118.

**CR 5-620**  
**MISDEMEANOR**  
**\$25,000.00 - 4 YEARS**

**\*1\_0257\***

**\*\*CDS MFG MAT POSS/DIST-NOT MARI\*\***

...did [possess/distribute to \_\_\_\_\_] controlled paraphernalia, to wit: \_\_\_\_\_ under circumstances to reasonably indicate its use for illegal [manufacture/distribution/dispensing] of a controlled dangerous substance to wit: \_\_\_\_\_.

**CR 5-620**  
**MISDEMEANOR**  
**\$1,000.00 – 1 YEAR**

**\*1\_1287\***

**\*\*CDS MFG MAT POSS/DIST-MARIJUANA\*\***

...did [possess/distribute to \_\_\_\_\_] controlled paraphernalia, to wit: \_\_\_\_\_ under circumstances to reasonably indicate its use for illegal [manufacture/distribution/dispensing] of a controlled dangerous substance to wit: \_\_\_\_\_.

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

**\*1\_0255\***

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

...did [possess/distribute to \_\_\_\_] controlled paraphernalia to wit: \_\_\_\_ (describe, see CR 5-101), under circumstances which reasonable indicate an intention to use said controlled paraphernalia for purposes of illegally administering a controlled dangerous substance to wit: \_\_\_\_ (describe).

NOTE: Do not use for violations involving marijuana.

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

\*1\_0256\*

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

... did [possess/distribute to \_\_\_\_\_(name)] controlled paraphernalia to wit: \_\_\_\_\_(describe) under circumstances which reasonably indicate an intention to use the controlled paraphernalia for purposes of illegally administering a controlled dangerous substance.

**CR 5-620(a)(2)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

\*1\_0566\*

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

... did [possess/distribute to \_\_\_\_\_(name)] controlled paraphernalia to wit: \_\_\_\_\_ under circumstances which reasonably indicate an intention to use the controlled paraphernalia for purposes of illegally administering a controlled dangerous substance to wit: \_\_\_\_\_ Marijuana.

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

**\*1\_0493\***

**\*\*FIREARM/DRUG TRAF CRIME**

...did, during and in relation to a drug trafficking crime, possess a firearm, to wit: \_\_\_\_\_, under sufficient circumstances to constitute a nexus to the drug trafficking crime.

NOTE: See CR 5-621(c) for enhanced, minimum, and subsequent offense penalties.

NOTE: The minimum mandatory penalties of this offense are doubled if certain types of firearms are used in the offense, if a machine gun is used in the offense, or if a firearm silencer or muffler is used on any type firearm in the offense. SEE CR 4-301 or PS 5-101 for the types of firearms that would enhance the penalties.

NOTE: A "drug trafficking crime" is defined in CR 5-621 and includes all felonies or conspiracies to commit a felony under the controlled dangerous substances subtitle (CR 5-621). It does not include misdemeanor drug possession.

**Controlled Dangerous Substance Distribute, Etc.  
W/Firearm**

**CR 5-621(b)(2)**  
**FELONY**  
**FIRST OFFENSE - 20**  
**YEARS**  
**SUB OFFENSE - 20 YEARS**  
**PRELIMINARY HEARING**  
**THE MINIMUM**  
**SENTENCES ARE**  
**MANDATORY AND**  
**CONSECUTIVE**

**\*1\_0487\***

**\*\*CDS: DISTR ETC. W/FIREARM\*\***

...did while engaged in a drug trafficking crime use, wear, carry, and transport a firearm, to wit: \_\_\_\_\_.

## Possession of Firearms

**CR 5-622**  
**FELONY**  
**\$10,000.00 - 5 YEARS**  
**PRELIMINARY HEARING**

\*1\_0692\*

### **\*\*CDS-POSS OF FIREARMS\*\***

...did [possess/own/carry/transport] a firearm after being convicted of: \_\_\_\_\_ (select from the list below):

1. a felony under title 5 of the criminal law article;
2. a crime under the laws of another state or 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 barrellled shotgun and short barrellled 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**

\*1\_0673\*

### **\*\*CDS-PROCEEDS FROM OFFENSE\*\***

...did, with the intent to promote an offense/conceal and disguise the [nature/location/source/ownership/control of proceeds] of an offense involving a controlled dangerous substance of Schedule \_\_\_\_\_, to wit: \_\_\_\_\_, did [receive/acquire/engage in/conduct financial transactions involving proceeds], knowing that the proceeds were derived from a controlled dangerous substance offense.

NOTE: See CR 5-623(c ) for penalty section and subsequent offense penalty of 10 years and/or the greater of \$500,000 or 5 times the value of proceeds involved in the financial transaction.

NOTE: "Proceeds" means money or any other property with a value greater than \$10,000.00. NOTE: Each financial transaction is a separate offense.

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

**\*1\_0675\***

**\*\*CDS-PROCEEDS FROM OFFENSE\*\***

...did, with the intent to [promote an offense/conceal and disguise the nature, location, source, ownership and control of proceeds of an offense] involving a controlled dangerous substance of Schedule \_\_\_\_, to wit: \_\_\_\_, did [give/sell/transfer/trace/invest/conceal/transport/maintain] an interest in proceeds and did [direct/promote/plan/organize/initiate/finance/manage/supervise/facilitate] the transportation and transfer of proceeds, knowing that the proceeds were derived from a controlled dangerous substance offense.

NOTE: "Proceeds" means money or any other property with a value greater than \$10,000.00.

NOTE: Each financial transaction is a separate offense.

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

**\*2\_0710\***

**\*\*CDS ADM W/VIOLENT CRIME\*\***

...did administer a [controlled dangerous substance / other drug] to wit: \_\_\_\_\_ to \_\_\_\_\_ (name) without [his/her] knowledge and did commit against \_\_\_\_\_ (name person) \_\_\_\_\_ (name crime), a crime of violence as defined under CR 14-101 of the Annotated Code of Maryland.

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

**\*2\_0715\***

**\*\*CDS ADM W/SEX OFFENSE\*\***

...did administer a [controlled dangerous substance / other drug] to wit: \_\_\_\_\_ to \_\_\_\_\_ (name) without [his/her] knowledge and did commit against \_\_\_\_\_ (name person), a sexual offense in the third degree under CR 3-307 of the Annotated Code of Maryland .

NOTE: A sentence imposed under this section may be imposed separate from and consecutive to or concurrent with a sentence for any offense based on the act or acts establishing the violation of this section.

NOTE: "Drug" means:

1. Substances recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; and
2. Substances intended for use in the diagnosis, cure, 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**

**\*1\_0483\***

**\*\*CDS DIST: SCHOOL PROP/BUS\*\***

...did [manufacture/distribute to \_\_\_\_/conspire with \_\_\_\_ to distribute] a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule \_\_\_\_, to wit: \_\_\_\_ [on a school bus/on the property/within 1000 feet of the property] of \_\_\_\_ (name or identify school).

NOTE: See CR 5-627(c) for subsequent offense penalties.

NOTE: Any elementary or secondary school, public or private, will satisfy this section, whether or not in session. Colleges and Universities are not covered by this section.

### **CDS Distribution on or Near School Property**

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

**\*1\_0484\***

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

...[did/did conspire with \_\_\_\_ (name) to] possess a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule \_\_\_\_, to wit: \_\_\_\_ in sufficient quantity to indicate an intent to distribute the said substance [on a school bus/on the property/ within 1000 feet of the property] of \_\_\_\_ (name or identify school).

NOTE: See CR 5-627(c) for subsequent offense penalties.

NOTE: Any elementary or secondary school, public or private, will satisfy this section, whether or not in session. Colleges and Universities are not covered by this section.

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

\*1\_5409\*

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

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

\*1\_0489\*

**\*\*IMPORT MINOR: DRUG FELONY\*\***

...did transport, carry, and bring \_\_\_\_\_ (name), a minor, into the State of Maryland for the purpose of using said minor in the commission of a felony, to wit: \_\_\_\_\_.

NOTE: Only CDS violations under CR 5-602, 5-603, 5-604, 5-605, 5-606, 5-612, 5-613, 5-617, 5-627 will qualify to permit a defendant to be charged under this section.

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

**\*1\_0010\***

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

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

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

**\*1\_0264\***

**\*\*PRES ILL POS W/IN DIST\*\***

...did unlawfully possess a prescription drug, to wit: \_\_\_\_\_, in sufficient quantity to indicate an intent to distribute said drug.

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

**\*1\_0270\***

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

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

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

**\*1\_0271\***

**\*\*PRESCRIP/REMOVE LABEL\*\***

...did unlawfully [omit/remove/alter/obliterate] a [label/symbol] on a prescription drug as required by [Federal/State/local] law.

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

**\*1\_0265\***

**\*\*PRESCR OBTAIN BY FRAUD\*\***

...did unlawfully [obtain/attempt to obtain] \_\_\_\_\_, a prescription drug, by [fraud/decei/misrepresentation] to wit: \_\_\_\_\_ (describe scheme).

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

**\*1\_0267\***

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

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

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

**\*1\_0266\***

**\*\*PRESC OBTN CONCEAL/FALSE INFO\*\***

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

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

**\*1\_0268\***

**\*\*PRESC OBTN IMPERSONATN\*\***

...did unlawfully [obtain/attempt to obtain] \_\_\_\_\_, a prescription drug, by [representing [himself/herself] to be \_\_\_\_\_(name)/falsely assuming the title of \_\_\_\_\_(name)] a [manufacturer/distributor/practitioner].

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

**\*1\_0269\***

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

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

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

**\*1\_0018\***

**\*\*CDS-SELL SUBSTITUTE DRUG\*\***

...did, being engaged in the business, knowingly sell and deliver to \_\_\_\_ (person) a [drug/medicine/chemical preparation for medicinal use] different from the [prescription drug/controlled dangerous substance/medicine/chemical preparation] [order by the said \_\_\_\_ (name)/required by the said prescription].

NOTE: Applies to pharmacists and any other person or corporation in the business of selling prescription drug, controlled dangerous substance, medicines, chemicals or preparations for medical use.

NOTE: DOES NOT apply to pharmacist supplying generic version of name-brand drug w/physician's permission.

**CR 5-703(b)**  
**MISDEMEANOR**  
**\$500.00 - 6 MONTHS**

**\*1\_0025\***

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

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

**Smelling/Inhaling Harmful Substance-Prohibited**

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

**\*1\_5599\***

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

...did deliberately [smell/inhale] \_\_\_\_\_, a [drug, noxious substance/chemical] containing [ketones / aldehydes / butane/ butyl nitrate / nitrous oxide / menthyl benzene / organic acetates / ether / chlorinated hydrocarbons / fluorinated hydrocarbons / solvents releasing toxic vapors] in such quantities as to cause [intoxication/inebriation/excitement/stupefaction/a dulling of the brain or nervous system].

**Smelling/Inhaling Harmful Substance-Prohibited**

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

**\*1\_0272\***

**\*\*CDS POSS FOR DISTRIBUTION\*\***

...did possess \_\_\_\_\_, a [drug/noxious substance/chemical] containing \_\_\_\_\_ (See CR 5-708), with the intent to distribute it for unlawful use.

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

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

**\*1\_3500\***

**\*\*CDS DIST TO INHALE\*\***

...did distribute \_\_\_\_ (name substance), a [drug/noxious substance/chemical] containing \_\_\_\_ (see CR 5-708) to \_\_\_\_, [with the intent to induce the said \_\_\_\_ (name) to unlawfully inhale same/ knowing the said \_\_\_\_ (name), would unlawfully inhale same].

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

**\*1\_0273\***

**\*\*CDS INSTRUCT INHALING\*\***

...did instruct \_\_\_\_ (name), in the unlawful inhaling of \_\_\_\_, (drug/noxious substance/chemical, etc.).

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

**\*1\_0735\***

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

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



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

**\*1\_0259\***

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

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

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

**\*1\_0260\***

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

...did [knowingly/intentionally] [refuse/fail] to [make/keep/  
furnish] a [record/ notification/order  
from/statement/invoice/information] required under Title 5 of  
the Criminal Law Article.

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

**\*1\_0261\***

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

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

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

**\*1\_0262\***

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

...did, as a [registrant/authorized person],  
 [knowingly/intentionally] [keep/maintain] a  
 [store/shop/warehouse/dwelling house/building, etc.], which is  
 [resorted to by drug abusers for the purpose of using controlled  
 dangerous substance/used for the keeping and selling of  
 controlled dangerous substance contrary to law].

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

**\*1\_3550\***

**\*\*UNAUTH CDS-DIST/MAN/DIS REG\*\***

... did as a registrant and without authorization under [his/her]  
 registration, [manufacture/distribute/dispense] a controlled  
 dangerous substance to wit: \_\_\_\_\_ (describe) to \_\_\_\_\_  
 (name) another [registrant/authorized person] without

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

**CR 5-903(a)**  
**FELONY**  
**\$100,000.00 - 10 YEARS**

**\*1\_0263\***

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

...did willfully use a registration number which is  
 [fictitious/revoked/ suspended/issued to another person] in the  
 course of the manufacture and distribution of a controlled  
 dangerous substance of Schedule \_\_\_\_, to wit: \_\_\_\_\_.

## Unlawful Acts - Registrants

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

**\*1\_0258\***

**\*\*CDS TO UNAUTHOR REGISTRANT\*\***

...did distribute to \_\_\_\_\_ another [registrant/unauthorized person], a controlled dangerous substance of Schedule \_\_\_\_\_, to wit: \_\_\_\_\_, not authorized by [his/her] registration.

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

**\*8\_3550\***

**\*\*CDS REGISTRANT UNAUTH MFG\*\***

...did manufacture a controlled dangerous substance of Schedule \_\_\_\_\_, to wit: \_\_\_\_\_, which substance was not authorized by registration.

## Distribution by Registrants W/O Order Form, Etc. Registration Number

**CR 5-904(a)(2)**  
**FELONY**  
**\$100,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**

**\*9\_3550\***

**\*\*CDS REGISTRNT DIST NO FORM\*\***

...did, as a registrant, in the course of [his/her] legitimate business, distribute to \_\_\_\_\_ a controlled dangerous substance of Schedule [I/II], to wit: \_\_\_\_\_, without an order form.

ARSON AND BURNING

NOTE: "Dwelling: means a structure, regardless of whether an individual is actually present, any portion of which has been adapted for overnight accommodation of individuals, including any kitchen, shop, barn, adjoining the structure.

"Maliciously" describes an act done with intent to harm a person or property.

"Occupied structure" means a structure, other than a dwelling in or on which at the time of the offense another individual who is not a participant in the offense is present.

"Structure" means a building, other construction, vehicle, or watercraft, including any barn, stable, garage, pier, wharf, boathouse, and any facility attached to a pier or wharf; any shop, storehouse, warehouse, factory, mill, house of worship, meeting house, courthouse, workhouse, school, tent, public building, or public bridge; and any motor vehicle, aircraft, boat, ship, and railroad car.

"Willfully" describes an act which is done intentionally, knowingly, and purposely.

If a structure is divided into separately owned or leased units, each unit shall be considered a separate structure for purposes of a prosecution under this subheading.

**CR 6-102(a)**  
**FELONY**  
**\$50,000.00 - 30 YEARS**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**  
**SUB. CONVICTION,**  
**ENHANCED PENALTY**

**\*1\_6500\***

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

...did wilfully and maliciously [set fire/burn] a [dwelling/occupied structure], to wit: \_\_\_\_\_, (give address or describe structure as in "the dwelling house of \_\_\_\_\_ (name)," or "the occupied barn of \_\_\_\_\_ (name)," or "the occupied garage of (name).") in violation of CR 6-102(a) of the Annotated Code of Maryland.

NOTE: The dwelling or occupied structure may belong to the accused or another. Any structure that is attached to a dwelling house, such as an attached garage or shed, is a part of the dwelling house. Any structure not attached to a dwelling house must be an "Occupied Structure" (see definition, previous page) to qualify for this section. Any burning or charring of any portion of the dwelling or occupied structure will satisfy the statute.

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

**\*1\_6501\***

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

...did wilfully and maliciously [set fire to/burn] a structure, to wit: \_\_\_\_\_ (give address or otherwise describe structure, as in above section), in violation of CR 6-103 of the Annotated Code of Maryland.

NOTE: The property may belong to the accused, or another.

**CR 6-104(b)  
FELONY  
\$5,000.00 - 5 YEARS  
PRELIMINARY HEARING**

**\*1\_6502\***

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

...did wilfully and maliciously [set fire to/burn] the personal property of \_\_\_\_\_ (name), to wit: \_\_\_\_\_ (brief description of property), the damage to the property being \$1,000.00 or more, in violation of CR 6-104(b) of the Annotated Code of Maryland.

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

\*1\_6503\*

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

...did wilfully and maliciously [set fire to/burn] the property of \_\_\_\_\_ (name), to wit: \_\_\_\_\_ (briefly describe property), the damage to the property being less than \$1,000.00, in violation of CR 6-105(b) of the Annotated Code of Maryland.

**CR 6-106**  
**MISDEMEANOR**  
**\$5,000.00 - 5 YEARS**

\*1\_6504\*

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

...did, with intent to defraud, [set fire to/burn] property, to wit: \_\_\_\_\_ (describe property), in violation of CR 6-106 of Annotated 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**

**\*1\_6505\***

**\*\*ARSON/THREAT\*\***

...did threaten [verbally/in writing] to [set fire to and burn/explode a destructive device] [in/on/under] a structure, to wit: \_\_\_\_ (describe structure) in violation of CR 6-107 of the Annotated Code of Maryland.

NOTE: A destructive explosive device is defined in CR 4-501.

NOTE: Structure includes occupied and unoccupied for this section.

**CR 6-108**  
**MISDEMEANOR**  
**\$500.00 - 30 DAYS**

**\*2\_2003\***

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

...did wilfully and maliciously [set fire to/burn] the contents of a [dumpster/trash container/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(a)**  
**FELONY**  
**20 YEARS**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

**\*2\_3000\***

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

...did break and enter the dwelling house of \_\_\_\_\_ (owner, lessee, etc.), located at \_\_\_\_\_, with the intent to commit theft in violation of CR 6-202 of the Annotated Code of Maryland.

NOTE: "Theft" includes both misdemeanor and felony theft.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for purposes of a prosecution under this subheading, unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

NOTE: A vehicle such as a motor home or RV, or a tent, is not normally viewed as a "dwelling" within the meaning of this statute. However, if a tent or vehicle is being used as a dwelling it may qualify as such under this subheading.

**CR 6-202(b)**  
**FELONY**  
**25 YEARS**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

**\*1\_1338\***

**\*\*HOME INVASION \*\***

...did break and enter the dwelling house of \_\_\_\_\_ (owner, lessee, etc.), located at \_\_\_\_\_, with the intent to commit a crime of violence in violation of CR 6-202 of the Annotated Code of Maryland.

NOTE: For a list of crimes of violence, see CR 14-101.



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

**\*2\_3010\***

**\*\*BURGLARY/2ND DEGREE/GENERAL\*\***

...did break and enter the storehouse of \_\_\_\_\_ (owner, lessee, etc), located at \_\_\_\_\_, with the intent to commit [a theft/ a crime of violence/arson in the second degree] in violation of CR 6-203 of the Annotated Code of Maryland.

NOTE: For a list of crimes of violence, see Part I.

NOTE: "Storehouse" retains its judicially determined meaning and also means any building, other construction, or watercraft, including: any barn, stable, garage, pier, wharf, boathouse and any facility attached to a pier or wharf; any shop, storeroom, warehouse, factory, mill, house of worship, meetinghouse, courthouse, workhouse, school, or public building and any trailer, aircraft, boat, ship, or railroad car.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for purposes of a prosecution under the subheading, unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

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

**\*2\_3015\***

**\*\*BURGLARY/2ND DEGREE/FIREARM\*\***

...did break and enter the storehouse of \_\_\_\_\_ (owner, lessee),  
with the intent to steal, take and carry away a firearm, to wit:  
\_\_\_\_\_, in violation of CR 6-203(b) of the Annotated Code of  
Maryland.

NOTE: "Firearm" retains its statutorily provided definitions of:

1. Handgun, antique firearm, rifle, shotgun, short-barreled  
shotgun, and short-barreled rifle, and those terms are defined in  
CR 4-201;
2. Pistol, revolver, and antique pistol or revolver, as those terms  
as are defined in CR 4-201;
3. Machine gun, as defined in CR 4-401;
4. Any other firearm that has not been modified to render it  
permanently inoperative.

NOTE: If a building or structure is divided into separately  
owned or leased units, each unit may not be considered a  
separate dwelling or storehouse for purposed of a prosecution  
under this subheading, unless it is objectively apparent that  
each unit constitutes a separate dwelling or storehouse.

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

**\*2\_3020\***

**\*\*BURGLARY-THIRD DEGREE\*\***

...did break and enter the dwelling of \_\_\_\_\_ (owner, lessee, etc.), located at \_\_\_\_\_ to commit a crime, to wit: \_\_\_\_\_, in violation of CR 6-204 of the Annotated Code of Maryland.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for purposes of a prosecution under this subheading, unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

NOTE: The violation created under this section is a lesser included offense of a violation under CR6-202. Accordingly, if a violation arising out of the same criminal incident is charged under CR 6-202, there is no need to charge specifically under this section unless there is evidence that the defendant had the specific intent to commit two crimes, one of which would qualify under CR 6-202 and the other of which would not.

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

**\*2\_3030\***

**\*\*BURGLARY-FOURTH DEGREE-DWELLING\*\***

...did break and enter the dwelling of \_\_\_\_\_ (owner, lessee, etc), located at \_\_\_\_\_, in violation of CR 6-205(a) of the Annotated Code of Maryland.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for purposes of a prosecution under the subheading, unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

NOTE: The violation created under this section is a lesser included offense of any violation under sections 202, 203 and 204. Accordingly, if a violation arising from the same criminal incident is charged under those sections, there is no need to charge specifically under this section UNLESS criminal tools were used. See Burglary 4th Degree/Tools.

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

\*1\_1130\*

**\*\*BURGLARY-FOURTH DEGREE-STOREHOUSE\*\***

...did break and enter the storehouse of \_\_\_\_\_ (owner, lessee, etc), located at \_\_\_\_\_, in violation of CR 6-205(b) of the Annotated Code of Maryland.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for purposes of a prosecution under the subheading, unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

NOTE: The violation created under this section is a lesser included offense of any violation under sections 202, 203 and 204. Accordingly, if a violation arising from the same criminal incident is charged under those sections, there is no need to charge specifically under this section UNLESS criminal tools were used. See Burglary 4th Degree/Tools.

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

\*2\_3040\*

**\*\*BURGLARY-4TH DEGREE THEFT\*\***

...was [in/on] the [dwelling/storehouse/yard/garden/other area, to wit: \_\_\_\_\_] of \_\_\_\_\_ (owner, lessee, etc) located at \_\_\_\_\_, with the intent to commit theft in violation of CR 6-205(c) of the Annotated Code of Maryland.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for the purpose of a prosecution under this subheading, unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

NOTE: A person convicted of a violation of CR 7-104 may not also be convicted of violating this part of CR 6-205(c), based on the act or acts establishing the violation of CR 7-104.

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

**\*2\_3045\***

**\*\*BURGLARY-4TH DEGREE/PERMIT TOOL USE\*\***

...did permit the use of burglar's tools; to wit: \_\_\_\_\_, in the commission of a burglary.

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

**\*2\_3050\***

**\*\*BURGLARY-4TH DEGREE/TOOLS\*\***

...did possess burglar's tools, to wit: \_\_\_\_\_, with the intent to use them in the commission of a burglary.

NOTE: "Burglar's Tools" means a picklock, key, crowbar, prybar, jack, or bit; nitroglycerin, dynamite, gunpowder, or other explosive material; an acetylene torch, electric arc, burning bar, thermal lance, oxygen lance, or similar device capable of burning through metal, concrete, or other solid material; or any other tool, instrument, or device that has been adapted, designed, or used for committing or facilitating the commission of a burglary offense.

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

**\*2\_3080\***

**\*\*BURG TOOLS-MOT. VEH/POSS\*\***

...did possess burglar's tools, to wit: \_\_\_\_\_ with the intent to use the same in the commission of a crime involving the breaking and entering of a motor vehicle.

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

**\*2\_3090\***

**\*\*ROGUE AND VAGABOND\*\***

...was [in/on] the motor vehicle of \_\_\_\_\_ (owner, lessee, etc.), with the intent to commit theft of [the vehicle/ property within the motor vehicle/property on the motor vehicle].

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

**\*2\_3060\***

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

...did commit burglary in the [first/second/third] degree at \_\_\_\_\_ (location) and did [open/attempt to open] a [vault/safe/secure repository] by the use of a destructive device, as defined in Section 4-501 of this article, in violation of CR 6-207 of the Annotated Code of Maryland.

NOTE: Since an explosive is a burglar's tool, a separate charge of "Burglary 4th Degree/Poss. Tools (2-3050) should normally accompany this section.

NOTE: A sentence for violation of this section may be imposed separate from and consecutive to or concurrent with a sentence for any other offense arising from the same criminal incident.

NOTE: Section 4-501 defines "Destructive Device" as explosive, incendiary, or toxic material that has been combined with a delivery or detonating apparatus so as to be capable of inflicting injury to persons or damage to property. "Destructive Devices" include devices which are primarily designed and manufactured for military purposes as instrumentalities of destruction, including any bomb, grenade, mine, shell, missile, flame-thrower, or poison gas; and any explosive, incendiary, or toxic material which has been 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**

**\*2\_3070\***

**\*\*B & E RESEARCH FACILITY\*\***

...did break and enter into \_\_\_\_, a research facility, without the permission of said research facility, to [obtain unauthorized control over/alter or eradicate/ damage or deface/move research property in a manner intended to cause harm to/ destroy or remove/and engage in conduct that results in the removal of] research property, to wit: \_\_\_\_, in violation of CR 6-208 of the Annotated Code of Maryland.

NOTE: "Research Facility" means any enclosure or separately secure yard, pad, pond, laboratory, pasture, or pen, the purpose of which is to conduct research, house research subjects, or store supplies, records, data, prototypes, or equipment necessary to or derived from research.

NOTE: "Research Property" means any property related to research in a research facility, regardless of value, including any sample, specimen, research subject, record, data, test result, or proprietary information.



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

**\*3\_4025\***

**\*\*MAL DESTR PROP/ VALUE - \$1,000\*\***

...did willfully and maliciously [destroy/injure/deface] \_\_\_\_\_  
(describe), the [real/personal] property of \_\_\_\_\_ (owner/lessee,  
etc.), the amount of damage having a value of less than \$1,000.

**CR 6-301  
MISDEMEANOR  
\$2,500.00 - 3 YEARS**

**\*3\_4030\***

**\*\*MAL DESTR PROP VALUE \$1,000+\*\***

...did willfully and maliciously [destroy/injure/deface] \_\_\_\_\_  
(describe), the [real/personal] property of \_\_\_\_\_ (owner/lessee,  
etc.), the amount of damage having a value of \$1,000 or more.

**CR 6-301(e)  
MISDEMEANOR  
\$2,500.00 - 3 YEARS**

**\*3\_4035\***

**\*\*MAL DES-SCHEME/VALU \$1,000+\*\***

...did, pursuant to one scheme and continuing course of  
conduct, wilfully and maliciously destroy, injure, deface and  
molest \_\_\_\_\_ (list all property damaged), the property  
of (list all owners or lessees), the owners and lessees of the  
same, having an aggregate value of over \$1,000.

NOTE: The State may use this charge to combine the value of  
all damaged property to achieve an aggregate value of over  
\$500.

NOTE: CR 6-301 specifically provides that malicious  
destruction can be committed by commission of an "act of  
graffiti." An act of "Graffiti" means a violation of this section  
by permanent drawing, permanent painting or making of any  
permanent mark or inscription on the real or personal property  
of another without their permission.

In addition to the penalties provided, a person who violates this  
section shall be ordered to pay restitution or perform  
community service or both.

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

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

**\*1\_2903\***

**\*\*MAL DEST MISSILES AT VEH.\*\***

...did unlawfully and willfully [throw/shoot/propel] a \_\_\_\_\_  
(describe object, see note) at or into a vehicle to wit: \_\_\_\_\_  
(describe) occupied by \_\_\_\_\_ (see note).

NOTE: Item thrown or propelled may be a rock, stone, brick, a piece of iron steel, or other like metal; or any dangerous or deadly missile.

NOTE: The Acts of 1997 strike the term "fire bomb" from this section. A fire bombing as previously proscribed under this section is punishable under CR 4-501(b).

To qualify under this section, the vehicle can be any vehicle or instrumentality of transportation.

To qualify under this section, the vehicle must be occupied by one or more persons. If one, state name. If more than one, state all names if known, or the name of driver, owner, or complainant followed by the words " ....and \_\_\_\_\_ other persons.

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

**\*1\_0217\***

**\*\*ELEC CO TMPR W/EQUIP/FACILITIES\*\***

...did willfully 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 6-303(c)(2)**  
**MISDEMEANOR**  
**\$500.00 - 6 MONTHS**

**\*1\_2608\***

**\*\*ELEC CO TAMPER W/CONDUCTOR\*\***

...did willfully connect to an electrical conductor belonging to \_\_\_\_\_, an electric company, to use electricity.

NOTE: See CR 6-303(b) for exceptions.

**CR 6-303(c)(3)**  
**MISDEMEANOR**  
**\$500.00 - 6 MONTHS**

**\*1\_0215\***

**\*\*ELECTR CO: TAMPER W/METER\*\***

...did willfully tamper with a meter used to register electric current consumed, belonging to \_\_\_\_\_, an electric company.

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

**\*2\_2699\***

**\*\*GAS CO TAMPER W/EQP: DAMAGE\*\***

...did wrongfully and maliciously  
 [damage/connect/disconnect/tap/interfere with /tamper with]  
 [materials/equipment/facilities] belonging to \_\_\_\_ (name of  
 company), a company using and engaged in the [manufacture/  
 supply] of gas for light, heat and power.

**Gas Companies - Tapping or Tampering, Etc.,  
 Pipes, Etc.**

**CR 6-304(2)(c)**  
**MISDEMEANOR**  
**\$250.00 - 6 MONTHS**

**\*1\_0213\***

**\*\*GAS CO TMPR W/LINE DEFRAUD\*\***

...did, with intent to injure and defraud \_\_\_\_ (gas company),  
 [connect/cause to be connected] to a main service pipe, other  
 pipe, tube and \_\_\_\_ (other instrument) for conducting and  
 supplying gas to a burner without passing through the meter  
 provided for measuring and registering the quantity of gas  
 consumed.

**CR 6-304(2)(i)(ii)**  
**MISDEMEANOR**  
**\$250.00 - 6 MONTHS**

**\*1\_0212\***

**\*\*GAS CO MKE BYPAS PIPE DEFR\*\***

...did, with intent to injure and defraud \_\_\_\_ (gas company),  
 [make/cause to be made] a [ pipe/ tube/ \_\_\_\_ (other instrument)]  
 for conducting and supplying gas to a burner without passing  
 through the meter for measuring and registering the quantity of  
 gas consumed.

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

**\*1\_0188\***

**\*\*WATER SUP CONNECT UNLAWFUL\*\***

...did make a connection with a water equipment for the purpose of [wasting/using] water supplied by \_\_\_\_\_ (company).

**Water Company Meters and Equipment**

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

**\*1\_2699\***

**\*\*WTR SUP PROP/EQUIP: TAMPER\*\***

...did wrongfully and maliciously [connect/disconnect/tap/interfere with/tamper with] water equipment belonging to \_\_\_\_\_ (name company), using and engaging in the supplying of water for [domestic/agricultural/manufacturing] purposes.

**CR 6-305(c)(2)**  
**MISDEMEANOR**  
**\$500.00 - 6 MONTHS**

**\*1\_0189\***

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

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

MANUFACTURED ARTICLES**Removing/Defacing Serial Numbers**

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

**\*2\_2800\***

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

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

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

**\*1\_0291\***

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

...did knowingly[ keep/offer for sale] \_\_\_\_\_ (article or product-see TR 14-107(m) for exceptions), from which the manufacturer's serial number had been [removed/defaced/obliterated].

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

**\*2\_2810\***

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

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

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

**\*2\_2820\***

**\*\*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**

**\*2\_2210\***

**\*\*TRESPASS-POSTED PROPERTY\*\***

...did trespass and enter upon the property of \_\_\_\_\_ (owner) said property being posted against trespassers in a conspicuous manner.

NOTE: The previous requirement that the prosecution be brought by the landowner or tenant has been eliminated. The posting requirements are included as part of subsection (a)(1) of CR 6-402.

NOTE: See CR 6-402 regarding definition of "conspicuous".

NOTE: See CR 6-402(b) for subsequent violations.

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

**\*2\_2220\***

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

...did [enter upon/remain upon/cross over] the private property, and premises of \_\_\_\_\_ (owner) after having been duly notified not to do so by \_\_\_\_\_, the [owner/agent of the owner].

NOTE: See CR 6-403(c) for subsequent violations.

**Wanton Trespass/Private Land/Vessel, etc.,  
Prohibit Denial/Accommodations**

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

**\*2\_2230\***

**\*\*TRESPASS: BOAT\*\***

...did [board/remain upon] the marine vessel of \_\_\_\_\_ (owner) after having been duly notified not to do so by \_\_\_\_\_, the [owner/agent of the owner].

NOTE: Subsection applies to property used as a housing project and operated by a housing authority or another state public body, if required notification given by duly authorized agent of the housing authority or other state public body.

NOTE: Exception is provided for the Mayor and City Council of Baltimore to enact legislation respecting public accommodations.

NOTE: See CR 6-403(c) for subsequent violations.



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

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

\*2\_2240\*

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

... did unlawfully [operate/use] an off-road vehicle to wit:  
 \_\_\_\_\_ (describe vehicle not listed under CR 6-404(a)), on an  
 area of private property that was not a clearly designated  
 driveway located at \_\_\_\_\_ (address), without having in  
 [his/her] possession, the written consent of \_\_\_\_\_, the  
 [owner/tenant] of the property.

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

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

\*2\_2250\*

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

...did unlawfully [operate/use] an off-road vehicle to wit:  
 \_\_\_\_\_ (describe vehicle not listed under CR 6-405(b)), on  
 property 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**

\*2\_2270\*

### **\*\*TRESPASS-CULTIVATED LAND\*\***

...did, without permission from the [owner/agent of the owner]  
 wantonly enter upon the cultivated land of \_\_\_\_\_ (name).

NOTE: "Cultivated Land" means land which has been cleared  
 of its natural vegetation and is planted with a crop or orchard.

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

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

**\*2\_2260\***

**\*\*TRESPASS-RACE TRACK/STABLE\*\***

...did [enter/remain in] the stable of \_\_\_\_\_, a race track, after having been notified by \_\_\_\_\_, a [track official/security guard/policeman] that [he/she] is not allowed in that area.

**Trespass to Look into Window, etc.**

**CR 6-408  
MISDEMEANOR  
\$500.00 - 90 DAYS**

**\*2\_2280\***

**\*\*TRESPASS-PEEPING TOM\*\***

...did enter upon the land and premises of \_\_\_\_\_ (owner) for the purpose of invading the privacy of the occupant of said premises by looking into said premises.

NOTE: Facts must show that it would be possible to see in, i.e., it is presumed that one cannot see into a dark room (lights out) in the dark of night.

**Refuse Leave Public Building Or Grounds Upon  
Request**

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

**\*3\_5707\***

**\*\*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**

**\*1\_0344\***

**\*\*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**

**\*2\_2290\***

**\*\*TRESPASS GOVERNMENT HOUSE\*\***

...did wantonly trespass on the property of Government House.

NOTE: No requirement that the property of Government House be posted against unlawful entry or trespass.

RAILROADS**CR 6-502(b)(1)****FELONY****\$5,000.00 - 10 YEARS****PRELIMINARY HEARING****\*3\_5750\*****\*\*RR: INTENT OBSTRUCT ETC.\*\***

...did [break/damage] \_\_\_\_\_ (railroad) by \_\_\_\_\_  
 (manner) with the intent to [obstruct/derail] from the tracks a  
 railroad vehicle, to wit: \_\_\_\_\_ (describe vehicle).

NOTE: "railroad vehicle" includes a car, carriage engine,  
 locomotive, or tender.

NOTE: In this section, "railroad includes a switch, frog, rail,  
 roadbed, sleeper. Viaduct, bridge, trestle, culvert, embankment,  
 structure, or appliance that pertains to or connects with a  
 railroad.

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

**CR 6-502(b)(2)****FELONY****\$5,000.00 - 10 YEARS****PRELIMINARY HEARING****\*3\_5740\*****\*\*RR: INTENT OBSTRUCT ETC.\*\***

...did [place /caused to be placed] \_\_\_\_\_ (describe object) on  
 \_\_\_\_\_ (railroad), with the intent to [obstruct/derail] from the  
 tracks of said railroad a railroad vehicle, to wit: \_\_\_\_\_  
 (describe vehicle).

**Getting on Engine, etc., W/O Authority; Free  
Transportation of Convicted Persons**

**CR 6-503  
MISDEMEANOR  
\$1000.00 - 6 MONTHS**

**\*1\_0589\***

**\*\*RR: ON EQUIPT W/O AUTHORITY\*\***

...unlawfully was [on/in] a railroad vehicle.

NOTE: Statute requires that the railroad vehicle be upon a railroad track during the offense. This law does NOT prohibit being on a railroad track. Use trespass laws for that offense if tracks are posted.

**Interfering W/Signals / Giving Unauthorized  
Signals**

**CR 6-504  
MISDEMEANOR  
6 MONTHS**

**\*8\_5500\***

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

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

## Shooting/Throwing at Train

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

\*3\_5312\*

**\*\*RR: SHOOT/THROW AT\*\***

...did wilfully and maliciously [shoot at/throw \_\_\_\_ at/cause \_\_\_\_ to fall upon/cause \_\_\_\_ to strike against] a [locomotive/motor/ tender/car] used upon a [railroad/electric railway] using [wood/stone/other matter \_\_\_\_ (describe)/ a thing \_\_\_\_ (describe)].

## Unauthorized Buying/Selling of Tickets

**CR 6-506(a)(1)**  
**MISDEMEANOR**  
**\$100.00 - 6 MONTHS**

\*3\_2800\*

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

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

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

\*2\_0264\*

**\*\*RR: VENDR/BROKR-ACT W/O AUT\*\***

...did, without authorization, act as a [vendor/broker] of [whole/partial] railroad tickets.

**CR 6-506(a)(3)**  
**MISDEMEANOR**  
**\$100.00 - 6 MONTHS**

**\*2\_0265\***

**\*\*RR: TCKTS BUY/SELL NO AUTH\*\***

...did, without authorization, solicit for the unlawful  
[buying/selling] of railroad tickets [personally/by sign/by  
advertisement/by other \_\_\_\_\_(describe)].

**CR 6-506(a)(4)**  
**MISDEMEANOR**  
**\$100.00 - 6 MONTHS**

**\*2\_0266\***

**\*\*RR: TKTS AID/ABET TO BUY/SL\*\***

...did [aid/abet] in the unlawful [buying/selling] of railroad  
tickets.



# 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 – 20 YEARS**

**\*1\_1134\***

**\*\*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 – 10 YEARS**

**\*1\_1135\***

**\*\*THEFT: \$25,000 TO UNDER \$100,000\*\***

...did steal \_\_\_\_\_ (property or service stolen) of \_\_\_\_\_ (owner) having a value of \_\_\_\_\_, at least \$25,000 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 – 5 YEARS**

**\*1\_1136\***

**\*\*THEFT: \$1,500 TO UNDER \$25,000\*\***

...did steal \_\_\_\_\_ (property or service stolen) of \_\_\_\_\_ (owner) having a value of \_\_\_\_\_, at least \$1,500 but less than \$25,000, in the violation of CR 7-104 of the Annotated Code of Maryland.

**CR 7-104  
MISDEMEANOR  
\$500.00 - 6 MONTHS**

**\*1\_1137\***

**\*\* THEFT: \$100 TO UNDER \$1,500\*\***

...did steal \_\_\_\_\_ (property or service stolen) of \_\_\_\_\_ (owner) having a value of \_\_\_\_\_, at least \$100 but less than \$1,500, in the violation of CR 7-104 of the Annotated Code of Maryland.

NOTE: See 7-104(g) for subsequent offense penalties.

NOTE: It is suggested that you charge each misdemeanor offense separately and then charge all of the offense as "one scheme" and "a continuing course of conduct", provided there is not a break in the chain of events.

Furthermore, the charge pursuant to "one scheme" and "a continuing course of conduct" is synonymous with an aggregate theft charge.

**CR 7-104(3)  
MISDEMEANOR  
\$500.00 - 90 DAYS**

**\*1\_0521\***

**\*\*THEFT LESS THAN \$100.00\*\***

...did steal \_\_\_\_\_ (property or service) of \_\_\_\_\_ (owner) having a value of less than \$100.00.

**CR 7-104  
FELONY  
DISTRICT COURT  
\$25,000.00 – 20 YEARS**

**\*1\_1303\***

**\*\*THEFT SCHEME: \$100,000 PLUS\*\***

...did, between the dates of \_\_\_\_\_ and \_\_\_\_\_, pursuant to one scheme and continuing course of conduct, 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 – 10 YEARS**

**\*1\_1139\***

**\*\*THEFT SCHEME: \$25,000 TO UNDER \$100,000\*\***

...did, between the dates of \_\_\_\_\_ and \_\_\_\_\_, pursuant to one scheme and continuing course of conduct, steal \_\_\_\_\_ (property or service stolen) of \_\_\_\_\_ (owner) having a value of \_\_\_\_\_, at least \$25,000 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 – 5 YEARS**

**\*1\_1160\***

**\*\*THEFT SCHEME: \$1,500 TO UNDER \$25,000\*\***

...did, between the dates of \_\_\_\_\_ and \_\_\_\_\_, pursuant to one scheme and continuing course of conduct, steal \_\_\_\_\_ (property or service stolen) of \_\_\_\_\_ (owner) having a value of \_\_\_\_\_, at least \$1,500 but less than \$25,000, in the violation of CR 7-104 of the Annotated Code of Maryland.

**CR 7-104  
MISDEMEANOR  
\$500.00 - 6 MONTHS**

**\*1\_1161\***

**\*\* THEFT SCHEME: \$100 TO UNDER \$1,500\*\***

...did, between the dates of \_\_\_\_\_ and \_\_\_\_\_, pursuant to one scheme and continuing course of conduct, steal \_\_\_\_\_ (property or service stolen) of \_\_\_\_\_ (owner) having a value of \_\_\_\_\_, at least \$100 but less than \$1,500, in the violation of CR 7-104 of the Annotated Code of Maryland.

NOTE: See 7-104(g) for subsequent offense penalties.

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 7-105  
FELONY  
DISTRICT COURT  
\$5,000.00 - 5 YEARS  
(SEE NOTE)**

**\*2\_0480\***

**\*\*MOTOR VEH/UNLAWFUL TAKING\*\***

...did unlawfully, knowingly, and wilfully take out of \_\_\_\_\_'s (victim's) lawful [custody/control/use], a motor vehicle, to wit: \_\_\_\_\_ (describe), without the consent of said \_\_\_\_\_ (victim), in violation of CR 7-105, of the Annotated Code of Maryland.

NOTE: "Motor Vehicle" is defined in Transportation Article, Sec. 11-135.

NOTE: All theft charges are within the exclusive original jurisdiction of the District Court, regardless of whether they are misdemeanor or felony, and do not receive a preliminary hearing.

**CR 7-106  
MISDEMEANOR  
\$500.00 - 60 DAYS**

**\*2\_0455\***

**\*\*NEWSPAPER THEFT\*\***

...did [wilfully/knowingly] [obtain/exert] unauthorized control over newspapers, to wit: \_\_\_\_\_ (name paper and number of copies) with the intent to prevent others from reading the said newspapers.

NOTE: "Newspaper" includes any periodical distributed on a complementary or compensatory basis.

**EMBEZZLING PROPERTY AND WRITINGS**

**Fraudulent Misappropriation By Fiduciary**

**CR 7-113(1)  
MISDEMEANOR  
5 YEARS**

**\*1\_2799\***

**\*\*EMBEZZLE MISAPPROPRIATE\*\***

...did, being a fiduciary of the [estate/trust] of \_\_\_\_\_ (name), fraudulently and wilfully appropriate to a use not in the due and lawful execution of [his/her] trust \_\_\_\_\_ [money/thing of value] received by [him/her] in their fiduciary capacity.

**CR 7-113(2)  
MISDEMEANOR  
5 YEARS**

**\*1\_0460\***

**\*\*EMBEZZLE-MISAPPROPRIATE\*\***

...did, being a fiduciary of the [estate/trust] of \_\_\_\_\_ (name), secrete\_\_\_\_\_, the [money/thing[s] of value] received by [him/her] in their fiduciary capacity, with the intent to appropriate same to a use not in the due and lawful execution of [his/her] trust.

**Fraud - Failure to Deliver Drafts for Stored Merchandise**

**CR 7-116  
MISDEMEANOR  
\$5,000.00 - 10 YEARS**

**\*6\_2610\***

**\*\*FRAUD/FAIL DELIV RECEIPTS\*\***

...did for [his/her] own benefit and in violation of trust after having been entrusted with [money/drafts/checks] in the amount of \_\_\_\_\_, an advance against stored merchandise, to wit: \_\_\_\_\_, [refuse/fail] to deliver the same and the shipment documents for said merchandise to \_\_\_\_\_ (victim) as soon as the shipment was completed.

**Removal from Store Premises, Etc.**

**CR 7-201(b)(i)  
MISDEMEANOR  
\$25.00**

**\*1\_2411\***

**\*\*GROCERY CARTS-REMOVAL\*\***

...did remove from \_\_\_\_\_, a [grocery store/store/market], without the consent of the owner of said [grocery store/store/market] or his agents, a wheeled cart or similar device \_\_\_\_\_ (specify) provided by said owner for the purpose of carrying materials.

NOTE: Applies only when cart is taken from the store or parking lot, except that destruction may be on the premises and the destroyer need not have taken the cart. The cart must be marked with the owner's name and address. Notice of the law must be prominently posted at the public exits.

**CR 7-202**  
**MISDEMEANOR**  
**\$100.00 - 6 MONTHS**

**\*1\_2800\***

**\*\*APPROP PROP - W/O CONSENT\*\***

...did wilfully [appropriate and use/permit \_\_\_\_ (person) to appropriate and use] \_\_\_\_ (name property), which is the subject matter of a bailment, without the consent of \_\_\_\_ (owner), \_\_\_\_ (defendant) being [a bailee/an employee/a servant/an agent of a bailee].

**CR 7-203**  
**MISDEMEANOR**  
**\$100.00 - 4 YEARS**

**\*1\_1466\***

**\*\*UNAUTH REMOVAL OF MOTOR VEHICLE\*\***

...did without permission, take and carry away [from the premises/out of the control/from the use of] of \_\_\_\_ (name) a motor vehicle, to wit: \_\_\_\_ (describe) with the intent to temporarily deprive \_\_\_\_ (name person deprived) of the use and possession of said property.

NOTE: See CR 7-203(b)(1) for minimum penalty of 6m-\$50 if convicted.

NOTE: Use this code only if motor vehicle was taken.

**CR 7-203**  
**MISDEMEANOR**  
**\$100.00 - 4 YEARS**

**\*1\_1467\***

**\*\*UNAUTH REMOVAL OF PROP\*\***

...did without permission, take and carry away [from the premises/out of the control/from the use of] of \_\_\_\_ (name) a \_\_\_\_ (name item, see note below) with the intent to temporarily deprive \_\_\_\_ (name person deprived) of the use and possession of said property.

NOTE: See CR 7-203(b)(1) for minimum penalty of 6m-\$50 if convicted.

NOTE: Property subject to this charge includes: a vehicle, a vessel, or livestock. **DO NOT USE IF A MOTOR VEHICLE WAS TAKEN.**

**Hires - Rental of Motor Vehicle  
Abandoning/Refusing to Return**

**CR 7-205  
MISDEMEANOR  
\$500.00 - 1 YEAR**

**\*1\_0220\***

**\*\*VEHICL/RENTED: ABANDON\*\***

...did abandon a motor vehicle, to wit: \_\_\_\_ after  
[leasing/renting] same under an agreement to return said motor  
vehicle at the termination of the period for which it was [leased/  
rented].

NOTE: This may not be charged until 5 days after written  
demand described in CR 7-205(b)(1) is sent and the demand is  
not met.

**CR 7-205  
MISDEMEANOR  
\$500.00 - 1 YEAR**

**\*1\_2405\***

**\*\*VEHICL/RENTD: FAIL RETURN\*\***

...did [abandon/refuse to return/willfully neglect to return] a  
motor vehicle to wit: \_\_\_\_\_, after [leasing/renting] said motor  
vehicle from \_\_\_\_\_ (lessor of motor vehicle) under an  
agreement to return said motor vehicle at the end of the  
[leasing/rental] period.

NOTE: This may not be charged until 5 days after written  
demand described in CR 7-205(b)(1) is sent and the demand is  
not met.



**ELECTRONIC THEFT DEVICE**

**CR 7-301(c)**  
**MISDEMEANOR**  
**\$1000 - 1 YEAR**

**\*1\_1472\***

**\*\*ELECTRONIC THEFT DEVICE \*\***

...did knowingly possess with the intent to commit theft a device \_\_\_\_\_ (device name) intended to shield merchandise from detection by an electronic security system.

**CR 7-301(d)**  
**MISDEMEANOR**  
**\$1000 - 1 YEAR**

**\*1\_1473\***

**\*\*ELECTRONIC THEFT - TOOL\*\***

...did knowingly possess A [tool/device] designed to allow the [de-activation/removal from merchandise] [an electronic security system/device] used as part of an electronic security system with the intent to [de-activate the security system/remove the device from merchandise] without permission.

**Computers - Illegal Access**

**CR 7-302(c)(1)(i)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**

**\*1\_2804\***

**\*\*COMPUTERS ILLEGAL ACCESS\*\***

...did intentionally, willfully, and without authorization [access/attempt to access/cause access to/exceed authorized access to ] [a computer/computer network/computer software/computer control language/computer system/computer services/computer data base].

**CR 7-302(c)(1)(ii)**  
**MISDEMEANOR**  
**\$1,000.00 – 3 YEARS**

**\*1\_0914\***

**\*\*COPY/POSSESS DATABASE\*\***

... did intentionally, willfully, and without authorization [copy/attempt to copy/possess/attempt to possess] the contents of [all/part of] a computer database accessed in violation of CR 7-302(1)(I).

**CR 7-302(c)(2)(i)**  
**LOSS LESS THAN \$10,000**  
**(barcode 1-0470)**  
**MISDEMEANOR**  
**\$5,000.00 - 5 YEARS**  
**LOSS MORE THAN**  
**\$10,000.00**  
**(barcode 1-0495)**  
**FELONY**  
**\$10,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**

\*1\_0470\*

\*1\_0495\*

**\*\*COMPUTER/ILL. ACC/DAMAGE\*\***

...did intentionally, willfully, and without authorization [access/ attempt to access/cause access to / exceed authorized access to] a [computer/ computer network/computer software/computer control language/ computer system/computer services/computer data base/a part thereof] to [cause the malfunction/interrupt the operation] of the said equipment and software.

**CR 7-302( c)(2)(ii)**  
**LOSS LESS THAN**  
**\$10,000.00**  
**(barcode 1-0471)**  
**MISDEMEANOR**  
**\$5,000.00 - 5 YEARS**  
**LOSS MORE THAN**  
**\$10,000.00**  
**(barcode 1-0496)**  
**FELONY**  
**\$10,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**

\*1\_0471\*

**\*\*COMPUTER/ILL. ACC/ALTER DATA\*\***

\*1\_0496\*

...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**

**\*1\_0472\***

**\*1\_0497\***

**\*\*COMPUTER/PUBLISH ACCESS CODE\*\***

...did intentionally, willfully, and without authorization [possess / identify/ attempt to identify/distribute to \_\_\_\_\_, an unauthorized person/ publicize to unauthorized persons] a valid access code.

Effective 10/01/2019

**CR 7-302(c)(4)**  
**LOSS LESS THAN \$50,000**  
**(barcode 1-0638)**  
**MISDEMEANOR**  
**\$25,000.00 - 5 YEARS**  
**LOSS MORE THAN**  
**\$50,000.00**  
**(barcode 1-0639)**  
**FELONY**  
**\$25,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**

\*1\_0638\*

\*1\_0639\*

**\*\*INTERRUPT STATE GOV OR SERVICE \*\***

...did with intent, [interrupt/impair] the functioning of \_\_\_\_\_

1. the State Government by \_\_\_\_ (describe act).
2. A [service/device/system] related to the [production/transmission/delivery/storage] of [electricity/natural gas] in the State that is [owned/operated/controlled] by \_\_\_\_ (name), a person other than a public service company 1-101 by \_\_\_\_\_ (describe act).
3. A service provided in the State by a public service company by \_\_\_\_\_ (describe act)

See PUC 1-101 for definition of Public Service Company.

**CR 7-303**  
**MISDEMEANOR**  
**\$5,000.00 - 5 YEARS**

**\*2\_0290\***

**\*\*FRAUD-CABLE TV-FOR PAY.\*\***

...did for [pay/offer of pay], [destroy/damage/cut/tamper with/install/tap/remove/displace/make a connection] with a [wire/conduit/apparatus/ equipment] of \_\_\_\_ [cable TV company/private cableTV company], with the intent to receive cable TV services without payment.

**CR 7-303**  
**MISDEMEANOR**  
**\$5,000.00 – 5 YEARS**

**\*2\_0291\***

**\*\*CABLE TV PREVNT PROG FOR PAY\*\***

...did for [payment/offer of payment], [prevent/obstruct/delay] the [sending/conveyance/distribution/receipt] of programming material transmitted by a [franchised cable television company/a private cable television company].

**CR 7-303**  
**MISDEMEANOR**  
**\$5,000.00 - 5 YEARS**

**\*2\_0292\***

**\*\*CABLE TV RECV SERV-FRAUD-PAY\*\***

...did, for [payment/offer of payment]with the intent to deprive (name company) of lawful compensation for services provided, [receive/attempt to receive/assist another to receive] cable television service by [trick/use of a decoder/other fraudulent means to wit: \_\_\_\_].

**CR 7-303  
MISDEMEANOR  
\$5,000.00 - 5 YEARS**

**\*2\_0293\***

**\*\*SAT CABLE TV RECV-BY FRAUD-PAY\*\***

...did, for [payment/offer of payment] with the intent to deprive (name company) of lawful compensation for services provided, [receive/attempt to receive/assist another to receive] satellite cable programming that is [offered for sale in the person's area through an unauthorized marketing system/received by decoding encrypted satellite cable programming].

**CR 7-303  
MISDEMEANOR  
\$5,000.00 - 5 YEARS**

**\*2\_0294\***

**\*\*CABLE TV CON W/O AUTH-PAY\*\***

...did, for [payment/offer of payment], connect with a [cable/wire/component/other device] used for the distribution of cable television service without authority from the cable television company.

**CR 7-303  
MISDEMEANOR  
\$5,000.00 - 5 YEARS**

**\*2\_0295\***

**\*\*SAT TV MODIFY EQUIP FOR PAY\*\***

...did for [payment/offer of payment] modify and alter [a device installed with the authorization of a cable television company/equipment capable of decoding encrypted satellite cable programming] in order to intercept and receive, [a program/service carried by the company/satellite cable programming].



**CR 7-303**  
**MISDEMEANOR**  
**\$5,000.00 - 5 YEARS**

**\*4\_0248\***

**\*\*CABL TV SEL/RNT DEV-FOR PAY\*\***

...did for [payment/offer of payment] [sell/offer for sale/rent/offer for rent] to a person, a [device/plan for a device] with knowledge that the person intends to use the [device/plan] to do an act prohibited by CR 7-303.

**CR 7-303(b)(1)**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**  
**SUB OFFENSE**  
**\$2,500.00 - 1 YEAR**

**\*3\_2999\***

**\*\*FRAUD-CABLE TV-TAMPER ETC.\*\***

...did [destroy/damage/cut/tamper with/install/tap/remove/displace/make a connection] with a [wire/conduit/apparatus/ equipment] of \_\_\_\_ [cable TV company/private cableTV company], with the intent to receive cable TV services without payment.

NOTE: See CR 7-303(d)(1)(ii) for subsequent offense penalty of \$2,500-1 year if convicted.

**CR 7-303(c)(i)**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**  
**SUB OFFENSE**  
**\$2,500.00 - 1 YEAR**

**\*2\_0244\***

**\*\*CABLE TV RECV SERV BY FRAUD\*\***

...did, with the intent to deprive \_\_\_\_\_(name company) of lawful compensation for services provided, [receive/attempt to receive/assist another to receive] cable television service by [trick/use of a decoder/other fraudulent means to wit: \_\_\_\_\_].

**CR 7-303(c)(ii)**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**  
**SUB OFFENSE**  
**\$2,500.00 - 1 YEAR**

**\*2\_0245\***

**\*\*SAT CABLE TV RECV BY FRAUD\*\***

...did, with the intent to deprive \_\_\_\_\_ (name company) of lawful compensation for services provided, [receive/attempt to receive/assist another to receive] satellite cable programming that is [offered for sale in the person's area through an unauthorized marketing system/received by decoding encrypted satellite cable programming].

**CR 7-303(c)(2)**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**  
**SUB OFFENSE**  
**\$2,500.00 - 1 YEAR**

**\*2\_0243\***

**\*\*CABLE TV PREVNT OBST PROG\*\***

...did [prevent/obstruct/delay] the [sending/conveyance/distribution/

receipt] of programming material transmitted by a [franchised cable television company/a private cable television company].

### **Cable TV-Tampering Etc**

**CR 7-303(4)**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**

**\*2\_0246\***

**\*\*CABLE TV CON W/O AUTHORITY\*\***

...did connect with a [cable/wire/component/other device] used for the distribution of cable television service without authority from the cable television company.

**CR 7-303(5)(ii)**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**  
**SUB OFFENSE**  
**\$2,500.00 - 1 YEAR**

**\*2\_0247\***

**\*\*SAT. CABLE TV MODIFY EQUIP\*\***

...did modify and alter [a device installed with the authorization of a cable television company/equipment capable of decoding encrypted satellite cable programming] in order to intercept and receive, [a program/service carried by the company/satellite cable programming].

**CR 7-303(6)**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**  
**SUB OFFENSE**  
**\$2,500.00 - 1 YEAR\***

**\*2\_0248\***

**\*\*CABL TV SEL/RNT DEV/MISUE\*\***

...did [sell/offer for sale/rent/offer for rent] to a person, a [device/plan for a device] with knowledge that the person intends to use the [device/plan] to do an act prohibited by CR 7-303.

**RECORDED MATERIAL - UNAUTHORIZED COPIES****Transfer Recorded Sound W/O Consent of Owner  
Of Master Device**

**CR 7-308(b)**  
**PENALTY SEC. CR 7-309**  
**MISDEMEANOR**  
**\$2,500.00 - 1 YEAR**  
**SUB OFFENSE \$10,000.00 -**  
**3 YEARS**

**\*3\_2602\***

**\*\*RECORDING: UNAUTHORIZ COPY\*\***

...did knowingly [transfer/cause to be transferred] sounds [recorded/otherwise stored] on a recorded article onto another recorded article with the intent to [sell/cause to be sold] [for profit/to promote the sale of \_\_\_\_\_ (product)] and without the consent of the owner thereof.

NOTE: The above wording shall only apply to sound recordings initially fixed prior to February 15, 1972.

NOTE: "Owner" refers to copy right owner.

**CR 7-308(c)(2)**  
**(PENALTY SEC. CR 7-309)**  
**MISDEMEANOR**  
**\$2,500.00 - 1 YEAR**

**\*1\_0330\***

**\*\*RECORD/UNAUTH PERFORMANCE\*\***

...did knowingly [transfer/cause to be transferred] to a recorded article a performance by \_\_\_\_\_ (artist) with the intent [to [sell/cause to be sold] said recording for profit/ that said recording be used to promote the sale of \_\_\_\_\_ (product)] without the consent of said performer.

**CR 7-308(d)(2)**  
**(PENALTY SEC. CR 7-309)**  
**MISDEMEANOR**  
**\$2,500.00 - 1 YEAR**

\*1\_0331\*

**\*\*RECORDG/UNAUTH SELL, ETC.\*\***

...did knowingly [sell/rent/distribute/circulate/offer for [sale/rental distribution/circulation]/possess for [sale/distribution/circulation]/ cause to be [sold/rented/distributed/circulated]] a recorded article to wit: \_\_\_\_\_ (name or describe) [on which sounds have been transferred without the consent of the owner/embodying a performance without the consent of the performer.

NOTE: "Owner" means copyright owner.

**CR 7-308(d)(2)(i)(ii)**  
**(PENALTY SEC. CR 7-309)**  
**MISDEMEANOR**  
**\$2,500.00 - 1 YEAR**

\*1\_0332\*

**\*\*RECORDING: SELL, ETC.\*\***

...did knowingly [sell/rent/distribute/circulate/offer for [sale/rental distribution/circulation]/possess for [sale/rental distribution/circulation]] a recorded article on which [sounds/images] have been [transferred/stored], such recorded article, etc., not having contained the name and address of the transferor and the name of the performer in a prominent place on its outside face or package.

NOTE: This section applies to persons, firms, corporations, associations, partnership.

This section does not apply to:

1. Any radio or TV broadcaster or cable radio or TV operator who transmits in regular business.
2. Any person transferring sound or images for his own use.

**CR 7-308(e)**  
**MISDEMEANOR**  
**\$2,500.00 - 1 YEAR**

**\*1\_0336\***

**\*\*RECORDING/UNAUTHORIZED-MOVE THEATER\*\***

...did knowingly operate an audiovisual recording function of a device in motion picture theater without the consent of the [owner/lessee] of the theater.

NOTE: This section does not apply to the lobby area of a motion picture theater.

**TELECOMMUNICATION SERVICES**

**CR 7-315**  
**PENALTY SEC. CR 7-316**  
**MISDEMEANOR**  
**\$2,500.00 - 3 YEARS**

**\*1\_0590\***

**\*\*TELECOM SERVICE - FRAUD\*\***

...did [possess/use/manufacture/distribute/transfer/sell/offer/promote/advertise for sale, use and distribution] an [unlawful telecommunication device/access code] for the commission of a theft of telecommunication service.

**CR 7-315**  
**PENALTY SEC. 7-3169a)**  
**FELONY**  
**\$10,000.00 - 10 YEARS**

**\*1\_0591\***

**\*\*TELECOM SERV - FELONY\*\***

...did [possess/use/manufacture/distribute/transfer/sell/offer/promote/advertise for sale, use and distribution] more than 100 [unlawful telecommunication devices/access codes] for the commission of a theft of telecommunication service.

**BAD CHECKS**

**CR 8-103  
PENALTY SEC. 8-106  
FELONY  
DISTRICT COURT  
\$10,000 – 5 YEARS**

**\*1\_1162\***

**\*\*BDCKS/30 DY PLOT/NSF\*\***

...did, between \_\_\_\_\_ (date) and \_\_\_\_ (date, see note),  
unlawfully and knowingly obtain \_\_\_\_\_ (property or services)  
from \_\_\_\_\_ (name of supplier) of the value of \$\_\_\_\_\_, by  
[issuing/passing] \_\_\_\_\_ (number of checks, see note) to  
\_\_\_\_\_(name of person or company receiving checks)  
numbered \_\_\_\_\_ (check numbers) drawn on \_\_\_\_\_ (name  
of bank and account #) knowing that there were insufficient  
funds with the drawee to cover it and other outstanding checks,  
intending and believing at the time of the [passing/issuance]  
that payment would be refused by the drawee upon  
presentation.

NOTE: Each check issued must be at least \$1,500, but less than  
\$25,000 and issued within a 30 day period. The cumulative  
value of property or services must be at least \$1,500 but less  
than \$25,000.

**CR 8-103  
PENALTY SEC. 8-106  
FELONY  
DISTRICT COURT  
\$10,000 – 5 YEARS**

**\*1\_1163\***

**\*\*BDCK/30 DY PLOT/STOP PAY\*\***

...did, between \_\_\_\_\_ (date) and \_\_\_\_\_ (date, see note), unlawfully and knowingly obtain \_\_\_\_\_ (property or services) from \_\_\_\_\_ (name of supplier) of the value of \$\_\_\_\_\_ (see note), by [issuing/passing] \_\_\_\_\_ (number of checks, see note) to \_\_\_\_\_ (name of person or company receiving checks) numbered \_\_\_\_\_ (check numbers), drawn on \_\_\_\_\_ (name of bank and account number), knowing that the drawee thereof at the time of [passing/issuance] intended to stop payment of the checks without the consent of the payee and payment was refused by the drawee upon presentation of the checks.

NOTE: This section does not apply to any holder of an instrument who gives to the maker a bona fide reasonable notice of dishonor and warning of criminal prosecution under Sec. 8-101 through 8-107 of this Article.

NOTE: Each check issued must be at least \$1,500, but less than \$25,000 and issued within a 30 day period. The cumulative value of property or services must be at least \$1,500 but less than \$25,000.

If multiple bad checks are passed or issued to the same victim over a period of time exceeding 30 days, it is suggested that two or more charges be used, one for the first 30 days, and an additional cumulative charge for each ensuing 30-day period or portion thereof.

NOTE: The sworn application for Statement of Charges (DC/CR 1 or DC/CR 44) is the affidavit under Commercial Law Article 15-802.



**CR 8-103(a)**  
**PENALTY SEC. CR 8-106**  
**FELONY- DISTRICT CT**  
**\$25,000.00 – 20 YEARS**

**\*1\_1164\***

**\*\*BD CHECK/ISSUE /NSF 100K +\*\***

...did unlawfully and knowingly obtain \_\_\_\_ (property or service) having a value of \_\_\_\_, belonging to \_\_\_\_ (owner) by issuing a certain bad check numbered \_\_\_\_, drawn on \_\_\_\_ (drawee) knowing that there were insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the issuance that payment would be refused by the drawee upon presentation, and the payment was refused by the drawee upon presentation.

**CR 8-103(a)**  
**PENALTY SEC. CR 8-106**  
**FELONY- DISTRICT CT**  
**\$15,000.00 – 10 YEARS**

**\*1\_1165\***

**\*\*BD CHECK/ISSUE /NSF 25K-<100K\*\***

...did unlawfully and knowingly obtain \_\_\_\_ (property or service) having a value of \_\_\_\_, belonging to \_\_\_\_ (owner) by issuing a certain bad check numbered \_\_\_\_, drawn on \_\_\_\_ (drawee) knowing that there were insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the issuance that payment would be refused by the drawee upon presentation, and the payment was refused by the drawee upon presentation.

**CR 8-103 (a)**  
**PENALTY SEC. 8-106**  
**FELONY**  
**DISTRICT COURT**  
**\$10,000 – 5 YEARS**

\*1\_1166\*

**\*\*BD CK/ISSUE /NSF/\$1,500 TO <\$25K\*\***

...did unlawfully and knowingly obtain \_\_\_\_ (property or service obtained) having a value of \_\_\_\_, belonging to \_\_\_\_, (victim) by issuing a certain bad check numbered \_\_\_\_, drawn on \_\_\_\_ (drawee), knowing that there were insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the issuance that payment would be refused by the drawee upon presentation, and payment was refused by the drawee upon presentation.

**NOTE TO COMMISSIONERS:**

In all except employee situations (see below), there are two ways to violate CR 8-103 by issuing a bad check or by passing a bad check. There are also two ways for a check to be bad, insufficient funds (NSF) or a deliberate stop payment order.

The person that wrote a bad check is called the "Drawer." When he or his representative gives that check to another to obtain goods, services, or money, that check has been ISSUED. Choose the appropriate wording under BD CK/ISSUE, depending upon the value of the check and whether it was refused by the bank for NSF or because of a stop payment order. The term service may also include the use of computer, data processing or other equipment.

**CR 8-103 (a)**  
**MISDEMEANOR**  
**\$500 – 1 YEAR**

\*1\_1167\*

**\*\*BD CK/ISSUE /NSF/\$100 TO< \$1,500\*\***

...did unlawfully and knowingly obtain \_\_\_\_ (property or service obtained) having a value of \_\_\_\_, belonging to \_\_\_\_, (victim) by issuing a certain bad check numbered \_\_\_\_, drawn on \_\_\_\_ (drawee) knowing that there were insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the issuance that payment would be refused by the drawee upon presentation, and payment was refused by the drawee upon presentation.

**CR 8-103(a)**  
**PENALTY SEC. CR 8-106(d)**  
**MISDEMEANOR**  
**\$500.00 - 90 DAYS**

\*1\_1141\*

**\*\*BD CHECK/ISSUE/NSF LESS \$100\*\***

...did unlawfully and knowingly obtain \_\_\_\_ (property or service) having a value of \_\_\_\_, belonging to \_\_\_\_ (owner) by issuing a certain bad check numbered \_\_\_\_, drawn on \_\_\_\_ (drawee) knowing that there were insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the issuance that payment would be refused by the drawee upon presentation, and the payment was refused by the drawee upon presentation.

**CR 8-103(b)**  
**PENALTY SEC. CR 8-106**  
**FELONY – DISTRICT CT**  
**\$25,000 – 20 YEARS**

**\*1\_1168\***

**\*\*BAD CHECK/STOP PAY/ \$100K +\*\***

...did unlawfully and knowingly obtain \_\_\_\_ (property or service) having a value of \_\_\_\_, belonging to \_\_\_\_ (owner) by issuing a certain bad check numbered \_\_\_\_, drawn on \_\_\_\_ (drawee) knowing that the drawer thereof at the time of issuance intended to stop payment of the check without the consent of the payee and the payment was refused by the drawee upon presentation of the check.

**CR 8-103(b)**  
**PENALTY SEC. CR 8-106**  
**FELONY – DISTRICT CT**  
**\$15,000 – 10 YEARS**

**\*1\_1169\***

**\*\*BAD CHECK/STOP PAY/\$25K TO <\$100K \*\***

...did unlawfully and knowingly obtain \_\_\_\_ (property or service) having a value of \_\_\_\_, belonging to \_\_\_\_ (owner) by issuing a certain bad check numbered \_\_\_\_, drawn on \_\_\_\_ (drawee) knowing that the drawer thereof at the time of issuance intended to stop payment of the check without the consent of the payee and the payment was refused by the drawee upon presentation of the check.

**CR 8-103(b)**  
**PENALTY SEC. 8-106**  
**FELONY -DISTRICT CT**  
**\$10,000 – 5 YEARS**

**\*1\_1170\***

**\*\*BD CK/ISSUE/STP PAY/\$1,500 TO < \$25K \*\***

...did unlawfully and knowingly obtain \_\_\_\_ (property or service obtained), having the value of \_\_\_\_, belonging to (victim) by issuing a certain check numbered \_\_\_\_, drawn on \_\_\_\_ (drawee) knowing that the drawer thereof at the time of issuance intended to stop payment of the checks without the consent of the payee and payment was refused by the drawee upon presentation of the check.

**CR 8-103(b)**  
**PENALTY SEC. 8-106**  
**MISDEMEANOR**  
**\$500 – 1 YEAR**

**\*1\_1171\***

**\*\*BD CK/ISSUE/STOP PAY// \$100 TO< \$1,500\*\***

...did unlawfully and knowingly obtain \_\_\_\_ (property or service obtained), having the value of \_\_\_\_, belonging to (victim) by issuing a certain check numbered \_\_\_\_, drawn on \_\_\_\_ (drawee) knowing that the drawer thereof at the time of issuance intended to stop payment of the checks without the consent of the payee and payment was refused by the drawee upon presentation of the check.

**CR 8-103(b)**  
**PENALTY SEC. CR 8-**  
**106(d)**  
**MISDEMEANOR**  
**\$500.00 - 90 DAYS**

**\*1\_1143\***

**\*\*BAD CHECK/STOP PAY/LESS THAN \$100\*\***

did unlawfully and knowingly obtain \_\_\_\_ (property or service) having a value of \_\_\_\_, belonging to \_\_\_\_ (owner) by issuing a certain bad check numbered \_\_\_\_, drawn on \_\_\_\_ (drawee) knowing that the drawer thereof at the time of issuance intended to stop payment of the check without the consent of the payee and the payment was refused by the drawee upon presentation of the check

**CR 8-103 (c)**  
**PENALTY SEC. CR 8-106**  
**FELONY**  
**DISTRICT COURT**  
**\$25,000.00 –20 YEARS**

**\*1\_1172\***

**\*\*BAD CHECK/EMPLOYEE/\$100K +\*\***

...did unlawfully and knowingly issue a certain check numbered \_\_\_\_, drawn on \_\_\_\_ (drawee) to \_\_\_\_ (name of employee) for services knowing that the drawer thereof has insufficient funds with the drawee to cover the check and other outstanding checks and intending at the time of issuance that payment would be refused by the drawee upon presentation.

**CR 8-103 (c)**  
**PENALTY SEC. CR 8-106**  
**FELONY**  
**DISTRICT COURT**  
**\$15,000.00 – 10 YEARS**

**\*1\_1173\***

**\*\*BAD CHECK/EMPLOYEE/25K-<100K\*\***

...did unlawfully and knowingly issue a certain check numbered \_\_\_\_, drawn on \_\_\_\_ (drawee) to \_\_\_\_ (name of employee) for services knowing that the drawer thereof has insufficient funds with the drawee to cover the check and other outstanding checks and intending at the time of issuance that payment would be refused by the drawee upon presentation.

**CR 8-103(c)**  
**PENALTY SEC. 8-106**  
**FELONY**  
**DISTRICT COURT**  
**\$10,000 – 5 YEARS**

**\*1\_1174\***

**\*\*BD CK/EMPLOYEE \$1,500 TO <\$25K \*\***

...did unlawfully and knowingly issue a certain check numbered \_\_\_\_ drawn on \_\_\_\_ (drawee) to \_\_\_\_ (employee or independent contractor) for services knowing that the drawer thereof has insufficient funds with the drawee to cover the check and other outstanding checks and intending at the time of issuance that payment will be refused upon presentation, and \_\_\_\_ (employee or independent contractor) passed the check to \_\_\_\_ (third person) and payment was refused by the drawee upon presentation.

**CR 8-103(c)**  
**PENALTY SEC. 8-106**  
**MISDEMEANOR**  
**\$500 – 1 YEAR**

**\*1\_1175\***

**\*\*BD CK/EMPLOYEE/\$100 TO< \$1,500\*\***

...did unlawfully and knowingly issue a certain check numbered \_\_\_\_\_ drawn on \_\_\_\_\_ (drawee) to \_\_\_\_\_ (employee or independent contractor) for services knowing that the drawer thereof has insufficient funds with the drawee to cover the check and other outstanding checks and intending at the time of issuance that payment will be refused upon presentation, and \_\_\_\_\_ (employee or independent contractor) passed the check to \_\_\_\_\_ (third person) and payment was refused by the drawee upon presentation, and \_\_\_\_\_ (employee or independent contractor) passed the check to \_\_\_\_\_ (third person) and payment was refused by the drawee upon presentation.

**CR 8-103 (c)**  
**PENALTY SEC. CR 8-106(d)**  
**MISDEMEANOR**  
**\$500.00 - 90 DAYS**

**\*1\_1144\***

**\*\*BAD CHECK/EMPLOYEE/LESS THAN \$100\*\***

did unlawfully and knowingly issue a certain check numbered \_\_\_\_\_, drawn on \_\_\_\_\_ (drawee) to \_\_\_\_\_ (name of employee) for services knowing that the drawer thereof has insufficient funds with the drawee to cover the check and other outstanding checks and intending at the time of issuance that payment would e refused by the drawee upon presentation.



**CR 8-103 (d)**  
**PENALTY SEC. CR 8-106**  
**FELONY**  
**DISTRICT COURT**  
**\$25,000 – 20 YEARS**

\*1\_1176\*

**\*\*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**  
**FELONY**  
**DISTRICT COURT**  
**\$15,000 – 10 YEARS**

\*1\_1177\*

**\*\*BAD CHECK/PASS/NSF/\$25K 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 – 5 YEARS**

\*1\_1178\*

**\*\*BD CK/PASS/NSF /\$1,500 TO <\$25K\*\***

...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**  
**\$500 – 1 YEAR**

\*1\_1179\*

**\*\*BD CK/PASS/NSF// \$100 TO< \$1,500\*\***

...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\_1142\***

**\*\*BAD CHECK/PASS/NSF/LESS THAN \$100\*\***

...did unlawfully and knowingly obtain \_\_\_\_ (property or service) having a value of \_\_\_\_, belonging to \_\_\_\_ (owner) by passing a certain bad check numbered \_\_\_\_, drawn on \_\_\_\_ (drawee) knowing that the drawer thereof has insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the passing that the payment would be refused by the drawee upon presentation, and the payment was refused by the drawee upon presentation.

**CR 8-103(e)**  
**PENALTY SEC. 8-106**  
**FELONY**  
**DISTRICT COURT**  
**\$25,000.00 – 20 YEARS**

**\*1\_1180\***

**\*\*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 – 10 YEARS**

**\*1\_1181\***

**\*\*BD CK/PASS/STP PAY/\$25K 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 – 5 YEARS**

**\*1\_1182\***

**\*\*BD CK/PASS/STOP PAY /\$1,500 TO <\$25K\*\***

...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 – 1 YEAR**

\*1\_1184\*

**\*\*BD CK/PASS/STP PAY// \$100 TO< \$1,500\*\***

...did unlawfully and knowingly obtain \_\_\_\_ (property or service obtained), having the value of \_\_\_\_, belonging to (victim) by passing a certain check numbered \_\_\_\_, drawn on \_\_\_\_ (drawee) knowing that payment of the check has been stopped and payment was refused by the drawee upon presentation of the check.

**CR 8-103(e)**  
**PENALTY SEC. 8-106**  
**MISDEMEANOR**  
**\$500.00 – 90 DAYS**

\*1\_1240\*

**\*\*BD CK/PASS/STP PAY/UND \$100 \*\***

...did unlawfully and knowingly obtain \_\_\_\_ (property or service obtained), having the value of \_\_\_\_, belonging to (victim) by passing a certain check numbered \_\_\_\_, drawn on \_\_\_\_ (drawee) knowing that payment of the check has been stopped and payment was refused by the drawee upon presentation of the check.

**CR 8-108**  
**MISDEMEANOR**  
**\$100.00 - 60 DAYS**

\*1\_0616\*

**\*\*BAD CHECK: FINES/COURT COSTS\*\***

...did pay a [fine/cost] imposed by a court by delivering a check issued by \_\_\_\_ (name), knowing that payment of the check had not been provided for, and payment of the check was refused by the drawee on presentment.

CREDIT CARD OFFENSES

**CR 8-203**  
**MISDEMEANOR**  
**\$500.00 - 18 MONTHS**

**\*1\_2607\***

**\*\*CRED CRD APLY FOR/FALSE ID\*\***

...did [make/cause to be made] a false written statement to \_\_\_\_\_ (company or company representative) with respect to [his/ her] identity/the identity of another person, to wit: \_\_\_\_\_] knowing it to be false and with the intent that it be relied upon for the purpose of procuring the issuance of a credit card.

**CR 8-204(a)(i)**  
**MISDEMEANOR**  
**\$500.00 - 18 MONTHS**

**\*1\_2399\***

**\*\*CRED CARD: STEAL ANOTHER'S\*\***

did [take/take possession of/take custody of/take control of] a credit card belonging to \_\_\_\_\_ (cardholder name) without [his/her] consent].

**CR 8-204(a)(ii)**  
**MISDEMEANOR**  
**\$500.00 - 18 MONTHS**

**\*2\_2803\***

**\*\*CRED CARD/STOLEN: RECEIVE\*\***

...did receive a credit card belonging to \_\_\_\_\_, knowing it to have been stolen, with the intent to [use it/sell it/ transfer it] to a person other than \_\_\_\_\_ (issuer/or card holder).

**CR 8-204(b)**  
**MISDEMEANOR**  
**\$500.00 - 18 MONTHS**

\*1\_2899\*

**\*\*CRED CRD LOST RECV/RETAIN\*\***

...did receive and retain possession of a credit card belonging to \_\_\_\_\_, knowing it to have been [lost/mislaid/delivered under a mistake as to identity or address of cardholder], with intent [that it be used by/sell it to/transfer it to] a person other than \_\_\_\_\_ (issuer or cardholder).

**CR 8-204(c)**  
**MISDEMEANOR**  
**\$500.00 - 18 MONTHS**

\*1\_2605\*

**\*\*CRED CRD SELL/BUT UNLAWFUL\*\***

...did [sell to/buy from] \_\_\_\_\_, a credit card issued to \_\_\_\_\_, knowing that the [seller/purchaser] was not the issuer.

**CR 8-204(d)**  
**MISDEMEANOR**  
**\$500.00 - 18 MONTHS**

\*1\_2803\*

**\*\*CRED CRD RECEIV UNLAWFULLY\*\***

...did receive a credit card, to wit: \_\_\_\_\_ (describe card) knowing it to have been [stolen/illegally procured/sold by a person other than the issuer/issued pursuant to a false written statement/illegally retained].

**CR 8-205(b)**  
**FELONY**  
**DISTRICT COURT**  
**\$1,000.00 - 15 YEARS**

**\*1\_0196\***

**\*\*CREDIT CARD: COUNTERFEIT\*\***

...did, with intent to defraud \_\_\_\_ (issuer of card), falsely [make/emboss/transfer/possess] a purported credit card, to wit: \_\_\_\_ (describe card).

NOTE: See definition of "falsely made," and "falsely emboss" in Section CR 8-205.

**CR 8-205(c)**  
**FELONY**  
**DISTRICT COURT**  
**\$1,000.00 - 15 YEARS**

**\*1\_0198\***

**\*\*CRED. CARD SIGN ANOTHER'S\*\***

...did, with intent to defraud \_\_\_\_, sign a credit card issued to \_\_\_\_.

**CR 8-206(a)(1)**  
**MISDEMEANOR**  
**\$500.00 - 90 DAYS**

**\*1\_0581\***

**\*\*CREDIT CARD/ANOTHER CHG L/T \$100\*\***

...did, with intent to defraud \_\_\_\_ (issuer of card), use a credit card issued to \_\_\_\_ (name) for the purpose of obtaining [money/goods/services/things of value] having a value less than \$100, knowing the said card to have been [stolen/illegally purchased/illegally sold/lost/misdelivered].



**CR 8-206(a)(1)**  
**MISDEMEANOR**  
**\$500.00 – 1 YEAR**

\*1\_1185\*

**\*\*CRED CRD/ANOT CHRG \$100-<\$1500\*\***

...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 \$100 but less than \$1500, knowing the said card to have been [stolen/illegally purchased/illegally sold/lost/misdelivered].

**CR 8-206(a)(1)**  
**FELONY**  
**DISTRICT COURT**  
**\$10,000.00 – 5 YEARS**

\*1\_1186\*

**\*\*CRED CRD/ANOT CHRG \$1500-<\$25K\*\***

...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 \$1500 but less than \$25,000, 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 – 10 YEARS**

\*1\_1187\*

**\*\*CRED CRD/ANOT CHRG \$25K-<\$100K\*\***

...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 \$25,000 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 – 20 YEARS**

\*1\_1188\*

**\*\*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 – 20 YEARS**

\*1\_1189\*

**\*\*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.

**CR 8-206(a)(2)**  
**FELONY**  
**DISTRICT COURT**  
**\$15,000 – 10 YEARS**

\*1\_1190\*

**\*\*OBT PROP BY CNTRFT \$25K 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 \$25,000 but less than \$100,000, knowing said card to be counterfeit.

**CR 8-206(a)(2)**  
**FELONY**  
**DISTRICT COURT**  
**\$10,000 – 5 YEARS**

\*1\_1191\*

**\*\*OBT PROP BY CNTRFEIT \$1500-<\$25K\*\***

...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 \$1,500 but less than \$25,000, knowing said card to be counterfeit.

NOTE: See 8-206(c) for appropriate penalty information.

**CR 8-206(a)(2)**  
**MISDEMEANOR**  
**\$500.00 – 1 YEAR**

\*1\_1192\*

**\*\*OBT PROP BY CNTRFT \$100-<\$1500\*\***

...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 \$100 but less than \$1,500, knowing said card to be counterfeit.

**CR 8-206(a)(2)**  
**MISDEMEANOR**  
**\$500.00 - 90 DAYS**

\*1\_0582\*

**\*\*OBT PROP BY COUNTERFEIT L/T \$100\*\***

...did, with intent to defraud \_\_\_\_ (name), use a credit card issued to \_\_\_\_, for the purpose of obtaining [money/goods/services/thing of value] having a value less than \$100, knowing said card to be counterfeit.

**CR 8-206(b)**  
**FELONY**  
**DISTRICT COURT**  
**\$25,000 – 20 YEARS**

\*1\_1193\*

**\*\*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 – 10 YEARS**

\*1\_1194\*

**\*\*CRED CRD-PERSONATN/\$25K TO <\$100K\*\***

...did, with intent to defraud \_\_\_\_ obtain [money/goods/services/things of value] having a value of \_\_\_\_ (amount), at least \$25,000 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 – 1 YEAR**

\*1\_1195\*

**\*\*CRED CRD-PERSONTN/\$100-<\$1500\*\***

...did, with intent to defraud \_\_\_\_\_ obtain  
 [money/goods/services/things of value] having a value of  
 \_\_\_\_\_(amount), at least \$100 but less than \$1,500 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 – 5 YEARS**

\*1\_1196\*

**\*\*CRED CARD PERSONTN \$1500-<\$25K\*\***

...did, with intent to defraud \_\_\_\_\_ obtain  
 [money/goods/services/things of value] having a value of  
 \_\_\_\_\_(amount), at least \$1,500 but less than \$25,000, by  
 [representing himself to be \_\_\_\_\_, the specified holder of a  
 credit card, without the said \_\_\_\_\_ consent/ representing himself  
 to be the holder of a non-issued credit card].

**CR 8-206(b)**  
**MISDEMEANOR**  
**\$500.00 – 90 DAYS**

\*1\_0583\*

**\*\*CRED CRD-PERSONATN/L/T \$100\*\***

...did, with intent to defraud \_\_\_\_\_ (name) obtain  
 [money/goods/services/things of value to wit:\_\_\_\_] having a  
 value of less than \$100 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 – 20 YEARS**

\*1\_1197\*

**\*\*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 – 10 YEARS**

\*1\_1198\*

**\*\*CRD CRD SELL UNL USE \$25K TO <\$100K\*\***

...did, with intent to defraud \_\_\_\_, furnish  
 [money/goods/services/things of value] having a value of \_\_\_\_  
 (amount), at least \$25,000 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 – 1 YEAR**

\*1\_1199\*

**\*\*CRED CRD SELL USE \$100-<\$1500\*\***

...did, with intent to defraud \_\_\_\_, furnish  
 [money/goods/services/things of value] having a value of \_\_\_\_  
 (amount), at least \$100 but less than \$1,500, 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 – 5 YEARS**

\*1\_1350\*

**\*\*CRD CRD SELL UNLW USE \$1500-<\$25K\*\***

...did, with intent to defraud \_\_\_\_, furnish  
[money/goods/services/things of value] having a value  
\_\_\_\_(amount), at least \$1,500 but less than \$25,000 to \_\_\_\_  
upon presentation of a credit card issued to \_\_\_\_, knowing the  
said card to have been [stolen/forged/illegally  
purchased/illegally sold/counterfeited].

**CR 8-207(a)(1)**  
**MISDEMEANOR**  
**\$500 – 90 DAYS**

\*1\_0584\*

**\*\*CRD CRD SELL UNLWF USE L/T \$100\*\***

...did, with intent to defraud \_\_\_\_, furnish  
[money/goods/services/things of value] having a value of less  
than \$100, to \_\_\_\_ upon presentation of a credit card issued to  
\_\_\_\_, knowing the said card to have been  
[stolen/forged/illegally purchased/illegally sold/counterfeited].

**CR 8-207(a)(2)**  
**FELONY**  
**DISTRICT COURT**  
**\$25,000 – 20 YEARS**

\*1\_1351\*

**\*\*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 – 10 YEARS**

\*1\_1352\*

**\*\*CRD CRD FALSE CLM-SL \$25K 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 – 1 YEAR**

\*1\_1353\*

**\*\*CR CRD FLSE CLM-SL \$100-<\$1500\***

...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 – 5 YEARS**

\*1\_1354\*

**\*\*CR CRD FLS CLM SEL \$1500-<\$25K\*\***

...did, having been authorized by \_\_\_\_ (issuer) to furnish \_\_\_\_ [money/goods/service/anything of value] having the value of \_\_\_\_, to \_\_\_\_ (authorized cardholder), with the intent to defraud, represent in writing that [he/she] supplied \_\_\_\_ (money, etc.) which [he/she] failed to supply as represented in the writing, the difference being \_\_\_\_ (amount).

**CR 8-207(a)(2)**  
**MISDEMEANOR**  
**\$500.00 – 90 DAYS**

\*1\_0585\*

**\*\*CRD CRD FALSE CLM-SL L/T \$100 \***

...did, having been authorized by \_\_\_\_ (issuer) to furnish [money/goods/services/thing of value to wit: \_\_\_\_] on presentation of a credit card by \_\_\_\_ (cardholder), fail to furnish said [money/goods/ services/ thing of value to wit: \_\_\_\_] having a value of less than \$100, to \_\_\_\_ (authorized cardholder), which was represented in writing to the issuer that said [money/goods/services/ thing of value to wit: \_\_\_\_] was furnished.

**CR 8-208(b)(1)**  
**FELONY**  
**DISTRICT COURT**  
**\$1,000.00 - 15 YEARS**

**\*1\_0199\***

**\*\*CRED. CARD INCOMP. POSSESS\*\***

...did possess an incomplete credit card issued to \_\_\_\_\_, with the intent to complete same without the consent of \_\_\_\_\_, the issuer.

**CR 8-208(b)(2)**  
**FELONY**  
**DISTRICT COURT**  
**\$1,000.00 - 15 YEARS**

**\*1\_0200\***

**\*\*CRED. CARD EQUIP TO PRODUC\*\***

...did knowingly possess [machinery/plates/other contrivance, to wit: \_\_\_\_\_] designed to produce credit cards of \_\_\_\_\_, without his consent.

**CR 8-209(a)**  
**FELONY**  
**DISTRICT COURT**  
**\$25,000 – 20 YEARS**

**\*1\_1355\***

**\*\*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 – 10 YEARS**

\*1\_1356\*

**\*\*FLSE CRD CRD CHRG GOOD \$25K -<\$100K\*\***

...did receive [money/goods/services/things of value] to wit:  
 \_\_\_ having a value of \_\_\_ (amount) , at least \$25,000 but less  
 than \$100,000, 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)**  
**FELONY**  
**DISTRICT COURT**  
**\$10,000 – 5 YEARS**

\*1\_1357\*

**\*\*FALSE CRD CRD CHRG GOODS \$1500 TO <\$25K\*\***

...did receive,[money/goods/services/things of value] to wit:  
 \_\_\_ having a value of \_\_\_ (amount), at least \$1,500 but less  
 than \$25,000, 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 – 1 YEAR**

\*1\_1358\*

**\*\*FALSE CRD CRD: CHRG GOODS \$100-<1500\*\***

...did receive [money/goods/services/things of value] to wit:  
 \_\_\_ having a value of at least \$100 but less than \$1,500,  
 obtained by means of a forged or misrepresented credit card  
 issued to \_\_\_ and negotiated by \_\_\_, knowing the said  
 [money/goods, etc.] was illegally obtained.

**CR 8-209(a)**  
**MISDEMEANOR**  
**\$500.00 – 90 DAYS**

\*1\_0586\*

**\*\*FALSE CRD CRD: CHRG GOODS L/T \$100\*\***

... did, receive [money/goods/services/things of value, to wit:  
 \_\_\_\_\_], having a value less than \$100, obtained by means of a  
 [counterfeited/misrepresented] credit card issued to \_\_\_ and  
 negotiated by \_\_\_, knowing that said [money/goods] was  
 illegally obtained.

**Publish Number/Code of Telephone Credit Card**

**CR 8-210**  
**MISDEMEANOR**  
**\$500.00 - 12 MONTHS**

\*2\_2605\*

**\*\*TELEPHONE CRED CARD FRAUD\*\***

...did [publish/cause to be published] the \_\_\_\_\_ (choose  
 from below) with the [intent/knowledge] that the  
 [number/code/system] may be used fraudulently to avoid  
 paying a lawful toll charge.

1. [number/code] of a [an existing/a canceled/a revoked/an  
 expired/a nonexistent] telephone credit card
2. [numbering/coding] system used to issue telephone credit  
 cards

NOTE: The published credit card number may be existing,  
 cancelled, revoked, expired or non-existent.

**CR 8-214  
PENALTY SEC 8-216  
FELONY  
DISTRICT COURT  
\$1,000.00 - 15 YEARS**

**\*2\_0550\***

**\*\*USE/DISCLOSE CREDIT CARD NOS**

...did unlawfully [use/disclose] a payment device number, to wit: \_\_\_\_\_ (identify and describe number).

**CR 8-214  
PENALTY SEC 8-216  
FELONY  
\$1,000.00 - 15 YEARS  
DISTRICT COURT**

**\*2\_0560\***

**\*\*USE/DISCLOSE SIGNATURE\*\***

...did unlawfully [use/disclose] the holder's signature of \_\_\_\_\_  
(name holder)

NOTE: "Payment Device Number" means any code, account number, or other means of account access, other than a check, draft, or similar paper instrument, that can be used to obtain money, goods, services, or anything of value, or for purposes of initiating a transfer of funds.

"Holder's Signature" means the signature, including an electronically recorded signature of a holder in connection with a credit applications or credit card transaction. This definition includes, but is not limited to, credit card numbers, telephone calling card numbers, bank card P.I.N. numbers, and other numbers capable of use.

**CR 8-301(b)**  
**FELONY**  
**DISTRICT COURT**  
**\$25,000 – 20 YEARS**

\*1\_1359\*

**\*\* FRAUD-PER. IDENT. INFO. THEFT \$100K+ \*\***

...did knowingly, willfully, and with fraudulent intent  
 [possess/help another to possess/obtain/help another person to  
 obtain] personal identifying information of  
 \_\_\_\_\_(name), without the consent of said  
 \_\_\_\_\_(name), for the purpose of  
 [using/selling/transferring] that information to [obtain a benefit/  
 obtain credit/obtain goods/obtain services/obtain other item of  
 value/access health information/access health care].

NOTE: Venue - charges under this section may be prosecuted  
 in a jurisdiction which an element of the crime occurred or in  
 which the victim resides. (CR 8-301(p)).

**CR 8-301(b)**  
**FELONY**  
**DISTRICT COURT**  
**\$15,000 – 10 YEARS**

\*1\_1360\*

**\*\* FRAUD IDENT INFO THFT \$25K-<\$100K \*\***

...did knowingly, willfully, and with fraudulent intent  
 [possess/help another to possess/obtain/help another person to  
 obtain] personal identifying information of  
 \_\_\_\_\_(name), without the consent of said  
 \_\_\_\_\_(name), for the purpose of  
 [using/selling/transferring] that information to [obtain a benefit/  
 obtain credit/obtain goods/obtain services/obtain other item of  
 value/access health information/access health care].

NOTE: Venue - charges under this section may be prosecuted  
 in a jurisdiction which an element of the crime occurred or in  
 which the victim resides. (CR 8-301(p)).

**CR 8-301(b)**  
**FELONY**  
**DISTRICT COURT**  
**\$10,000 – 5 YEARS**

\*1\_1361\*

**\*\* FRAUD ID INFO THFT \$1500-<\$25K \*\***

...did knowingly, willfully, and with fraudulent intent  
 [possess/help another to possess/obtain/help another person to  
 obtain] personal identifying information of  
 \_\_\_\_\_(name), without the consent of said  
 \_\_\_\_\_(name), for the purpose of  
 [using/selling/transferring] that information to [obtain a benefit/  
 obtain credit/obtain goods/obtain services/obtain other item of  
 value/access health information/access health care].

NOTE: Venue - charges under this section may be prosecuted  
 in a jurisdiction which an element of the crime occurred or in  
 which the victim resides. (CR 8-301(p)).

**CR 8-301(b)**  
**MISDEMEANOR**  
**\$500 – 1 YEAR**

\*1\_1362\*

**\*\* FRAUD IDENT INFO THFT \$100-<\$1500\*\***

...did knowingly, willfully, and with fraudulent intent  
 [possess/help another to possess/obtain/help another person to  
 obtain] personal identifying information of  
 \_\_\_\_\_(name), without the consent of said  
 \_\_\_\_\_(name), for the purpose of  
 [using/selling/transferring] that information to [obtain a benefit/  
 obtain credit/obtain goods/obtain services/obtain other item of  
 value/access health information/access health care].

NOTE: Venue - charges under this section may be prosecuted  
 in a jurisdiction which an element of the crime occurred or in  
 which the victim resides. (CR 8-301(p)).

**CR 8-301(b-1)**  
**MISDEMEANOR**  
**\$500.00 – 1 YEAR**

\*1\_1363\*

**\*\*INTERACT COMP SERV DISCL NUM \*\***

...did maliciously use an interactive computer service to [disclose/assist \_\_\_\_ (name) to disclose] the [driver's license number/bank account number/financial institution account number/credit card number/payment device number/social security number/employee identification number] of \_\_\_\_ (name of victim), without the consent of said person, and in order to [annoy/threaten/embarass/harass] said person.

NOTE: "Interactive computer service" means an information service, system of access software provider that provides or enables computer access by multiple users to a computer service, including system that provides access to the internet and cellular telephones.

**CR 8-301(c)(1)**  
**MISDEMEANOR**  
**\$500 – 1 YEAR**

\*1\_1364\*

**\*\*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.



**CR 8-301(c)(2)(i)(ii)**  
**FELONY**  
**DISTRICT COURT**  
**\$25,000 – 20 YEARS**

\*1\_1366\*

**\*\* 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 – 10 YEARS**

\*1\_1367\*

**\*\* FRAUD IDENT INFO THFT \$25K-<\$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 – 5 YEARS**

\*1\_1368\*

**\*\* FRAUD IDENT INFO THFT \$1500-<\$25K \*\***

...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 – 1 YEAR**

\*1\_1369\*

**\*\* FRAUD IDENT INFO THFT \$100-<\$1500\*\***

...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 – 20 YEARS**

\*1\_1370\*

**\*\* 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 – 10 YEARS**

\*1\_1371\*

**\*\* FRAUD-PER ID AVOID PAY \$25K -<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 – 5 YEARS**

\*1\_1372\*

**\*\* FRAUD-PER ID AVOID PAY \$1500-<25K \*\***

...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– 1 YEARS**

\*1\_1373\*

**\*\* FRAUD-PER ID AVOID PAY \$100-<1500\*\***

...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 - 20 YEARS**

\*1\_1374\*

**\*\*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 - 10 YEARS**

\*1\_1376\*

**\*\*ELECT DEV/MED OBT BENE-\$25K-<\$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 \$25,000 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 – 5 YEARS**

\*1\_1377\*

**\*\*ELECT DEV/MED OBT BENE-\$1500-<\$25K\*\***

... 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 \$1,500 but less than \$25,000, 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 – 1 YEAR**

\*1\_1378\*

**\*\*ELECT DEV/MED OBT BENE-\$100-<\$1500\*\***

... 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 \$100 but less than \$1,500, 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 – 20 YEARS**

\*1\_1379\*

**\*\*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 - 10 YEARS**

\*1\_1380\*

**\*\*SKIM DEV OBT BENEFIT - \$25K - <\$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 \$25,000 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 - 5 YEARS**

\*1\_1381\*

**\*\*SKIM DEV OBT BENEFIT- \$1500 - <\$25K \*\***

... 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 \$1,500 but less than \$25,000, 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 – 1 YEAR**

\*1\_1382\*

**\*\*SKIM DEV OBT BENEFIT – \$100-<\$1500\*\***

... 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 \$100 but less than \$1500, 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 – 1 YEAR**

\*1\_1383\*

**\*\*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 – 1 YEAR**

\*1\_1384\*

**\*\*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**

**\*1\_0432\***

**\*\*FALSE ID/SALE-ISSUE\*\***

...did [sell/issue/offer for sale/offer to issue] [an identification card/a document] which contained:

(Select appropriate language)

1. a blank space for a person's [age/date of birth];
2. an incorrect [age/date of birth] of a person.

NOTE: Each card or document is a separate violation of this section. The section contains an exception for manufacturers who deliver blank ID cards to governmental agencies, or for use as employee or patient identification cards.

**CR 8-302(b)(2)**  
**MISDEMEANOR**  
**\$2,000.00 - 2 YEARS**  
**EACH CARD SEPARATE**  
**OFFENSE**

**\*1\_1434\***

**\*\*KNOWING SALE/ISSUE FALSE ID\*\***

...did knowingly [sell/issue/offer for sale/offer to issue] an [identification card/document] that contained [an incorrect name instead of a true name/an incorrect address].

NOTE: Each card or document is a separate violation of this section. The section contains an exception for manufacturers who deliver blank ID cards to governmental agencies, or for use as employee or patient identification cards.

**CR 8-303(b)(1)(2)**  
**MISDEMEANOR**  
**\$500.00 - 6 MONTHS**

\*1\_1432\*

**\*\*POSSESS/USE FALSE GOVERNMENT  
 IDENTIFICATION DOC\***

...did, with fraudulent intent, [possess/display/cause/allow to be displayed] a fictitious or fraudulently altered government identification document to wit: \_\_\_\_\_(choose from below).

1. a passport;
2. an immigration visa;
3. an alien registration card;
4. an employment authorization card;
5. a birth certificate;
6. a Social Security card;
7. a military identification;
8. an adoption decree;
9. a marriage license;
10. a driver's license; or
11. a photo identification card.

**CR 8-303(b)(3)(4)**  
**MISDEMEANOR**  
**\$500.00 - 6 MONTHS**

\*1\_1433\*

**\*\*DISPLAY GOV'T ID OF ANOTHER\*\***

...did, with fraudulent intent, [display/allow the use of/lend] a government identification document issued to \_\_\_\_\_  
 (name of document holder).

## Conversion of Partnership Money, Etc.

**CR 8-401(a)(1)**  
**MISDEMEANOR**  
**\$5,000.00 - 10 YEARS**

\*2\_2701\*

### **\*\*FRAUD-PARTNERSHIP MONEY\*\***

...did, as a partner in \_\_\_\_\_ (name partnership), fraudulently [convert/appropriate] to [his/her] own use \_\_\_\_\_ (describe), [money/property] of \_\_\_\_\_ said partnership.

**CR 8-401(a)(3)**  
**MISDEMEANOR**  
**\$5,000.00 - 10 YEARS**

\*3\_2607\*

### **\*\*FRAUD-PARTNERSHIP MONEY\*\***

...did, as a partner, fraudulently [make/fail to make] entries of a partnership transaction in the books of \_\_\_\_\_ (name partnership) to show the true state of a transaction relating to the partnership business.

## Misrepresentation/Corporate Officer or Agent

**CR 8-402(a)(1)(2)**  
**MISDEMEANOR**  
**\$10,000.00 – 3 YEARS**

\*4\_2607\*

### **\*\*FRAUD MISREP BY CORP OFFCER\*\***

...did as a corporate [officer/agent] of \_\_\_\_\_ (name corporation) fraudulently [sign/assent to] a publication for the public and shareholders containing untruthful representations of said corporation's affairs, assets, and liabilities to [enhance/depress] the market value of its [shares/corporate obligation]/thereby accomplishing fraud, to wit: \_\_\_\_\_ (describe fraudulent intent and name or describe victim(s)).

## Pyramid Promotional Scheme

**CR 8-404(b)**  
**MISDEMEANOR**  
**\$10,000.00 - 1 YEAR**

\*6\_2600\*

### **\*\*FRAUD-PYRAMID/PROM SCHEME\*\***

...did [establish/advertise/promote] a pyramid promotional scheme.

NOTE: "Pyramid promotional scheme" means any plan or operation by which a participant gives consideration for the opportunity to receive compensation to be derived primarily from any person's introduction of other persons into a participation in the plan or operation rather than from the sale of goods, services, or other intangible property by the participant or other persons introduced into the plan or operation.

## Cargo, Wrongful Disposal/ Refusal to Pay Consideration

**CR 8-405(b)(1)(2)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

\*1\_2701\*

### **\*\*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.

NOTE: See CR 8-405(d) regarding minimum penalty of 6 months and/or \$500 if convicted.

**CR 8-405(c)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

\*1\_0194\*

**\*\*CARGO REC/KEEP \$ FRM FALSE\*\***

...did, being employed by \_\_\_\_\_, the owner of \_\_\_\_\_, a vessel operating exclusively on Maryland waters, for the [management/navigation] of the said vessel, receive \$ \_\_\_\_\_ in consideration for the sale of the cargo of said vessel, with the consent of its owner, and did [refuse/neglect] to pay such consideration to said owner, with the intent to defraud said owner.

NOTE: See CR 8-405(d) for minimum penalty of 6 months-\$500 if convicted.

**Breach of Trust, Bill of Lading Elevator or  
Warehouse Receipts**

**CR 8-406(a)**  
**MISDEMEANOR**  
**\$5,000.00 - 10 YEARS**

\*1\_2602\*

**\*\*FRAUD-BREACH OF TRUST\*\***

...did receive in trust from \_\_\_\_\_ (victim) a [warehouse receipt/bill of lading/document giving title/document giving the right of possession] to \_\_\_\_\_ (specify property) under a written contract, and did fail to perform the terms and conditions of the trust as expressed in the written contract.

NOTE: See CR 8-406(b) regarding minimum penalty of 1Y-\$500 if convicted.

NOTE: This section does not cover the failure by an agent to deliver to the consignor the completed transfer documents or the payment for the shipment after the shipment or other transfer of goods or property has been completed. That failure should be charged under CR 7-116.

## Conversion/Leased or Rented Goods

**CR 8-407**  
**MISDEMEANOR**  
**\$1,000.00 - 60 DAYS**

\*2\_2399\*

### **\*\*FRAUD CONVERS/N/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\_2607\***

**\*\*FRAUD-WELFARE\*\***

...did [fraudulently obtain/fraudulently attempt to obtain/aid in fraudulently obtaining/aid in fraudulently attempting to obtain] a benefit to which the person aided was not entitled, to wit: \_\_\_\_\_ (name benefit-see NOTE below), from \_\_\_\_\_ (name program), a [social /nutritional] program financed in whole and in part by the State of Maryland and administered by \_\_\_\_\_ (name State agency or political subdivision agency), and did so by:

NOTE: Use whichever of the following is applicable:

1. wilfully making a false [statement/representation] to \_\_\_\_\_ (agency).
2. wilfully failing to disclose to \_\_\_\_\_ material changes in [household/financial] conditions.
3. impersonating another person.

NOTE: The benefit sought or obtained can be money, property, food stamps, or any other assistance EXCEPT MEDICAID. SEE NEW SECTION 230 C for Medicaid Fraud.

NOTE: Any person who in making and signing the application for money, property, food stamps, or other assistance, under a social or nutritional program based on need, financed in whole or in part by the state and administered by the Department of Human Resources, the Department of Health and Mental Hygiene, or the local Department of Social Services makes a false or fraudulent statement with intent to obtain any such money, property, food stamps, or other assistance is guilty of perjury and on conviction is subject to the penalties provided by law for perjury. (CR 9-101)

NOTE: A prosecution for welfare fraud must be brought within 3 years after the offense was committed. Medical assistance does not include Medicaid as defined in CR 8-508.

**SOCIAL SERVICES ADMINISTRATION - PROHIBITED ACTS****Appl. Written - False or Fraud State. Punished as Perjury, etc.**

**CR 8-504  
MISDEMEANOR  
10 YEARS**

**\*2\_2607\***

**\*\*PUB ASST - FALSE APPLIC'N\*\***

...did, in a signed application, make a [false/fraudulent] statement, with the intent to obtain [money/property/food stamps/ assistance] under a program based on need, financed in whole or in part by the State of Maryland and administered by the \_\_\_\_\_ [Department of Human Resources/Department of Health and Mental Hygiene/the \_\_\_\_\_ Department of Social Services].

NOTE: It is enough that the false statement be in the application. Nothing of value is required to be obtained as a result of the false statement.

**Unauthorized Disposition/Conversion Donated Food Commodity**

**CR 8-505(a)  
MISDEMEANOR  
\$500.00 - 6 MONTHS**

**\*1\_2314\***

**\*\*FRAUD-UNAUTH DISP. FOOD\*\***

...did, with intent to defraud, [make an unauthorized disposition of/not being an authorized recipient, convert to [his/her] use and benefit] a food commodity donated under a program of the United States Government, to wit: \_\_\_\_\_ (name program).



**FRAUD - STATE HEALTH PLANS**

**CR 8-509(1)**  
**(PENALTY SEC. CR 8-516)**  
**LOSS LESS THAN \$1,500**  
**(barcode 2-2110)**  
**MISDEMEANOR**  
**\$50,000.00 - 3 YEARS**  
**LOSS MORE THAN \$1,500**  
**(barcode 2-2115)**  
**FELONY**  
**\$100,000.00 - 5 YEARS**  
**PRELIMINARY HEARING**  
**PENALTY 8-516**

**\*2\_2110\***

**\*\*DEFRAUD STATE HEALTH CARE\*\***

**\*2\_2115\***

...did knowingly and willfully defraud a State Health Plan, to wit: \_\_\_\_\_ (name plan), in the amount of \_\_\_\_\_ in connection with the delivery of and payment of health care services.

**CR 8-509(1)**  
**FELONY**  
**\$100,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**

**\*2\_2120\***

**\*\*DEFRAUD HEALTH CARE-INJURE\*\***

...did knowingly and willfully defraud a State Health Plan, to wit: \_\_\_\_\_ (name plan), which resulted in the serious injury of \_\_\_\_\_ (name person injured) in connection with the delivery of and payment of health care services.

**CR 8-509(1)**  
**PENALTY SEC. 8-516**  
**FELONY**  
**\$200,000.00 - LIFE**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

**\*2\_2125\***

**\*\*DEFRAUD HEALTH CARE-DEATH\*\***

...did knowingly and willfully defraud a State Health Plan, to wit: \_\_\_\_\_ (name plan), which resulted in the death of \_\_\_\_\_ (name person ) in connection with the delivery of and payment of health care services.

**CR 8-509(1)**  
**PENALTY SEC. 8-516**  
**LOSS LESS THAN \$1,500**  
**(barcode 2-2130)**  
**MISDEMEANOR**  
**\$100,000 EACH OFFENSE**  
**LOSS MORE THAN \$1,500**  
**(barcode 2-2135)**  
**FELONY**  
**\$250,000 EACH OFFENSE**  
**PRELIMINARY HEARING**

**\*2\_2130\***

**\*\*DEFRAUD HEALTH CARE-BUSINESS\*\***

**\*2\_2135\***

...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\_2140\***

**\*\*FRAUD HLTH CARE-INJURE-BUS\*\***

...being a business entity, to wit: \_\_\_\_\_ (name business),  
 did knowingly and willfully defraud a State Health Plan, to wit:  
 \_\_\_\_\_ (name plan), which resulted in the serious injury of  
 \_\_\_\_\_ (name person injured) in connection with the  
 delivery of and payment of health care services.

**CR 8-509(1)**  
**(PENALTY SEC. CR 8-**  
**516)**  
**FELONY**  
**LIFE - \$200,000.00**  
**BUSINESS ENTITY**  
**\$250,000.00**  
**PRELIMINARY HEARING**

**\*2\_2145\***

**\*\*FRAUD HEALTH CARE-DEATH-BUS\*\***

...being a business entity, to wit: \_\_\_\_\_ (name business),  
 did knowingly and willfully defraud a State Health Plan, to wit:  
 \_\_\_\_\_ (name plan), which resulted in the death of  
 \_\_\_\_\_ (name person ) in connection with the delivery  
 of and payment of health care services.

**CR 8-509(2)**  
**(PENALTY SEC. CR 8-516)**  
**LOSS LESS THAN \$1,500**  
**(barcode 2-2150)**  
**MISDEMEANOR**  
**\$50,000.00 - 3 YEARS**  
**LOSS MORE THAN \$1,500**  
**(barcode 2-2155)**  
**FELONY**  
**\$100,000 - 5 YEARS**  
**PRELIMINARY HEARING**

**\*2\_2150\***

**\*\*OBTAIN BENEFITS BY FALSE REP\*\***

**\*2\_2155\***

...did knowingly and willfully obtain by false representation,  
 \_\_\_\_\_ (name benefit) in connection with the delivery  
 of and payment for health care services that are a benefit of a  
 State health plan, to wit: \_\_\_\_\_ (name plan).

**CR 8-509(2)**  
**(PENALTY SEC. CR 8-516)**  
**RESULTING SERIOUS**  
**INJURY**  
**FELONY**  
**\$100,000 - 20 YEARS**  
**PRELIMINARY HEARING**

**\*2\_2160\***

**\*\*OBTAIN BEN-FALSE REP-INJURE\*\***

...did knowingly and willfully obtain by false representation,  
 \_\_\_\_\_ (name benefit) in connection with the delivery  
 of and payment for health care services that are a benefit of a  
 State health plan, to wit: \_\_\_\_\_ (name plan) which  
 resulted in the serious injury of \_\_\_\_\_ (name person  
 injured).

**CR 8-509(2)**  
**FELONY**  
**\$200,000.00 - LIFE**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

**\*2\_2165\***

**\*\*OBTAIN BEN-FALSE REP-DEATH\*\***

...did knowingly and willfully obtain by false representation,  
 \_\_\_\_\_ (name benefit) in connection with the delivery  
 of and payment for health care services that are a benefit of a  
 State health plan, to wit: \_\_\_\_\_ (name plan) which  
 resulted in the death of \_\_\_\_\_ (name person ).

**CR 8-509(2)**  
**(PENALTY SEC. CR 8-516)**  
**LOSS LESS THAN \$1,500**  
**(barcode 2-2170)**  
**MISDEMEANOR**  
**\$100,000.00 EACH**  
**LOSS MORE THAN \$1,500**  
**(barcode 2-2175)**  
**FELONY**  
**\$250,000.00 EACH**  
**PRELIMINARY HEARING**

**\*2\_2170\***

**\*\*OBTAIN BEN-FALSE REP-BUSINESS\*\***

**\*2\_2175\***

...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**

**\*2\_2180\***

**\*\*BEN BY FALSE REP-INJURE-BUS\*\***

...being a business entity, to wit: \_\_\_\_\_ (name business),  
 did knowingly and willfully obtain by false representation,  
 \_\_\_\_\_ (name benefit) in connection with the delivery  
 of and payment for health care services that are a benefit of a  
 State health plan, to wit: \_\_\_\_\_ (name plan) which  
 resulted in the serious injury of \_\_\_\_\_ (name person  
 injured).

**CR 8-509(2)**  
**(PENALTY SEC. CR 8-516)**  
**\$100,000.00 EACH**  
**FELONY**  
**\$250,000.00 EACH**  
**PRELIMINARY HEARING**

**\*2\_2185\***

**\*\*BEN BY FALSE REP-DEATH-BUS\*\***

...being a business entity, to wit: \_\_\_\_\_ (name business),  
 did knowingly and willfully obtain by false representation,  
 \_\_\_\_\_ (name benefit) in connection with the delivery  
 of and payment for health care services that are a benefit of a  
 State health plan, to wit: \_\_\_\_\_ (name plan) which  
 resulted in the death of \_\_\_\_\_ (name person ).

**CR 8-509(3)**  
**(PENALTY SEC.CR 8-516)**  
**LOSS LESS THAN \$1,500**  
**(barcode 2-2190)**  
**MISDEMEANOR**  
**\$50,000 - 3 YEARS**  
**LOSS MORE THAN \$1,500**  
**(barcode 2-2195)**  
**FELONY**  
**\$100,000.00 - 5 YEARS**  
**PRELIMINARY HEARING**

**\*2\_2190\***

**\*\*DEFRAUD HEALTH PLAN-SERVICE\*\***

**\*2\_2195\***

...did knowingly and willfully defraud a State Health Plan, to wit: \_\_\_\_\_ (name plan), of the right to honest services, in the amount of \_\_\_\_\_.

**CR 8-509(3)**  
**(PENALTY SEC.CR 8-516)**  
**FELONY**  
**\$100,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**

**\*2\_2320\***

**\*\*DEFRAUD HEALTH-SERVICE-INJURE\*\***

...did knowingly and willfully defraud a State Health Plan, to wit: \_\_\_\_\_ (name plan), of the right to honest services, which resulted in the serious injury of \_\_\_\_\_ (name person injured).

**CR 8-509(3)**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$200,000.00 - LIFE**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

**\*2\_2325\***

**\*\*DEFRAUD HEALTH-SERVICE-DEATH\*\***

...did knowingly and willfully defraud a State Health Plan, to wit: \_\_\_\_\_ (name plan), of the right to honest services, which resulted in the death of \_\_\_\_\_ (name person).

**CR 8-509(3)**  
**(PENALTY SEC. CR 8-516)**  
**LOSS LESS THAN \$1,500**  
**(barcode 2-2330)**  
**MISDEMEANOR**  
**\$100,000.00**  
**LOSS MORE THAN \$1,500**  
**(barcode 2-2335)**  
**FELONY**  
**\$250,000.00**  
**PRELIMINARY HEARING**

**\*2\_2330\***

**\*\*FRAUD HEALTH-SERVICE-BUSINESS\*\***

**\*2\_2335\***

...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**

**\*2\_2340\***

**\*\*FRAUD HLTH-SERVICE-INJURE-BUS\*\***

...being a business entity, to wit: \_\_\_\_\_ (name business),  
 did knowingly and willfully defraud a State Health Plan, to wit:  
 \_\_\_\_\_ (name plan), of the right to honest services, which  
 resulted in the serious injury of \_\_\_\_\_ (name person  
 injured).

**CR 8-509(3)**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$250,000.00**  
**PRELIMINARY HEARING**

**\*2\_2345\***

**\*\*FRAUD HLTH -SERVICE-DEATH-BUS\*\***

...being a business entity, to wit: \_\_\_\_\_ (name business),  
 did knowingly and willfully defraud a State Health Plan, to wit:  
 \_\_\_\_\_ (name plan), of the right to honest services, which  
 resulted in the death of \_\_\_\_\_ (name person ).

**CR 8-509(4)**  
**PENALTY SEC. 8-516**  
**LOSS LESS THAN \$1,500**  
**(barcode 2-2350)**  
**MISDEMEANOR**  
**\$50,000.00 - 3 YEARS**  
**LOSS MORE THAN \$1,500**  
**(barcode 2-2355)**  
**\$100,000.00 - 5 YEARS**  
**PRELIMINARY HEARING**

**\*2\_2350\***

**\*\*FLS REP-DEFRAUD HEALTH CARE\*\***

**\*2\_2355\***

...did, with the intent to defraud, make a false representation relating to [health care services, to wit: \_\_\_\_\_ / a State Health Plan, to wit: \_\_\_\_\_ ].

**CR 8-509(4)**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$100,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**

**\*2\_2360\***

**\*\*FLS REP-HEALTH CARE-INJURE\*\***

...did, with the intent to defraud, make a false representation relating to [health care services, to wit: \_\_\_\_\_ / a State Health Plan, to wit: \_\_\_\_\_ ], which resulted in the serious injury of \_\_\_\_\_ (name person injured).

**CR 8-509(4)**  
**PENALTY SEC. 8-516**  
**FELONY**  
**\$200,000.00 - LIFE**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

**\*2\_2365\***

**\*\*FLS REP-HEALTH CARE-DEATH\*\***

...did, with the intent to defraud, make a false representation relating to [health care services, to wit: \_\_\_\_\_ / a State Health Plan, to wit: \_\_\_\_\_ ], which resulted in the death of \_\_\_\_\_ (name person).

**CR 8-509(4)**  
**(PENALTY SEC. CR 8-516)**  
**LOSS LESS THAN \$1,500**  
**(barcode 2-2370)**  
**MISDEMEANOR**  
**\$100,000.00**  
**LOSS MORE THAN \$1,500**  
**(barcode 2-2375)**  
**FELONY**  
**\$250,000.00**  
**PRELIMINARY HEARING**

**\*2\_2370\***

**\*2\_2375\***

**\*\*FLS REP-HEALTH CARE--BUSINESS\*\***

...being a business entity, to wit: \_\_\_\_\_ (name business), did, with the intent to defraud, make a false representation relating to [health care services, to wit: \_\_\_\_\_ / a State Health Plan, to wit: \_\_\_\_\_ ].

**CR 8-509(4)**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$250,000.00**  
**PRELIMINARY HEARING**

**\*2\_2380\***

**\*\*FLS REP-HLTH CARE-INJURE-BUS\*\***

...being a business entity, to wit: \_\_\_\_\_ (name business),  
 did, with the intent to defraud, make a false representation  
 relating to [health care services, to wit: \_\_\_\_\_ / a State  
 Health Plan, to wit: \_\_\_\_\_ ], which resulted in the serious  
 injury of \_\_\_\_\_ (name person injured).

**CR 8-509(4)**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$250,000.00**  
**PRELIMINARY HEARING**

**\*2\_2385\***

**\*\*FLS REP-HLTH CARE-DEATH-BUS\*\***

...being a business entity, to wit: \_\_\_\_\_ (name business),  
 did, with the intent to defraud, make a false representation  
 relating to [health care services, to wit: \_\_\_\_\_ / a State  
 Health Plan, to wit: \_\_\_\_\_ ], which resulted in the death  
 of \_\_\_\_\_ (name person ).

**CR 8-511(1)(2)**  
**(PENALTY SEC. CR 8-516)**  
**LOSS LESS THAN \$1,500**  
**(barcode 2-2975)**  
**MISDEMEANOR**  
**\$50,000.00 - 3 YEARS**  
**LOSS MORE THAN \$1,500**  
**(barcode 2-2980)**  
**FELONY**  
**\$100,000.00 - 5 YEARS**  
**PRELIMINARY HEARING**

\*2\_2975\*

\*2\_2980\*

**\*\*KICKBACK-HEALTH PLAN SERV\*\***

...did provide to \_\_\_\_\_ (name) [items/services] for which  
 payment [is/may be] made from [federal/state] funds under a  
 state health plan, to wit: \_\_\_\_\_ (name plan) and did  
 [solicit /offer/make/receive] a [kickback/bribe] in connection  
 with [providing items or services/making a payment/receiving a  
 benefit].

**CR 8-511(1)(2)**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$100,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**

**\*2\_2985\***

**\*\*KICKBACK-HEALTH PLAN-INJURE\*\***

...did provide to \_\_\_\_\_ (name) [items/services] for which payment [is/may be] made from [federal/state] funds under a state health plan, to wit: \_\_\_\_\_ (name plan) and did [solicit /offer/make/receive] a [kickback/bribe] in connection with [providing items or services/making a payment/receiving a benefit], which resulted in serious injury to \_\_\_\_\_ (name person injured).

**CR 8-511(1)(2)**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$200,000.00 - LIFE**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

**\*2\_2990\***

**\*\*KICKBACK-HEALTH PLAN-DEATH\*\***

...did provide to \_\_\_\_\_ (name) [items/services] for which payment [is/may be] made from [federal/state] funds under a state health plan, to wit: \_\_\_\_\_ (name plan) and did [solicit /offer/make/receive] a [kickback/bribe] in connection with [providing items or services/making a payment/receiving a benefit], which resulted in the death of \_\_\_\_\_ (name person ).

**CR 8-511(1)(2)**  
**(PENALTY SEC. CR 8-516)**  
**LOSS LESS THAN \$1,500**  
**(barcode 2-2992)**  
**MISDEMEANOR**  
**\$100,000.00 EACH**  
**LOSS MORE THAN \$1,500**  
**(barcode 2-2994)**  
**FELONY**  
**\$250,000.00 EACH**  
**PRELIMINARY HEARING**

**\*2\_2992\***

**\*\*KICKBACK-HLTH SERV-BUS\*\***

**\*2\_2994\***

...being a business entity, to wit: \_\_\_\_\_, did provide to \_\_\_\_\_ (name) [items/services] for which payment [is/may be] made from [federal/state] funds under a state health plan, to wit: \_\_\_\_\_ (name plan) and did [solicit /offer/make/receive] a [kickback/bribe] in connection with [providing items or services/making a payment/receiving a benefit].

**CR 8-511(1)(2)**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$100,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**

**\*2\_2995\***

**\*\*BUS KICKBCK-HLTH PLAN-INJURE\*\***

...being a business entity, to wit: \_\_\_\_\_, did provide to \_\_\_\_\_ (name) [items/services] for which payment [is/may be] made from [federal/state] funds under a state health plan, to wit: \_\_\_\_\_ (name plan) and did [solicit /offer/make/receive] a [kickback/bribe] in connection with [providing items or services/making a payment/receiving a benefit], which resulted in serious injury to \_\_\_\_\_ (name person injured).

**CR 8-511(1)(2)**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$200,000.00 - LIFE**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

**\*2\_2996\***

**\*\*BUS KICKBCK-HLTH PLAN-DEATH\*\***

...being a business entity, to wit: \_\_\_\_\_, did provide to \_\_\_\_\_ (name) [items/services] for which payment [is/may be] made from [federal/state] funds under a state health plan, to wit: \_\_\_\_\_ (name plan) and did [solicit /offer/make/receive] a [kickback/bribe] in connection with [providing items or services/making a payment/receiving a benefit], which resulted in the death of \_\_\_\_\_ (name person ).

**CR 8-512**  
**(PENALTY SEC. 8-516)**  
**LOSS LESS THAN \$1,500**  
**(barcode 2-2865)**  
**MISDEMEANOR**  
**\$50,000.00 - 3 YEARS**  
**LOSS MORE THAN \$1,500**  
**(barcode 2-2870)**  
**FELONY**  
**\$100,000.00 - 5 YEARS**  
**PRELIMINARY HEARING**

**\*2\_2865\***

**\*\*HEALTH BENEFIT-SOLICIT FEE\*\***

**\*2\_2870\***

...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\_2875\***

**\*\*HLTH BEN-SOLICIT FEE-INJURE\*\***

...did [solicit/offer/make/receive] a rebate of a [fee/charge] for referring \_\_\_\_\_ (name) to \_\_\_\_\_ (person) to provide items and services for which payment [is/may be] made from [federal/state] funds under a State Health Plan, to wit: \_\_\_\_\_, which resulted in the serious injury of \_\_\_\_\_ (name person injured).

**CR 8-512  
(PENALTY SEC. CR 8-516)  
FELONY  
\$200,000.00 - LIFE  
PRELIMINARY HEARING  
RELEASE RESTRICTION**

**\*2\_2880\***

**\*\*HLTH BEN-SOLICIT FEE-DEATH\*\***

...did [solicit/offer/make/receive] a rebate of a [fee/charge] for referring \_\_\_\_\_ (name) to \_\_\_\_\_ (person) to provide items and services for which payment [is/may be] made from [federal/state] funds under a State Health Plan, to wit: \_\_\_\_\_, which resulted in the death of \_\_\_\_\_ (name person).

**CR 8-512**  
**(PENALTY SEC. CR 8-516)**  
**LOSS LESS THAN \$1,500**  
**(barcode 2-2885)**  
**MISDEMEANOR**  
**\$100,000.00**  
**LOSS MORE THAN \$1,500**  
**(barcode 2-2890)**  
**FELONY**  
**\$250,000.00**  
**PRELIMINARY HEARING**

**\*2\_2885\***

**\*\*HLTH BEN-SOLICIT FEE-BUS\*\***

**\*2\_2890\***

...being a business entity, to wit: \_\_\_\_\_ (name business),  
 did [solicit/offer/make/receive] a rebate of a [fee/charge] for  
 referring \_\_\_\_\_ (name) to \_\_\_\_\_ (person) to  
 provide items and services for which payment [is/may be] made  
 from [federal/state] funds under a State Health Plan, to wit:  
 \_\_\_\_\_ ] in the amount of \_\_\_\_\_ .

**CR 8-512**  
**(PENALTY SEC. CR 8-**  
**516)**  
**FELONY**  
**\$100,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**

**\*2\_2895\***

**\*\*HLTH BEN-SOLICIT-INJURE-BUS\*\***

...being a business entity, to wit: \_\_\_\_\_ (name business),  
 did [solicit/offer/make/receive] a rebate of a [fee/charge] for  
 referring \_\_\_\_\_ (name) to \_\_\_\_\_ (person) to  
 provide items and services for which payment [is/may be] made  
 from [federal/state] funds under a State Health Plan, to wit:  
 \_\_\_\_\_ ], which resulted in the serious injury of  
 \_\_\_\_\_ (name person injured).

**CR 8-512**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$200,000.00 - LIFE**  
**PRELIMINARY HEARING**

**\*2\_2896\***

**\*\*HLTH BEN-SOLICIT-DEATH-BUS\*\***

...being a business entity, to wit: \_\_\_\_\_ (name business),  
 did [solicit/offer/make/receive] a rebate of a [fee/charge] for  
 referring \_\_\_\_\_ (name) to \_\_\_\_\_ (person) to  
 provide items and services for which payment [is/may be] made  
 from [federal/state] funds under a State Health Plan, to wit:  
 \_\_\_\_\_ ], which resulted in the death of \_\_\_\_\_  
 (name person).

**CR 8-513**  
**(PENALTY SEC. CR 8-**  
**516)**  
**LOSS LESS THAN \$1,500**  
**(barcode 2-2910)**  
**MISDEMEANOR**  
**\$50,000.00 - 3 YEARS**  
**LOSS MORE THAN \$1,500**  
**(barcode 2-2920)**  
**FELONY**  
**\$100,000.00 - 5 YEARS**  
**PRELIMINARY HEARING**

**\*2\_2910\***

**\*\*INDUCE FALSE REP-HLTH PLAN\*\***

**\*2\_2920\***

...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\_2925\***

**\*\*FALSE REP-HLTH PLAN-INJURE\*\***

...did knowingly and willfully [make / cause to be made/ induce the making of] a false representation with respect to the conditions and operation of a [facility /institution / State health plan ], to help such to qualify to receive reimbursement under a State Health Plan, to wit: \_\_\_\_\_ in the amount of \_\_\_\_\_, which resulted in the serious injury of \_\_\_\_\_ (name person injured).

**CR 8-513  
(PENALTY SEC. CR 8-516)  
FELONY  
\$200,000.00 - LIFE  
PRELIMINARY HEARING  
RELEASE RESTRICTION**

**\*2\_2930\***

**\*\*FALSE REP-HLTH PLAN-DEATH\*\***

...did knowingly and willfully [make /cause to be made/ induce the making of] a false representation with respect to the conditions and operation of a [facility /institution / State health plan ], to help such to qualify to receive reimbursement under a State Health Plan, to wit: \_\_\_\_\_ in the amount of \_\_\_\_\_, which resulted in the death of \_\_\_\_\_ (name person ).

**CR 8-513**  
**(PENALTY SEC. CR 8-516)**  
**LOSS LESS THAN \$1,500**  
**(barcode 2-2935)**  
**MISDEMEANOR**  
**\$100,000.00**  
**LOSS MORE THAN \$1,500**  
**(barcode 2-2940)**  
**FELONY**  
**\$250,000.00**  
**PRELIMINARY HEARING**

**\*2\_2935\***

**\*\*FALSE REP-HLTH PLAN-BUS\*\***

**\*2\_2940\***

...being a business entity, to wit: \_\_\_\_\_, did knowingly and willfully [make / cause to be made/ induce the making of] a false representation with respect to the conditions and operation of a [facility /institution / State health plan ], to help such to qualify to receive reimbursement under a State Health Plan, to wit: \_\_\_\_\_ in the amount of \_\_\_\_\_.

**CR 8-513**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$250,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**

**\*2\_2945\***

**\*\*FALSE REP-INJURE-BUSINESS\*\***

...being a business entity, to wit: \_\_\_\_\_, did knowingly and willfully [make / cause to be made/ induce the making of] a false representation with respect to the conditions and operation of a [facility /institution / State health plan ], to help such to qualify to receive reimbursement under a State Health Plan, to wit: \_\_\_\_\_ in the amount of \_\_\_\_\_, which resulted in the serious injury of \_\_\_\_\_ (name person ).

**CR 8-513**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$250,000.00 - LIFE**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

**\*2\_2950\***

**\*\*FALSE REP--DEATH-BUSINESS\*\***

...being a business entity, to wit: \_\_\_\_\_, did knowingly and willfully [make / cause to be made/ induce the making of] a false representation with respect to the conditions and operation of a [facility /institution / State health plan ], to help such to qualify to receive reimbursement under a State Health Plan, to wit: \_\_\_\_\_ in the amount of \_\_\_\_\_, which resulted in the death of \_\_\_\_\_ (name person ).

**CR 8-514**  
**(PENALTY SEC. CR 8-516)**  
**LOSS LESS THAN \$1,500**  
**(barcode 2-4110)**  
**MISDEMEANOR**  
**\$50,000.00 - 3 YEARS**  
**LOSS MORE THAN \$1,500**  
**(barcode 2-4115)**  
**FELONY**  
**\$100,000.00 - 5 YEARS**  
**PRELIMINARY HEARING**

**\*2\_4110\***

**\*\*FRAUD-OBTAIN DRUG/MED CARE\*\***

**\*2\_4115\***

...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\_4120\***

**\*\*FRAUD-DRUG/MED CARE-INJURE\*\***

...did knowingly and willfully [obtain/aid \_\_\_\_\_ (name) in obtaining/aid \_\_\_\_\_ (name) in attempting to obtain] [a drug product / medical care], the payment [is/may be] made from [federal/state] funds under a state health plan by [fraud / deceit / misrepresentation / concealment / forgery of a medical assistance prescription / alteration of a medical assistance prescription / forgery of a pharmacy assistance prescription / alteration of a pharmacy assistance prescription / concealment of a material fact / using a false name/ using a false address], which resulted in serious injury to \_\_\_\_\_ (name person injured).

**CR 8-514**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$200,000.00 - LIFE**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

**\*2\_4125\***

**\*\*FRAUD-DRUG/MED CARE-DEATH\*\***

...did knowingly and willfully [obtain/aid \_\_\_\_\_ (name) in obtaining/aid \_\_\_\_\_ (name) in attempting to obtain] [a drug product / medical care], the payment [is/may be] made from [federal/state] funds under a state health plan by [fraud / deceit / misrepresentation / concealment / forgery of a medical assistance prescription / alteration of a medical assistance prescription / forgery of a pharmacy assistance prescription / alteration of a pharmacy assistance prescription / concealment of a material fact / using a false name/ using a false address], which resulted in the death of \_\_\_\_\_ (name person ).

**CR 8-514**  
**(PENALTY SEC. CR 8-516)**  
**LOSS LESS THAN \$1,500**  
**(barcode 2-4130)**  
**MISDEMEANOR**  
**\$100,000.00**  
**LOSS MORE THAN \$1,500**  
**(barcode 2-4135)**  
**FELONY**  
**\$250,000.00**  
**PRELIMINARY HEARING**

\*2\_4130\*

\*2\_4135\*

**\*\*FRAUD-OBTAIN MED CARE-BUS\*\***

...being a business entity, to wit: \_\_\_\_\_, did knowingly and willfully [obtain/aid \_\_\_\_\_ (name) in obtaining/aid \_\_\_\_\_ (name) in attempting to obtain] [a drug product / medical care], the payment [is/may be] made from [federal/state] funds under a state health plan by [fraud / deceit / misrepresentation / concealment / forgery of a medical assistance prescription / alteration of a medical assistance prescription / forgery of a pharmacy assistance prescription / alteration of a pharmacy assistance prescription / concealment of a material fact / using a false name/ using a false address].



**CR 8-514**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$100,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**

**\*2\_4140\***

**\*\*FRAUD-/MED CARE-INJURE-BUS\*\***

...being a business entity, to wit: \_\_\_\_\_, did knowingly and willfully [obtain/aid \_\_\_\_\_ (name) in obtaining/aid \_\_\_\_\_ (name) in attempting to obtain] [a drug product / medical care], the payment [is/may be] made from [federal/state] funds under a state health plan by [fraud / deceit / misrepresentation / concealment / forgery of a medical assistance prescription / alteration of a medical assistance prescription / forgery of a pharmacy assistance prescription / alteration of a pharmacy assistance prescription / concealment of a material fact / using a false name/ using a false address], which resulted in serious injury to \_\_\_\_\_ (name person injured).

**CR 8-514**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$200,000.00 - LIFE**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

**\*2\_4145\***

**\*\*FRAUD-MED CARE-DEATH-BUS\*\***

...being a business entity, to wit: \_\_\_\_\_, did knowingly and willfully [obtain/aid \_\_\_\_\_ (name) in obtaining/aid \_\_\_\_\_ (name) in attempting to obtain] [a drug product / medical care], the payment [is/may be] made from [federal/state] funds under a state health plan by [fraud / deceit / misrepresentation / concealment / forgery of a medical assistance prescription / alteration of a medical assistance prescription / forgery of a pharmacy assistance prescription / alteration of a pharmacy assistance prescription / concealment of a material fact / using a false name/ using a false address], which resulted in the death of \_\_\_\_\_ (name person ).

**CR 8-515**  
**(PENALTY SEC. CR 8-516)**  
**LOSS LESS THAN \$1,500**  
**(barcode 2-2955)**  
**MISDEMEANOR**  
**\$50,000.00 - 3 YEARS**  
**LOSS MORE THAN \$1,500**  
**(barcode 2-2960)**  
**FELONY**  
**\$100,000.00 - 5 YEARS**  
**PRELIMINARY HEARING**

**\*2\_2955\***

**\*\*POSS MED/PHARM CARD W/O AUTH\*\***

**\*2\_2960\***

...did knowingly and willfully possess a [medical assistance card / pharmacy assistance card] distributed under a [State health plan / pharmacy assistance program], to wit: \_\_\_\_\_ (name) without the authorization of \_\_\_\_\_ (person), to whom the card was issued.

**CR 8-515**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$100,000.00 - 20 YEARS**  
**PRELIMINARY HEARING**

**\*2\_2965\***

**\*\*POSS CARD W/O AUTH-INJURY\*\***

...did knowingly and willfully possess a [medical assistance card / pharmacy assistance card] distributed under a [State health plan / pharmacy assistance program], to wit: \_\_\_\_\_ (name) without the authorization of \_\_\_\_\_ (person), to whom the card was issued, which resulted in the serious injury of \_\_\_\_\_ (name person injured).

**CR 8-515  
(PENALTY SEC. CR 8-516)  
FELONY  
\$200,000.00 - LIFE  
PRELIMINARY HEARING  
RELEASE RESTRICTION**

**\*2\_2970\***

**\*\*POSS CARD W/O AUTH-DEATH\*\***

...did knowingly and willfully possess a [medical assistance card / pharmacy assistance card] distributed under a [State health plan / medical assistance program/pharmacy assistance program], to wit: \_\_\_\_\_ (name) without the authorization of \_\_\_\_\_ (person), to whom the card was issued, which resulted in the death of \_\_\_\_\_ (name person )

**CR 8-515  
(PENALTY SEC. CR 8-516)  
LOSS LESS THAN \$1,500  
(barcode 2-4150)  
MISDEMEANOR  
\$100,000.00  
LOSS MORE THAN \$1,500  
(barcode 2-4155)  
FELONY  
\$250,000.00  
PRELIMINARY HEARING**

**\*2\_4150\***

**\*\*POSS CARD W/O AUTH-BUS\*\***

**\*2\_4155\***

...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\_4160\*

**\*\*POSS CARD NO AUTH-INJURY-BUS\*\***

...being a business entity, to wit: \_\_\_\_\_ (name business),  
 did knowingly and willfully possess a [medical assistance card /  
 pharmacy assistance card] distributed under a [State health plan /  
 medical assistance program/pharmacy assistance program], to  
 wit: \_\_\_\_\_ (name) without the authorization of  
 \_\_\_\_\_ (person), to whom the card was issued, which  
 resulted in the serious injury of \_\_\_\_\_ (name person  
 injured).

**CR 8-515**  
**(PENALTY SEC. CR 8-516)**  
**FELONY**  
**\$200,000.00 - LIFE**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

\*2\_4165\*

**\*\*POSS CARD NO AUTH-DEATH- BUS\*\***

...being a business entity, to wit: \_\_\_\_\_ (name business),  
 did knowingly and willfully possess a [medical assistance card /  
 medical assistance program/pharmacy assistance card]  
 distributed under a [State health plan / pharmacy assistance  
 program], to wit: \_\_\_\_\_ (name) without the authorization  
 of \_\_\_\_\_ (person), to whom the card was issued, which  
 resulted in the death \_\_\_\_\_ (name person).

**Misrepresentation in Fund Raising Campaigns -  
Identifying Police Dept. With**

**CR 8-520(c)(1)(2)  
MISDEMEANOR  
\$1,000.00 - 60 DAYS**

**\*1\_2625\***

**\*\*FRAUD-MISREP FUND RAISING\*\***

...did offer items for sale in a [charitable/fund raising] campaign by representing to [the public/\_\_\_\_\_, a prospective purchaser] that such fund raising was approved and sanctioned by \_\_\_\_\_ (see note), without first obtaining the written authorization of the said [person/organization].

NOTE: In this section a Public Safety Officer is a police officer, paid or volunteer fire fighter, an emergency medical technician, a rescue squad member, or the State Fire Marshal or any of his sworn officers. The written approval and sanction of a Public Safety Officer or any member of his or her family, or that of the chief administrative officer of a police, fire, or other department of Public Safety organization, is required to avoid violation of this section before the illegal representations can be made.

**CR 8-520(c)(1)(2)  
MISDEMEANOR  
\$1,000.00 - 60 DAYS**

**\*2\_2600\***

**\*\*FRAUD-MISREP FUND RAISING\*\***

...did [encourage/receive/solicit] from \_\_\_\_\_ a donation and contribution of \_\_\_\_\_ (describe item or state amount) by representing that said donation and contribution had the approval and sanction of \_\_\_\_\_ (see note), without first obtaining the written authorization of the said [person/organization].

## Representation by Public Defender

**CR 8-521**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

\*6\_2607\*

### **\*\*FRAUD-REP BY PUB DEFENDER\*\***

...did knowingly, wilfully and falsely [obtain/attempt to obtain] legal representation by the Office of the Public Defender, by means of a [false representation/false statement/failure to disclose true financial condition/other fraudulent manner] \_\_\_\_\_ (specify).

NOTE: Normally applies to a false financial condition, but may be any other false material representation.

**CR 8-522(b)(ii)**  
**MISDEMEANOR**  
**FIRST OFFENSE**  
**\$100.00**  
**SUB OFFENSE**  
**\$500.00**

\*1\_0218\*

### **\*\*DOCUMNT USE IMPLY GOV ASSO\*\***

...did [use/sell/send to \_\_\_\_ /deliver to \_\_\_\_] a document which implied that the defendant [was a branch of/was associated with] a department or agency of the federal or state government, to wit: \_\_\_\_\_.

**Simulated Court Process, Simulated Seal, Etc. of  
Governmental Agency**

**CR 8-522(b)(1)(i)**  
**MISDEMEANOR**  
**FIRST OFFENSE**  
**\$100.00**  
**SUB OFFENSE**  
**\$500.00**

**\*5\_2604\***

**\*\*DOC USE/FAKE COURT PROCESS\*\***

...did [use/sell/send to \_\_\_\_/deliver to \_\_\_\_] a document which simulated a [summons/complaint/court process], with intent to induce payment of a claim from \_\_\_\_ (name of victim).

**CR 8-522(b)(2)**  
**MISDEMEANOR**  
**FIRST OFFENSE**  
**\$100.00**  
**SUB OFFENSE**  
**\$500.00**

**\*1\_0219\***

**\*\*DOC USE FAKE GOV ORIGIN\*\***

...did use a [seal/insignia/ envelope/other format] which simulated that of a governmental agency, to wit: \_\_\_\_, with the intent to induce payment of a claim from \_\_\_\_ (name of victim).

NOTE: This offense may be prosecuted in the county in which the document was used, sold, sent or delivered.

**CR 8-523**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**

**\*1\_0419\***

**FALSE STMT HOUSING ASSISTANCE**

...did knowingly make a false statement of a material fact for the purpose of influencing a housing agency \_\_\_\_\_ (name agency) regarding [an application for housing assistance/an action affecting housing assistance already provided].

**COUNTERFEITING AND FORGERY**

**Private Instruments Generally**

**CR 8-601(a)  
FELONY  
DISTRICT COURT  
\$1,000.00 - 10 YEARS**

**\*1\_2502\***

**\*\*FORGERY-PRIV DOCUMENTS\*\***

...did [counterfeit/cause to be counterfeited/willingly aid in/assist in counterfeiting] \_\_\_\_\_ (type of document) with the intent to defraud.

NOTE: Violations of CR 8-601 AND 602 are tried in the District Court, whether a felony or a misdemeanor.

NOTE: This section applies to such instruments as deeds, wills or codicils, promissory notes, assignments, entries in a book of account or ledger, etc. (See CR 8-601(a) for all applicable documents) The 1998 Legislature specifically added "TITLE TO MOTOR VEHICLE" as a type of document covered by this section. This section also covers forgery of power of attorney. The type of document should be fully described. For instance, if it is a check, you must indicate the date, the amount, the bank and the payee. Merely stating "a check", "a deed", etc. is not sufficient.

NOTE: In addition to the type of document, if the forgery involves an endorsement, you should specify that it is such, the type of document and where in the document the forged endorsement appears, i.e., generally on the reverse or back.

NOTE: See CR 8-601(d) for prosecution venue.



**CR 8-601(b)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**

**\*1\_1502\***

**\*\*FORGERY/PRIV DOCUMENT/POSSESS\*\***

...did, with fraudulent intent, knowingly and willfully possess a counterfeit document, to wit: \_\_\_\_\_ (type of document).

NOTE: Document list under CR 8-601(a).

NOTE: See CR 8-601(d) for prosecution venue.

**CR 8-602**  
**FELONY**  
**DISTRICT COURT**  
**\$1,000.00 - 10 YEARS**

**\*1\_2513\***

**\*\*ISSUE FALSE DOCUMENT\*\***

...did [issue/publish] as true a counterfeit \_\_\_\_\_ (type of document) with the intent to defraud.

NOTE: See CR 8-601(a) for applicable documents.

**Possession Of Forged Motor Vehicle Title**

**CR 8-603**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**

**\*2\_0035\***

**\*\*POSS FORGED VEH TITLE\*\***

...did possess, with unlawful intent, a counterfeit title to a motor vehicle.

## Public Documents Generally

**CR 8-604**  
**FELONY**  
**PENALTY**  
**\$10,000 - 10 YEARS**  
**DISTRICT COURT**

\*1\_0067\*

**\*\*CURRENCY: MANUFACTURE/COUNTERFEIT\*\***

...did [manufacture/counterfeit/cause to be counterfeit/willingly aid in counterfeiting/willingly assist in counterfeiting] U.S. currency with intent to defraud.

**CR 8-604**  
**FELONY**  
**PENALTY**  
**\$10,000 - 10 YEARS**  
**DISTRICT COURT**

\*1\_0069\*

**\*\*CURRENCY: MAKE IMAGE\*\***

...did [make/scan/record/reproduce/transmit/hold in control/have in custody/have in possession] an [analogue/digital/electronic image] of U.S. currency with intent to defraud.

**CR 8-604.1**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**

\*1\_0494\*

**\*\*POSS/ISSUE FORGED CURRENCY\*\***

...did knowingly [possess, with unlawful intent/issue] counterfeit United States Currency.

## Public Documents Generally

**CR 8-605(a)(1)**  
**FELONY**  
**10 YEARS**  
**DISTRICT COURT**

\*1\_2500\*

### **\*\*FORGERY-PUBLIC DOCUMENT\*\***

...did [counterfeit/cause to be counterfeited/willingly aid in counterfeiting/willingly assist in counterfeiting] \_\_\_\_\_  
 (describe document).

NOTE: Documents include a commission, patent, pardon, order for release or other court document, a warrant, certificate, other public security from which money may be drawn from the treasury of the State.

NOTE: See CR 8-605(b) for minimum penalty of 2 years imprisonment if convicted.

**CR 8-605(a)(2)**  
**FELONY**  
**10 YEARS**  
**DISTRICT COURT**

\*1\_2504\*

### **\*\*PASS FORGED PUBLIC DOC.\*\***

...did [write/sign/possess] a counterfeit document, to wit: \_\_\_\_\_  
 (describe document).

NOTE: A public document includes any commission, patent, pardon, order for release or other court document, a warrant, certificate, other public security from which money may be drawn from the treasury of this State.

NOTE: See CR 8-605(b) regarding minimum penalty of 2 years if convicted.

**Public Record-False Entry; Altering, Defacing, Etc.**

**CR 8-606(b)(1)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**

**\*2\_2504\***

**\*\*PUBLIC RECORD-FALSE ENTRY\*\***

...did wilfully [make/attempt to make] a false entry in a public record.

**CR 8-606(b)(2)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**

**\*3\_2504\***

**\*\*PUBLIC RECORD-DESTROY ETC.\*\***

...did [willfully/wilfully attempt] and without proper authority [alter/ deface/destroy/remove/conceal] a public record, to wit:  
 \_\_\_\_\_ (describe record).

**CR 8-606(b)(3)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**

**\*5\_2504\***

**\*\*PUB RECRD ACCESS W/O AUTH\*\***

...[did/did attempt to] without proper authority, wilfully and intentionally access public records.

**CR 8-606.1(a)(1)**  
**MISDEMEANOR**  
**\$10,000.00 - 5 YEARS**

\*1\_1698

**\*\*FORGE/COUNTERFEIT SIGNATURE\*\***

... did [forge/falsify/counterfeit] the signature of \_\_\_\_\_ (name), being a [judge/court officer/court employee] of the State.

**CR 8-606.1(a)(2)**  
**MISDEMEANOR**  
**\$10,000.00 - 5 YEARS**

\*1\_1699\*

**\*\*USE FORGE/COUNTERFEIT DOC W/SIG\*\***

... did use a document with a [forged/false/counterfeit] signature of \_\_\_\_\_ (name), being a [judge/court officer/court employee] of the State, knowing the signature to be [forged/false/counterfeit].

**Orders, Etc., for Money or Goods**

**CR 8-609(b)(1)**  
**FELONY**  
**10 YEARS**  
**DISTRICT COURT**

\*1\_2501\*

**\*\*FORG-ORDER FOR MONEY, GOODS\*\***

...did with intent to defraud [counterfeit/cause or procure to be counterfeited/willingly aid in counterfeiting/assist in counterfeiting] an order for the [payment of money/delivery of goods/delivery of valuable articles] to wit: \_\_\_\_\_. (describe document)

NOTE: See CR 8-609(c ) regarding minimum penalty of 2 years if convicted.

**CR 8-609(b)(2)**  
**FELONY**  
**10 YEARS**  
**DISTRICT COURT**

**\*2\_2510\***

**\*\*ISSUE COUNTERFEIT ORDER\*\***

...did knowingly [issue/publish/pass] a counterfeited order for the [payment of money/delivery of goods/delivery of valuable articles] to wit: \_\_\_\_\_ (describe document) with the intent to defraud.

**CR 8-609(b)(3)**  
**FELONY**  
**10 YEARS**  
**DISTRICT COURT**

**\*2\_2520\***

**\*\*OBTAIN GOODS, MONEY-FORGERY\*\***

...did knowingly and fraudulently obtain [money/goods], to wit: \_\_\_\_\_ (describe items or state amount of money) by means of a counterfeited document, to wit: \_\_\_\_\_ (describe document).

NOTE: The documents referred to in CR 8-609 are defined as any warrant, letter, paper, writing, or order for payment of money or delivery of goods or other valuables. If in doubt consult the State's Attorney's Office.

**CR 8-610(b)(1)**  
**MISDEMEANOR**  
**2 YEARS**

**\*2\_2502\***

**\*\*FORGERY-PRESCRIPTION\*\***

...did knowingly [counterfeit/cause or procure to be counterfeited did willingly aid or assist in counterfeiting] a \_\_\_\_\_ (describe prescription or other order of practitioner) purporting to have been made by a duly licensed practitioner for \_\_\_\_\_ (name drug, prescription medication, or alcoholic beverage).

**CR 8-610(b)(2)**  
**MISDEMEANOR**  
**2 YEARS**

**\*2\_0262\***

**\*\*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\_2530\***

**\*\*POSSESS FORGED PRESCRIP\*\***

...did [issue/pass/possess] counterfeited \_\_\_\_\_ (describe  
 prescription or other practitioner's order) for \_\_\_\_\_ (name drug  
 or prescription medication), knowing it to be counterfeit.

**CR 8-610(b)(3)**  
**MISDEMEANOR**  
**2 YEARS**

**\*1\_0180\***

**\*\*OBTAIN DRUG BY FRAUD\*\***

...did obtain or attempt to obtain a prescription drug, to wit: \_\_\_\_  
 (name drug) by [fraud/deceit/misrepresentation].

## Trademark Counterfeiting

**CR 8-611(b)**  
**FELONY**  
**\$10,000.00 - 10 YEARS**  
**DISTRICT COURT**

\*1\_1385\*

**\*\*COUNTERFEIT TRADEMARK/\$1500+**

...willfully did [manufacture/produce/display/advertise/offer for sale/sell/possess] with the intent to [sell/distribute] [goods/services], to wit: \_\_\_\_\_ (describe), having a value of \$1,000.00 or more, knowing the said [good/service] were [bearing/identified] by a counterfeit mark.

**CR 8-611(b)**  
**MISDEMEANOR**  
**\$1,000.00 – 1 YEAR**

\*1\_1386\*

**\*\*COUNTERFEIT TM/UNDER \$1500**

...willfully did [manufacture/produce/display/advertise/offer for sale/sell/possess] with the intent to [sell/distribute] [goods/services], to wit: \_\_\_\_\_ (describe), having a value of under \$1,000.00, knowing the said [good/service] were [bearing/identified] by a counterfeit mark.

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**

**\*3\_2502\***

**\*\*FORGERY-TICKETS/COUPON ETC.\*\***

...[did/did cause to be/did aid in/did assist in]  
[counterfeit/counterfeited/counterfeiting/issue/ issued/issuing] a  
token without the authority of the person who lawfully  
[issued/sold/gave away] the token.

**CR 8-612(b)(2)**  
**MISDEMEANOR**  
**1 YEAR**

**\*3\_2510\***

**\*\*UTTER FORGED TICKET, ETC.\*\***

...did knowingly [issue/pass] a token [that was  
counterfeited/that was issued without the permission of the  
person who lawfully issues,sells, or gives away the token].

NOTE: CR 8-612 refers to tickets, coupons, coins, slugs, discs,  
tokens, or other items designed to be used to gain admission to,  
enter, or pass through, over, or into any place, activity, ride,  
bridge, etc.

**Unlawful Operation/Vending or Slot Machine;  
Coin Box, Telephone, Etc.**

**CR 8-613  
MISDEMEANOR  
\$500.00 - 3 MONTHS**

**\*1\_2505\***

**\*\*FORGERY-VEND/OPER DEVICE\*\***

...did [operate/cause to be operated/attempt to operate] a \_\_\_\_\_  
[machine/or device] designed to receive lawful coin of the  
United States, by inserting therein \_\_\_\_\_ (type of device)  
without the consent of the [owner/licensee].

**Manufacture, Etc. of Slugs, Etc.**

**CR 8-613(b)(3)  
MISDEMEANOR  
\$500.00 - 3 MONTHS**

**\*2\_2505\***

**\*\*FORGERY-MF/SELL SLUGS\*\***

...did [manufacture for sale/sell/give away] a [slug/ device]  
intended to be deposited in a vending machine \_\_\_\_\_ (choose  
from below).

1. with intent to defraud the [owner/lessee/licensee/person  
entitled to the contents] of the vending machine.
2. and knew that the [slug/device] is intended for unlawful use.

**CR 8-701  
MISDEMEANOR  
7 YEARS**

**\*1\_2700\***

**\*\*EMBEZZLE ETC-WRITINGS ETC\*\***

...did [wilfully/corruptly] [embezzle/steal/withdraw/impair/distroy/alter] a [will/codicil/patent/deed/assignment of patent/writ of administration/review/record], with the intent to [defeat/injure/alter] the [estate/right] of \_\_\_\_\_ (name).

NOTE: See CR 8-701(b) minimum penalty of 3 years imprisonment if convicted.

NOTE: One may have a right under a will without being a beneficiary under an estate.

**Destroying/Secreting Will**

**CR 8-702(a)(1)(2)  
MISDEMEANOR  
15 YEARS**

**\*2\_2700\***

**\*\*WILL DESTROY/SECRETE\*\***

...did, having been entrusted with the [will/codicil] of \_\_\_\_\_, [destroy such will/wilfully secrete such will for 6 months after having obtained knowledge of the death of \_\_\_\_\_(name)].

**CR 8-801(b)  
MISDEMEANOR  
\$500.00 – 1 YEAR**

**\*1\_1387\***

**\*\*OBT PROP OF VUL ADULT - L/T \$1,500\*\***

... did with intent to deprive, knowingly and willfully obtain by [deception/intimidation/undue influence], \_\_\_\_\_(describe property) , having a value less than \$1,500 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 benefiting from the estate of victim to the extent provided in CR 8-801(e).

**CR 8-801(b)**  
**FELONY**  
**DISTRICT COURT**  
**\$10,000.00 - 5 YEARS**

\*1\_1388\*

**\*\*OBT PROP OF VUL ADULT- \$1500 -<\$25K\***

... did with intent to deprive, knowingly and willfully obtain by [deception/intimidation/undue influence], \_\_\_\_\_ (describe property) , having a value of \_\_\_\_\_ (amount), at least \$1,500 but less than \$25,000 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 benefiting from the estate of victim to the extent provided in CR 8-801(e).

**CR 8-801(b)**  
**FELONY**  
**DISTRICT COURT**  
**\$15,000.00 - 10 YEARS**

\*1\_1389\*

**\*\*OBT PROP VUL ADULT-\$25K 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 \$25,000 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 benefiting from the estate of victim to the extent provided in CR 8-801(e).

**CR 8-801(b)**  
**FELONY**  
**DISTRICT COURT**  
**\$25,000.00 - 20 YEARS**

**\*1\_1390\***

**\*\*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 benefiting from the estate of victim to the extent provided in CR 8-801(e).

**CR 8-904**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**

**\*3\_2600\***

**\*\*FRAUD-RACE HORSE NAME\*\***

...did knowingly [enter/race] a horse in a [running/trotting] race under a name other than that assigned and registered to that horse by the [Jockey Club/U.S. Trotting Association].

**Pari-Mutuel Tickets Counterfeit or Altered**

**CR 8-905**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

**\*1\_2503\***

**\*\*FRAUD-PARI MUTUEL TICKETS\*\***

...did knowingly [present/give to \_\_\_\_\_ , to present] a [counterfeit/altered] pari-mutuel ticket for payoff.

**PERJURY**

General Note: In all of the following sections where the selection between oath and affirmation is offered, an oath is a swearing, by whatever form. An affirmation is used by Quakers and other persons who have conscientious scruples against taking an oath, who are therefore allowed to make affirmation in any mode which they may declare to be binding upon their conscience. Commissioners should generally use the word "oath" unless clearly otherwise indicated. In any instance in which the affidavit or transcript says "swear and affirm," or words to that effect, Commissioners may use the words "oath and affirmation" or "affidavit and affirmation." without having to choose between the two unless otherwise clearly indicated.

**CR 9-101(a)(1)**  
**MISDEMEANOR**  
**10 YEARS**

\*1\_5003\*

**\*\*PERJURY: WITNESS IN COURT\*\***

...did, on examination as a witness, duly sworn to testify in \_\_\_\_\_ [name, court and case/proceeding in which testimony was given], which said [Court/\_\_\_\_ (other person administering the oath)] had authority to administer such oath, unlawfully and falsely swear \_\_\_\_\_

\_\_\_\_\_ (brief statement of allegedly false testimony), the matters so sworn being material, and said testimony being wilfully corrupt and false.

**CR 9-101(a)(2)**  
**MISDEMEANOR**  
**10 YEARS**

\*1\_0307\*

**\*\*PERJURY/AFFID REQ BY LAW\*\***

...did, in an affidavit required by law to be taken, to wit: \_\_\_\_\_ (state law by Article and Section, or describe affidavit by title or purpose), wilfully and falsely make an [oath/affirmation] that \_\_\_\_\_ (brief statement of allegedly false statement), the matters so sworn being material.

**CR 9-101(a)(3)**  
**MISDEMEANOR**  
**10 YEARS**

\*1\_0308\*

**\*\*PERJURY/AFFID INDUCE COURT\*\***

...did willfully and falsely make an [oath/affirmation] in an affidavit to an [account/claim] for \_\_\_\_\_ [subject or amount of account or claim] made for the purpose of inducing \_\_\_\_\_ [name court or officer] to pass the [account/claim], to wit: \_\_\_\_\_ [brief statement of allegedly false statement], the matters so sworn being material.

**CR 9-101(a)(4)**  
**MISDEMEANOR**  
**10 YEARS**

\*1\_0309\*

**\*\*PERJURY/AFFID REQD BY GOV\*\***

...did willfully and falsely make an [oath/affirmation] in an affidavit required by [State/Federal/Local Government/Government Official] of \_\_\_\_\_ (name of entity), to wit: \_\_\_\_\_ (brief statement of falsehood), the matters so sworn being material.

**CR 9-101(a)(5)**  
**MISDEMEANOR**  
**10 YEARS**

**\*1\_0310\***

**\*\*PERJURY/AFFID REQD MD RULE\*\***

...did willfully and falsely make an [oath/affirmation] in an [affidavit/affirmation] made pursuant to [Maryland Rule of Procedure # \_\_\_\_/Maryland District Rule # \_\_\_\_], to wit: \_\_\_\_ (brief statement of falsehood), the matters so sworn being material.

**Contradictory Statements**

**CR 9-101(c)**  
**MISDEMEANOR**  
**10 YEARS**

**\*2\_5003\***

**\*\*PERJURY 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\_5004\*

**\*\*PERJURY: SUBORNATION OF\*\***

...did procure \_\_\_\_ (name) to make a false [oath/affirmation] that \_\_\_\_ (state nature of falsehood) [in an affidavit dated \_\_\_\_/in sworn testimony before \_\_\_\_ (court, grand jury, oath taken at deposition, hearing board, etc.)] in the matter of \_\_\_\_ (state name, nature, or purpose of affidavit, or name of court case), the matters so sworn being material.

**BRIBERY; OBSTRUCTING JUSTICE**

### Public Employee

**CR 9-201(b)  
MISDEMEANOR  
\$10,000.00 - 12 YEARS**

\*1\_1437\*

**\*\*BRIBE/ATT PUBLIC EMPLOYEE\*\***

...did [bribe/attempt to bribe] \_\_\_\_ (name of public employee) for the purpose of influencing him/her in his/her capacity as \_\_\_\_ (position held).

NOTE: See CR 9-201(d) regarding minimum penalty of 2 years and/or \$1000 if convicted.

\*See CR 9-201 for complete list of eligible parties.

**CR 9-201(c)**  
**MISDEMEANOR**  
**\$10,000.00 - 12 YEARS**

**\*1\_1438\***

**\*\*BRIBE/DEMAND/RECEIVE PUBL EMP\*\***

did as a public employee, [demand/receive] a  
 [bribe/fee/reward/testimonial] to \_\_\_\_\_ (choose from below).

1. influence the performance of [his/her] official duties.
2. [neglect/fail to perform] [his/her] official duties.

NOTE: See CR 9-201(d) for minimum penalty of 2Y-\$1000 if convicted.

\*See CR 9-201 for complete list of eligible parties.

**CR 9-202**  
**MISDEMEANOR**  
**6 YEARS**

**\*2\_5100\***

**\*\*BRIBE A JUROR\*\***

...did [bribe/attempt to bribe] \_\_\_\_\_ (name), a juror, to take  
 \_\_\_\_\_ (describe gain or profit) for the rendering of [his/her]  
 verdict in the case of \_\_\_\_\_ (state case).

NOTE: See CR 9-202(c)(1) for minimum penalty of 18 months if convicted.

**Embracery-Acceptance of Bribe By Juror**

**CR 9-202**  
**MISDEMEANOR**  
**6 YEARS**

**\*2\_5110\***

**\*\*JUROR/TAKE BRIBE\*\***

...did, being a juror in the case of \_\_\_\_\_ (state case), take  
 \_\_\_\_\_ (describe gain or profit) for rendering his/her verdict in  
 said case.

**Bribery, etc. of Voter**

**CR 9-203(1)**  
**MISDEMEANOR**  
**\$500.00 - 6 MONTHS**

**\*1\_5104\***

**\*\*BRIBE A VOTER\*\***

...did bribe \_\_\_\_\_ (name) for the purpose of securing [his/her] vote and ballot at the election of \_\_\_\_\_ (date).

**CR 9-203(a)(2)**  
**MISDEMEANOR**  
**\$500.00 - 6 MONTHS**

**\*1\_5106\***

**\*\*KEEP PLACE/GRAT LIQ: ELECT\*\***

...did [keep/suffer to be kept] \_\_\_\_\_ (place) for the purpose of providing alcoholic beverages gratuitously to voters on \_\_\_\_\_ (date), an election day during which times the polls were open.

**CR 9-204**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**

\*1\_5100\*

**\*\*BRIBE/ATT ATHLETIC CONTEST\*\***

...did [bribe/attempt to bribe] \_\_\_\_\_ (name) \_\_\_\_\_ (capacity)  
 for the purpose of influencing the outcome of an athletic  
 contest.

NOTE: See CR 9-204(b) regarding minimum penalty of 6  
 months and/or \$100 if convicted.

NOTE: The statute requires that the bribee be a person  
 participating in or connected with the athletic contest. The  
 bribee's "capacity" should briefly describe his/her connection to  
 the contest, as in "player," "coach," "stadium official," "trainer,"  
 "referee," etc.

NOTE: The venue of this offense lies in any jurisdiction where  
 the bribe was attempted or received. The athletic event does not  
 have to be in the same County or Baltimore City, but it does  
 have to be in Maryland. This section does not cover athletic  
 events outside the State.

**CR 9-205**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**

\*2\_5103\*

**\*\*ATHLETIC CNTST ACCPT BRIBE\*\***

...did accept a bribe in defendant's capacity as \_\_\_\_\_ (capacity)  
 from \_\_\_\_\_ (name) for the purpose of altering the outcome of  
 an athletic contest.

NOTE: The statute requires that the bribee be a person  
 participating in or connected in any way with the athletic  
 contest. The bribee's "capacity" should briefly describe his or  
 connection to the contest, as in "player," "coach," "stadium  
 official," "trainer," "referee," etc.

**CR 9-302(a)**  
**MISDEMEANOR**  
**\$5,000.00 - 10 YEARS**

\*1\_1565\*

**\*\*INDUCE/INHIBIT TESTIMONY\*\***

... did [harm/threaten to harm/damage or destroy property of] \_\_\_\_ (name) with intent to \_\_\_\_ [influence/induce] [victim/witness] to [testify falsely/withhold testimony/induce/avoid service of subpoena or summons to testify/be absent from official proceeding to which he/she has been subpoenaed or summoned/not to report the existence of facts related to a crime or delinquent act].

**CR 9-302(a)**  
**FELONY**  
**20 YEARS**  
**PRELIMINARY HEARING**

\*1\_0355\*

**\*\*INDUCE INHIBIT TESTIMONY - FELONY OFF\*\***

... did [harm/threaten to harm/damage or destroy property of] \_\_\_\_ (name) with intent to \_\_\_\_ [influence/induce] [victim/witness] to [testify falsely/withhold testimony/induce/avoid service of subpoena or summons to testify/be absent from official proceeding to which he/she has been subpoenaed or summoned/not to report the existence of facts related to a crime or delinquent act], the offense being [a felonious violation of Title 5/the commission of a crime of violence as described under CR 14-101].

**CR 9-302(b)**  
**MISDEMEANOR**  
**\$5,000.00 - 10 YEARS**

\*1\_1566\*

**\*\*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**

\*1\_0655\*

**\*\*SOL/CON-INDUCE/INHIB TESTIMONY - FELONY\*\***

...did [solicit \_\_\_\_ (name)/conspire with \_\_\_\_ (name)] to [harm/threaten to harm another/damage or destroy property of] \_\_\_\_ (name) with intent to \_\_\_\_ [influence victim or witness to testify falsely or 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 - 10 YEARS**

\*1\_1567\*

**\*\*RETALIATE - WITNESS\*\***

...did intentionally [harm/threaten to harm/damage or destroy property] with the intent of retaliating against \_\_\_\_ (name) a victim or witness for [giving testimony in an official proceeding/reporting a crime or delinquent act].

**CR 9-303**  
**FELONY**  
**20 YEARS**  
**PRELIMINARY HEARING**

\*1\_0357\*

**\*\*RETALIATE-WITNESS-FELONY OFF\*\***

...did intentionally [harm/threaten to harm/damage or destroy property] with the intent of retaliating against \_\_\_\_ (name) [a victim or witness for [giving testimony in an official proceeding/reporting a crime or delinquent act], the offense being a felonious violation of Title 5, or the commission of a crime of violence as described under CR 14-101.

**\*\*NOTE:** This applies to conspiracy or solicitation to commit such a crime.

**CR 9-303 (a)(2)**  
**MISDEMEANOR**  
**\$5,000 – 10 YEARS**

\*1\_1568\*

**\*\*HARM/THREAT/DAMAGE JUROR\*\***

... did intentionally [harm\_\_\_\_(name)/threaten to harm(name)/damage the property of (name)/destroy the property of \_\_\_\_ (name)] with intent of retaliate against said person for a reason relating to the performance of [his/her] official duties as a juror in a [pending/completed] case in \_\_\_\_ court in MD or US.

**CR 9-303 (a)(2)**  
**MISDEMEANOR**  
**\$5,000 – 10 YEARS**

\*1\_1570\*

**\*\* HARM/THREAT/DMGE OF CR OF COURT \*\***

... did intentionally [harm \_\_\_\_ (name)/threaten to harm(name)/damage the property of (name)/destroy the property of \_\_\_\_ (name)] with intent of retaliate against said person for a reason relating to the performance of [his/her] official duties as an officer of the court in a [pending/completed] case in \_\_\_\_ (describe court in MD or US).

**CR 9-305(a)**  
**MISDEMEANOR**  
**\$5,000.00 - 10 YEARS**

\*1\_1571\*

**\*\*INTIMIDATE/INFLUENCE JUROR\*\***

... did by [corrupt means/threat/force] try to [influence/intimidate/impede] \_\_\_\_ (name), a [juror/witness/court officer], in the discharge of [his/her] official duty.

**CR 9-305(a)**  
**FELONY**  
**20 YEARS**  
**PRELIMINARY HEARING**

\*1\_0359\*

**\*\*INTIMIDATE/INFLUENCE JUROR-FELONY OFF\*\***

..... did by [corrupt means/threat/force] try to [influence/intimidate/impede] \_\_\_\_ (name), a [juror/witness/court officer], in the performance of [his/her] official duty, the offense being [a felonious violation of Title 5/ a crime of violence as described under CR 14-101.

**NOTE: This applies to conspiracy or solicitation to commit such a crime.**

**CR 9-305(b)**  
**MISDEMEANOR**  
**\$5,000.00 - 10 YEARS**

\*1\_1572\*

**\*\*SOLICIT INTIMIDATE JUROR\*\***

...did solicit \_\_\_\_\_ (name) to, by [corrupt means/threat/force], try to [influence/ intimidate/impede] \_\_\_\_\_ (name), a [juror/witness/ court officer], in the discharge of [his/her] duty.

**CR 9-305(b)**  
**FELONY**  
**20 YEARS**  
**PRELIMINARY HEARING**

\*1\_0363\*

**\*\*SOLICIT INTIMIDATE JUROR-FELONY OFF\*\***

...did solicit \_\_\_\_\_ (name) to, by [threat/force/corrupt means] try to [influence/intimidate/impede] \_\_\_\_\_ (name), a [juror/witness/ court officer], in the discharge of [his/her] duty, in connection with a proceeding involving [a felonious violation of Title 4/a crime of violence as described under CR 14-101].

**\*\*NOTE:** This applies to a conspiracy or solicitation to commit such a crime.

**CR 9-306**  
**MISDEMEANOR**  
**\$10,000.00 - 5 YEARS**

\*2\_5006\*

**\*\*OBSTRUCT JUSTICE\*\***

...did, by [threat/force/corrupt means] [obstruct/impede/try to obstruct/try to impede] the administration of justice in \_\_\_\_\_ (name court in State and case number if available).

**CR 9-307 (a)**  
**MISDEMEANOR**  
**\$5,000.00 – 3 YEARS**

\*1\_1332\*

**\*\*ALTER PHYS EVIDENCE CRIM PROC\*\***

...did [destroy/alter/conceal/remove] physical evidence to wit: \_\_\_\_\_ (describe) that [he/she] believes may be used in a [pending/future] official proceeding with the intent to impair the [verity/availablity] of the physical evidence in the official proceeding.

NOTE: "Official proceeding" includes a criminal trial, a hearing related to a criminal trial or adjudicatory hearing, a grand jury proceeding, and any other proceeding that is part of a criminal action or juvenile delinquency case.



**CR 9-307 (b)**  
**MISDEMEANOR**  
**\$5,000.00 – 3 YEARS**

\*1\_1333\*

**\*\*FABRICATE PHYS EVID CRIM PROC\*\***

...did fabricate physical evidence to wit: \_\_\_\_\_ (name) in order to impair the verity of the physical evidence with the intent to deceive and that the fabricated physical evidence be introduced in a [pending/future] official proceeding.

NOTE: "Official proceeding" includes a criminal trial, a hearing related to a criminal trial or adjudicatory hearing, a grand jury proceeding, and any other proceeding that is part of a criminal action or juvenile delinquency case.

**CR 9-307 (c)**  
**MISDEMEANOR**  
**\$5,000.00 – 3 YEARS**

\*1\_1334\*

**\*\*INTRO PHYS EVID CRIM PROC\*\***

...did introduce physical evidence in an official proceeding knowing that the evidence has been [altered/fabricated] with the intent to deceive in order to impair the verity of the physical evidence.

NOTE: "Official proceeding" includes a criminal trial, a hearing related to a criminal trial or adjudicatory hearing, a grand jury proceeding, and any other proceeding that is part of a criminal action or juvenile delinquency case.

**CR 9-402**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

\*1\_4904\*

**\*\*HARBOR/FLEEING FELON\*\***

... did knowingly harbor \_\_\_\_\_, a fugitive, with the intent to prevent [his/her] [discovery/arrest] , after notice that harboring that person was a crime, and after notice that a felony warrant had been issued for that person's arrest.

**CR 9-402(c)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

**\*1\_0232\***

**\*\*HARBOR FELON/FUGITIVE\*\***

...did knowingly harbor \_\_\_\_, a person avoiding [prosecution for/custody/confinement after conviction of] a felony.

NOTE: "Fugitive" means an individual for whose arrest a felony warrant has been issued. This section does not apply when the warrant is for a traffic offense.

NOTE: Required Notification: That a felony warrant has been issued for the arrest of the fugitive and that harboring a fugitive is a crime.

NOTE: CR 9-401(g) - DEFINITIONS

"PLACE OF CONFINEMENT" means:

- (i ) correctional facility;
- (ii) A facility of the Department of Health and Mental Hygiene;
- (iii) Any other facility in which a person is confined under color of law.
- (iv) A privately operated, hardware secure 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\_4904\***

**\*\*HARBORING-PRISON ESCAPEE\*\***

...did wilfully and knowingly harbor \_\_\_\_, a person imprisoned for a felony, after his escape from the custody of \_\_\_\_ (name facility or place of confinement), knowing and having received notice that the person has escaped and after notice that harboring that person was a punishable offense.

NOTE: "Harbor" includes offering a fugitive :

1. concealment, (hiding, secreting or keeping out of sight);
2. lodging;
3. care after concealment; or
4. obstruction of the efforts of the authorities to effect the arrest of a fugitive.

"Harbor" does not include the failure to reveal the whereabouts of a fugitive by a person who did not assist in the fugitive's efforts to elude arrest.

**CR 9-404(a)**  
**FELONY**  
**\$20,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**  
**RELEASE RESTRICTION**

**\*2\_1010**

**\*\*ESCAPE - FIRST DEGREE \*\***

...did knowingly escape from \_\_\_\_\_, a place of confinement.

NOTE: Flight from courtroom not escape prior to incarceration  
 (Boffen v. State 2003)

**CR 9-404(b)**  
**FELONY**  
**\$20,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**

**\*1\_0615\***

**\*\*1ST DEGREE ESCAPE JUVENILE CONFINEMENT PROGRAM\*\***

...did escape from [a detention center for juveniles/a facility for juveniles listed in HU 9-226(b) /a place identified in a juvenile community detention order/a privately operated, hardware secure facility for juveniles committed to the Department of Juvenile Services] located at \_\_\_\_\_, and did in the course of the escape commit an assault.

NOTE: See HU 9-226 for place of confinement.

NOTE: CR 9-401 (f) – “Hardware Secure Facility” means a facility that is securely locked or fenced to prevent escape.

**CR 9-405(a)(1)**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**

**\*2\_1020\***

**\*\*ESCAPE - SECOND DEGREE\*\***

...having been lawfully arrested, did knowingly depart from custody at \_\_\_\_\_, without the authorization of a [law enforcement/judicial] officer.

**CR 9-405(a)(2)**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**

**\*2\_1025\***

**\*\*ESCAPE - SECOND DEGREE\*\***

...did knowingly fail to obey a court order to report to \_\_\_\_\_, a place of confinement.

NOTE: Applies to temporary release or home detention.

**CR 9-405(a)(3)(i)(ii)**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**

**\*2\_1030\***

**\*\*ESCAPE - SECOND DEGREE\*\***

...did escape from \_\_\_\_\_ (choose from below), located at \_\_\_\_\_.

1. [a detention center for juveniles/ a facility for juveniles listed in HU 9-226(b)]
2. [a place identified in a home [detention order/agreement]
3. a place identified in a juvenile community detention order
4. a privately operated, hardware secure facility for juveniles committed to the department of juvenile services.

NOTE: If escape from a location listed in an option above and no assault involved, the charge of escape in the second degree is appropriate.

NOTE: IN CR 9-410 "PLACE OF CONFINEMENT" DOES NOT INCLUDE A PLACE IDENTIFIED IN A HOME DETENTION ORDER OR AGREEMENT.

NOTE: CR 9-401 (f) – “Hardware Secure Facility” means a facility that is securely locked or fenced to prevent escape.

**CR 9-405(b)(2)**  
**MISDEMEANOR**  
**\$5000.00 - 3 YEARS**

\*1\_0766\*

**\*\*ESCAPE-2ND DEG-COND OF RELS\*\***

... did knowingly \_\_\_\_\_ (choose from below)

- i. violate a restriction on movement imposed under the terms of a [temporary release/pretrial commitment/custodial confinement/home detention order/home detention agreement].
- ii. fail to return to a place of confinement under the terms of a [temporary release/pretrial commitment/custodial confinement/home detention order/home detention agreement].
- iii. [remove/block/deactivate/tamper with] a monitoring device required to be [worn/carried by] \_\_\_\_\_ (name), to track [his/her] location.

**CR 9-408(b)**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**

\*1\_0600\*

**\*\*RESIST/INTERFERE WITH ARREST\*\***

...did intentionally [resist/interfere with] a lawful arrest.

**CR 9-412(a)(1)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**

\*2\_1080\*

**\*\*CONTRABAND DELIVERY\*\***

...did deliver contraband to wit \_\_\_\_\_ (item) to  
 \_\_\_\_\_ (person) who was [detained at/confined in]  
 \_\_\_\_\_ (place of confinement).

**CR 9-412(a)(2)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**

**\*2\_1085\***

**\*\*CONTRABAND POSS W/I DEL\*\***

...did possess contraband to wit \_\_\_\_\_ (item) with the intent to deliver to \_\_\_\_\_ (person) who was [detained at/confined in] \_\_\_\_\_ (place of confinement).

**CR 9-412(a)(3)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**

**\*1\_1835\***

**\*\*POSSESS CONTRABAND PLACE OF CONFINEMENT\*\***

... did knowingly possess contraband, to wit \_\_\_\_\_ (name item) in \_\_\_\_\_ (name of facility), a place of confinement.

**CR 9-413(a)(1)**  
**FELONY**  
**\$5,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**

**\*2\_1060\***

**\*\*CONTRABAND - ESCAPE - DELIVER\*\***

...did deliver contraband: to wit \_\_\_\_\_ (item) to \_\_\_\_\_ (person) [detained at/confined in] \_\_\_\_\_ (place) with the intent to effect an escape.



**CR 9-413(a)(2)**  
**FELONY**  
**\$5,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**

**\*2\_1065\***

**\*\*CONTRABAND - ESCAPE - POSSESS\*\***

...did possess contraband: to wit \_\_\_\_\_ (item) with  
the intent to deliver to \_\_\_\_\_ (person) [detained  
at/confined in] \_\_\_\_\_ (place) to effect an escape.

**CR 9-413(a)(3)**  
**FELONY**  
**\$5,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**

**\*2\_1070\***

**\*\*CONTRABAND - ESCAPE - CONCEAL\*\***

...did [deposit/conceal] contraband: to wit  
\_\_\_\_\_ (item) [in/about/on land appurtenant to]  
\_\_\_\_\_, a place of confinement, to effect an escape.

**CR 9-413(a)(4)**  
**FELONY**  
**\$5,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**

**\*2\_1075\***

**\*\*POSS/REC CONTRABAND - ESCAPE**

... did knowingly [possess/receive] contraband: to wit  
\_\_\_\_\_ (item) while [detained at/ confined in]  
\_\_\_\_\_ to effect an escape.

**CR 9-414(a)(1)**  
**FELONY**  
**\$5,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**

**\*2\_1035\***

**\*\*CONTRABAND - DELIVER WEAPON\*\***

...did deliver a weapon to  
 \_\_\_\_\_(name)[detained/confined] in  
 \_\_\_\_\_(place of confinement).

**CR 9-414(a)(2)**  
**FELONY**  
**\$5,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**

**\*2\_1040\***

**\*\*CONTRABAND - POSSESS WEAPON\*\***

...did possess \_\_\_\_\_ a weapon, with intent to  
 deliver to \_\_\_\_\_(person) [detained at/confined in]  
 \_\_\_\_\_(place of confinement).

**CR 9-414(a)(3)**  
**FELONY**  
**\$5,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**

**\*2\_1045\***

**\*\*CONTRABAND - CONCEAL WEAPON\*\***

...did [deposit/conceal] a weapon to wit: \_\_\_\_\_  
 [in/about/on land appurtenant to] a place of confinement, to  
 effect an escape.

**CR 9-414(a)(4)**  
**FELONY**  
**\$5,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**

**\*2\_1055\***

**\*\*POSS/REC WEAPON WHILE CONF/DET\*\***

...did knowingly [possess/receive] a weapon: to wit  
 \_\_\_\_\_ (name weapon) while [detained at/confined  
 in] \_\_\_\_\_ (place of confinement).

NOTE: For the purpose of this section and the following sections "Contraband" is defined as any item, material, substance or other thing of value that is not authorized for inmate possession or is brought into the correctional facility in a prohibited manner.

**CR 9-415(b)(1)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**

**\*2\_1090\***

**\*\*ALCOHOLIC BEV - DELIVER\*\***

...did deliver an alcoholic beverage to wit  
 \_\_\_\_\_ (item) to \_\_\_\_\_ (person) who  
 was [detained at/confined in] \_\_\_\_\_ (place of  
 confinement).

**CR 9-415(b)(2)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**

**\*2\_1092\***

**\*\*ALCOHOLIC BEV - POSS W/I DEL\*\***

...did possess an alcoholic beverage to wit \_\_\_\_\_  
 (item) with the intent to deliver to \_\_\_\_\_ (person)  
 who was [detained at/confined in] \_\_\_\_\_ (place of  
 confinement).

NOTE: This subsection does not apply to an alcoholic beverage  
 delivered or possessed in a manner authorized by the managing  
 official.

**CR 9-415(c )**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**

**\*1\_0724\***

**\*\*POSS/REC ALCOHOL WHILE CONF/DET\*\***

... did knowingly [possess/receive] an alcoholic beverage while  
 [detained/confined] at \_\_\_\_\_ (name place), a place of  
 confinement.

**CR 9-416(a)(2)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**

**\*2\_1097\***

**\*\*CDS -POSS W/I DEL CONFINEMENT\*\***

...did possess controlled dangerous substance to wit  
 \_\_\_\_\_ (item) with the intent to deliver to  
 \_\_\_\_\_ (person) who was [detained at/confined in]  
 \_\_\_\_\_ (place of confinement).

**CR 9-416(b)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**

**\*1\_0718\***

**\*\*POSS/REC CDS WHILE CONF/DET\*\***

... did [possess/receive] a controlled dangerous substance, to wit: \_\_\_\_\_ (substance) while [detained/confined] in \_\_\_\_\_ (facility), a place of confinement.

**CR 9-416(b)(1)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**

**\*2\_1095\***

**\*\*CDS - DELIVER - CONFINEMENT\*\***

...did deliver a controlled dangerous substance to wit:

\_\_\_\_\_ (item) to \_\_\_\_\_ (person) who was [detained at/confined in] \_\_\_\_\_ (place of confinement).

NOTE: A sentence imposed under this section may be separate from and consecutive to or concurrent with a sentence for any offense based on the act establishing the offense under this section.

**CR 9-417(a)(1)**  
**MISDEMEANOR**  
**\$3,000.00 – 5 YEARS**

\*1\_1327\*

**\*\*DELIVER TELECOMMUNICATION DEV\*\***

... did deliver \_\_\_\_\_ (device), a [telecommunication device/telecommunication device charger/SIM card] to \_\_\_\_\_ (name) while [detained/confined] in \_\_\_\_\_ (facility) where signs are posted that indicate such conduct is prohibited.

NOTE: This charge does not apply to a work release or prerelease program in Montgomery County established under CS 11-717.

**CR 9-417(a)(2)**  
**MISDEMEANOR**  
**\$3,000.00 – 5 YEARS**

\*1\_1328\*

**\*\*POSS TELECOM W/INT DEL\*\***

... did possess \_\_\_\_\_ (device), a [telecommunication device/telecommunication device charger/SIM card] with the intent to deliver it to \_\_\_\_\_ (name) while [he/she] was [detained/confined] in \_\_\_\_\_ (facility) where signs are posted that indicate such conduct is prohibited.

NOTE: This charge does not apply to a work release or prerelease program in Montgomery County established under CS 11-717.

**CR 9-417(a)(3)**  
**MISDEMEANOR**  
**\$3,000.00 – 5 YEARS**

\*1\_1329\*

**\*\*DEPOSIT TELECOM W/INT OBT\*\***

... did [deposit/conceal] \_\_\_\_\_ (device), [telecommunication device/telecommunication device charger/SIM card] [in/about] [\_\_\_\_\_ (facility)/property appurtenant \_\_\_\_\_ (facility)] with the intent that the device be obtained by \_\_\_\_\_ (name) while [he/she] was [detained/confined] in \_\_\_\_\_ (facility) where signs are posted that indicate such conduct is prohibited.

NOTE: This charge does not apply to a work release or prerelease program in Montgomery County established under CS 11-717.

**CR 9-417(a)(4)**  
**MISDEMEANOR**  
**\$3,000.00 – 5 YEARS**

**\*1\_1330\***

**\*\*POSS/REC TELECOM DEV\*\***

... did knowingly [possess/receive] \_\_\_\_\_ (device), a [telecommunication device/telecommunication device charger/SIM card] while [detained/confined] in \_\_\_\_\_ (facility).

NOTE: A sentence imposed under CR 9-417(a)(4) shall be consecutive to any sentence that the person was serving at the time of the crime or that had been imposed but was not yet being served at the time of sentencing.

NOTE: This charge does not apply to a work release or prerelease program in Montgomery County established under CS 11-717.

**CR 9-501**  
**MISDEMEANOR**  
**\$500.00 - 6 MONTHS**

**\*1\_0207\***

**\*\*FLSE STMNT TO OFFICER CAUSE\*\***

...did cause to be made a false [statement/report/complaint] to \_\_\_\_\_ (name), a peace officer, knowing the same to be false, with the intent to deceive and with the intent to cause [an investigation/other action to be taken to wit \_\_\_\_\_].

**CR 9-501**  
**MISDEMEANOR**  
**\$500.00 - 6 MONTHS**

**\*1\_4803\***

**\*\*FALSE STATEMENT TO OFFICER\*\***

...did make a false [statement/report/complaint] to \_\_\_\_\_, a peace officer, knowing the same to be false, with the intent to deceive and with the intent to cause an investigation or other action to be taken.

**CR 9-502**  
**MISDEMEANOR**  
**\$500.00 - 6 MONTHS**

**\*1\_0690\***

**\*\*FALSE STMT TO PEACE OFFICER\*\***

...did upon arrest, knowingly and with the intent to deceive, make a false statement to a peace officer concerning [his/her] [identity/address/date of birth].

NOTE: Peace Officer includes any peace or police officer of the State, of any county, city or other political subdivision of the State and of the Maryland National Capital Park and Planning Police.

**To Officials/Agencies of State or Subdivisions**

**CR 9-503**  
**MISDEMEANOR**  
**\$500.00 - 6 MONTHS**

**\*1\_5099\***

**\*\*FALSE STMT STATE OFFICIAL\*\***

...did [make/cause to be made] a false [report/statement] of the [commission of a crime/existence of a condition imminently dangerous to public health and safety] to \_\_\_(official/agency), knowing the same to be false and with the intent that the said [official/agency] [investigate/consider/take action] in connection with such [statement/report].



### **Statement/Rumor As to Destructive Device**

**CR 9-504(b)**

**FELONY**

**\$10,000.00 - 10 YEARS**

**PRELIMINARY HEARING**

**\*1\_5300\***

**\*\*FALSE STMT-DESTRUCTIVE DEV\*\***

... did, knowing the same to be false and with the intent that it be acted upon, [circulate/transmit] to: \_\_\_\_\_ (describe other person or persons) a [statement/rumor] concerning the [location of a destructive device/possible detonation of a destructive device/location of a the release of toxic material/ possible release of toxic material] as defined in CR 4-501.

NOTE: An offense under this section committed by the use of a telephone may be deemed to have been committed either at the place at which the telephone call or calls were made, or at the place at which the telephone call or calls were received; or the place the destructive device or toxic material was stated or was rumored to be located.

NOTE: This section does not apply to any statement or rumor made or circulated by an officer, employee, or agent of a bona fide civilian defense organization or agency, if made in the regular course of his duties with that organization or agency.

EXPLOSIVES**Devices Representing**

**CR 9-505**  
**FELONY**  
**\$10,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**

\*2\_5215\*

**\*\*PHONEY DEST DEVICE\*\***

...did [manufacture/ possess/ transport or place] a device constructed to represent a destructive device with the intent to [terrorize/ frighten/ intimidate/ threaten or harass] \_\_\_\_\_ (name or describe victim or victims).

NOTE: See CR 4-501 for definitions of "Destructive Device."

**MD Higher Education Commission**

**CR 9-506**  
**MISDEMEANOR**  
**\$5,000.00 - 1 YEAR**

\*2\_5099\*

**\*\*FALSE STMT MD HIGH ED CO\*\***

...did knowingly and wilfully [falsify/conceal] a material fact in connection with an application for funds from the Maryland Higher Education Commission.

**INTERFERENCE WITH EMERGENCY COMMUNICATION**

- \*1\_5408\***
- 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.
- \*1\_0193\***
- 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**

**\*1\_5308\***

**\*\*FALSE ALARM/FIRE: CAUSE\*\***

...did knowingly [make/cause to be given] a false alarm of fire  
by \_\_\_\_\_ (describe how false alarm given).

**CR 9-604(a)(2)**  
**MISDEMEANOR**  
**\$5,000.00 - 5 YEARS**

**\*1\_0208\***

**\*\*FALSE ALARM/AMBULANC CAUSE\*\***

...did knowingly [make/cause to be given] a false call for an  
[ambulance/rescue squad] by \_\_\_\_\_ (describe how false call  
made).

**BURGLARY & ROBBERY - FALSE ALARM**

**Alarm - Non-emergency**

**CR 9-608  
MISDEMEANOR  
\$500.00 - 90 DAYS**

**\*1\_0393\***

**\*\*INTENTIONAL FLS ALARM \*\***

...did intentionally activate an alarm system for a non-emergency situation.

NOTE: The alarm signal referred to in this section must be one that activates an alarm system calling for an immediate response by a law enforcement agency to an emergency situation. This does not include 911 calls, or fire alarms (CR 9-608 and CR 9-604). If in doubt, refer to the definitions for this section, found in (CR 9-607).

**CR 9-610(c)  
MISDEMEANOR  
\$500.00 - 90 DAYS**

**\*1\_0394\***

**\*\*DEFECTIVE ALARM/CONT. USE\*\***

...did, being an alarm user, after written notice by a [law enforcement unit/fire department], to wit: \_\_\_\_\_ (name agency) continue to use a defective alarm system at \_\_\_\_\_ (location).

NOTE: A Law Enforcement Agency or Fire Department may issue a civil citation to an alarm user, if the number of false alarms to which a law enforcement agency actually responds exceeds 3 responses within a 30-day period, or 8 or more responses within a 12-month period. This type of citation should not be done before a commissioner.

NOTE: An alarm system is defective if it gives more than 3 false alarms within a 30-day period, or 8 or more false alarms within a 12-month period. AFTER NOTICE BY A LAW ENFORCEMENT AGENCY, an alarm system user has 30 days to have the system inspected, and 15 more days to file a written report containing actions taken or recommendations for actions to be taken. If within this 45-day period, or if the alarm user's written report contained recommendations for actions to be taken, consult the State's Attorney's Office before issuing a charging document, or refer the complainant to the State's Attorney.

**CR 9-802**  
**MISDEMEANOR**  
**\$10,000.00 - 2 YEARS**

**\*1\_1391\***

**\*\*THREAT/SOLICIT CRIMINAL GANG\*\***

...did threaten \_\_\_\_ (name), [an individual/a friend of \_\_\_\_ (name)/family member of \_\_\_\_ (name)], 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**  
**\$20,000.00 - 4 YEARS**

**\*1\_1392\***

**\*\*THREAT/SOL GANG - SCHOOL\*\***

...did threaten \_\_\_\_ (name), [an individual/ a friend of \_\_\_\_ (name)/family member of \_\_\_\_ (name)], 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**  
**\$1,000,000 - 20 YEARS**

**\*1\_1393\***

**\*\*ORGANIZE, SUPERVISE, FINANCE GANG \*\***

...did [organize/supervise/promote/sponsor/finance/manage] a criminal gang.

## Venereal Disease Remedies Advertising Cures

**CR 10-102(b)(1)(2)**  
**MISDEMEANOR**  
**\$500.00 - EACH VIOLATION**

\*3\_5599\*

### **\*\*HEALTH ADVERTIS V/D REMEDY\*\***

did [advertise/allow to be advertised/call to public attention] a \_\_\_\_\_ (Choose from below) for the [treatment/alleviation/cure] of a venereal disease.

1. [drug/medecine/preparation/substance]
2. [person/place] from which a [drug/medecine/preparation/substance] could be obtained]

NOTE: This section excepts from its coverage health departments, governmental agencies, news stories, etc. The statute should be checked for probable cause purposes, to make certain defendant is not exempt.

**CR 10-103(b)**  
**MISDEMEANOR**  
**\$50.00 FIRST OFFENSE**  
**\$250.00 SUBSEQUENT OFFENSE**

\*1\_0274\*

### **\*\*VD REMEDY DISP W/O PRESCR\*\***

...did [sell/dispense/give] to \_\_\_\_\_, without a prescription issued by a licensed physician, \_\_\_\_\_, a sulfonamide drug or preparation, for the purpose of treating, curing, and alleviating \_\_\_\_\_ (venereal disease).

## Venereal Disease Remedies Sale, Etc., of Remedies

**CR 10-103(b)**  
**MISDEMEANOR**  
**\$50.00 FIRST OFFENSE**  
**\$250.00 SUBSEQUENT OFFENSE**

\*4\_5599\*

### **\*\*VD REMEDY DISP W/O CREDEN\*\***

...did [sell/dispense/give] to \_\_\_\_\_ (name) \_\_\_\_\_ (substance given) for the purpose of treating, curing, and alleviating \_\_\_\_\_ (venereal disease), the defendant not being a [doctor/a health department/ other governmental agency].

## Health - Condom Sale

**CR 10-104**  
**MISDEMEANOR**  
**\$1,000.00**

**\*1\_0467\***

### **\*\*CONDOM-SALE VENDING MACH\*\***

...did unlawfully [sell/offer to sell] a nonlatex condom by means of a [vending machine/other automatic device].

NOTE: Each vending machine or other automatic device constitutes a separate offense.

**CR 10-107(b)(2)**  
**MISDEMEANOR**  
**\$300.00**

**\*2\_4040\***

### **\*\*TOBACCO PRODS - UNDR 21\*\***

...did, while engaged in the business of [selling/distributing] tobacco products for commercial purposes, distribute [a tobacco product, to wit: \_\_\_\_/tobacco paraphernalia to wit: \_\_\_\_/a coupon redeemable for a tobacco product, to wit: \_\_\_\_] to an individual under the age of 21 years, to wit: \_\_\_\_ (name).

NOTE: There is an exception if an individual under 21 years old is acting solely as an agent of an employer who distributes tobacco products or tobacco paraphernalia for commercial purposes; or

The purchaser or recipient:

1. Is at least 18 years of age;
2. Is an active duty member of the military;
3. And presents a valid military identification

NOTE: Enforcement of a civil penalty for a violation of this section precludes a prosecution for a violation of HG 24-307 arising out of the same violation.



**CR 10-107(c)(1)**  
**MISDEMEANOR**  
**1ST OFF: \$300.00**  
**2ND OFF WITHIN 2 YR**  
**OF 1ST - \$1,000.00**  
**3RD SUB. OFF: WITHIN 2**  
**YR OF PREVIOUS -**  
**\$3,000.00**

**\*2\_4050\***

**\*\*TOBACCO PURCH/SELL UND 21\***

...did [purchase for \_\_\_\_/sell to \_\_\_\_], an individual under the age of 21 years, a tobacco product, to wit: \_\_\_\_.

NOTE: Enforcement of a civil penalty for a violation of this section precludes a prosecution for a violation of HG 24-305 arising out of the same violation.

NOTE: There is an exception if the purchaser or recipient:

1. Is at least 18 years of age;
2. Is an active duty member of the military;
3. And presents a valid military identification

NOTE: Use this charge for persons not engaged in the business of tobacco sales.

NOTE: Enforcement of a civil penalty for a violation of this section precludes a prosecution for a violation of HG 24-307 arising out of the same violation.

**CR 10-107(c)(2)**  
**MISDEMEANOR**  
**\$300.00**

**\*2\_4060\***

**\*\* DELIVR/SELL TOBACCO PARA UNDR 21\*\***

... did [deliver/sell] tobacco paraphernalia to \_\_\_\_\_  
 (name) \_\_\_\_, an individual under the age of 21 years.

NOTE: There is an exception if the purchaser or recipient:

1. Is at least 18 years of age;
2. Is an active duty member of the military;
3. And presents a valid military identification

NOTE: Use this charge for persons not engaged in the business of tobacco sales.

NOTE: Enforcement of a civil penalty for a violation of this section precludes a prosecution for a violation of HG 24-307 arising out of the same violation.

**CR 10-109**  
**MISDEMEANOR**  
**\$100.00 - 30 DAYS**

**\*5\_5599\***

**\*\*ICEBOXES-ABANDONED\*\***

...did [place/permit to be placed] outside \_\_\_\_\_ (address) in a place accessible to children, an abandoned, discarded, and uncrated [icebox/refrigerator/freezer cabinet] having a door with a lock incapable of being released from inside said [icebox/ refrigerator/freezer cabinet].

**CR 10-110**  
**MISDEMEANOR**  
**\$12,500.00 - 1 YEAR**

**\*1\_0643\***

**\*\*LITTER/DUMP: OVER 100 LBS\*\***

...did unlawfully dispose 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\_0644\***

**\*\*CAUSE LITTER/DUMP: OVER 100 LBS\*\***

...did unlawfully cause the disposal 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**  
**\$12,500.00 - 1 YEAR**

**\*1\_1426\***

**\*\*LITTER/DUMP: OVER 100 LBS-VEHICLE\*\***

...did [dispose of litter on a highway/perform an act that violates the State Vehicle Laws regarding disposal of litter, glass, and other prohibited substances on a highway to wit: \_\_\_\_\_ (describe)], said litter exceeding [100 lbs in weight/27 cubic feet in volume].

**CR 10-110  
MISDEMEANOR  
\$30,000.00 - 5 YEARS**

**\*1\_0645\***

**\*\*LITTER/DUMP: OVER 500 LBS\*\***

...did unlawfully dispose of litter at \_\_\_\_\_ (address or description of premises or waters), said litter [exceeding 500 lbs in weight/exceeding 216 cubic feet in volume/being for commercial purposes].

NOTE: Under CR 10-110, Litter Dump: 500 lbs., do not use weight or volume descriptions if the litter is for commercial purposes. If the litter exceeds both weight and volume standards, not for commercial purposes, use both wordings joined by the word "and".

**CR 10-110  
MISDEMEANOR  
\$30,000.00 - 5 YEARS**

**\*1\_0646\***

**\*\*CAUSE LITTER/DUMP: OVER 500 LBS\*\***

...did unlawfully cause the disposal of litter 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  
MISDEMEANOR  
\$30,000.00 - 5 YEAR**

**\*1\_1427\***

**\*\*LITTER/DUMP: OVER 500 LBS-VEHICLE\*\***

...did [dispose of litter on a highway/perform an act that violates the State Vehicle Laws regarding disposal of litter, glass, and other prohibited substances on a highway to wit: \_\_\_\_\_ (describe)], 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\_0640\***

**\*\*LITTER/DUMP: UNDER 100 LBS\*\***

...did unlawfully dispose of litter at \_\_\_\_\_ (address or description of premises or waters), said litter not exceeding 100 lbs in weight and 27 cubic feet in volume.

**CR 10-110(c)**  
**MISDEMEANOR**  
**\$1,500.00 - 30 DAYS**

\*1\_0641\*

**\*\*CAUSE LITTER/DUMP: L/T 100 LBS\*\***

...did unlawfully cause the disposal of litter 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 10-110**  
**MISDEMEANOR**  
**\$1,500.00 – 30 Days**

\*1\_1428\*

**\*\*LITTER/DUMP: L/T 100 LBS-VEHICLE\*\***

...did [dispose of litter on a highway/perform an act that violates the State Vehicle Laws regarding disposal of litter, glass, and other prohibited substances on a highway to wit: \_\_\_\_\_ (describe)], said litter not exceeding [100 lbs in weight/27 cubic feet in volume].

**CR 10-111(b)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**  
**\*SUBSEQUENT VIOL**  
**\$5,000.00 - 3 YEARS**

\*1\_0284\*

**\*\*ALTER DRUG/ALCOHOL TEST\*\***

... did with intent to [defraud/alter] the outcome of a [drug/alcohol] screening test, \_\_\_\_\_.

Select from list:

- alter a bodily fluid sample
- substitute a bodily fluid sample with a bodily fluid sample of [another person/an animal/other substance to wit: \_\_\_\_\_]
- [possess/use] a bodily fluid adulterant
- [sell/distribute/offer to sell/offer to distribute]:
  - (I) any bodily fluid from [a human/an animal]; or
  - (II) any bodily fluid adulterant; or
- transport into the state:
  - (I) any bodily fluid from [a human/an animal]; or
  - (II) any bodily fluid adulterant

**\*\*Subsequent Violation - 3 Years/\$5,000**

**CR 10-117(d)**  
**MISDEMEANOR**  
**\$5,000.00 - 1 YEAR**

**\*1\_1148\***

**\*\*FURNISH ALC <21 INJRY/DEATH \*\***

...did \_\_\_\_\_ (choose from below), and [knew/reasonably should have known] [he/she] would operate a motor vehicle after consuming the alcoholic beverage, and as a result of operating a motor vehicle while [under the influence of/while impaired by] alcohol, caused [serious physical injury/death] to \_\_\_\_\_ (name of person hurt).

- (a) furnish an alcoholic beverage, for the purpose of consumption, to \_\_\_\_\_ (name), knowing said person was under the age of 21 years
- (b) as an adult knowingly and willfully allow \_\_\_\_\_ (name), an individual under the age of 21 years, to [possess/consume] an alcoholic beverage at [a residence/within the curtilage of a residence] that [he/she] [owns/leases] and resides.

**CR 10-120**  
**MISDEMEANOR**  
**\$50.00**

**\*2\_4199\***

**\*\*FAIL: PROOF OF AGE AND ID\*\***

...did [fail/refuse] to furnish proof of identification and age to an officer issuing a citation for a violation of \_\_\_\_\_ (Sec. 10-113, through 10-119 of CR, or Sec. 26-103 of the Education Article), said officer having requested proof of identification and age.

**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**

**\*1\_1613\***

**\*\*DIST SALVIA DIVINORUM TO UND 21 \*\***

...did distribute Salvia Divinorum to \_\_\_\_ (name), an individual under the age of 21, in violation of CR 10-131.

NOTE: Simple possession of Salvia Divinorum by an individual under the age of 21 under CR 10-132 is a code violation and must be issued a citation.

**CR 10-201(c)(1)**  
**MISDEMEANOR**  
**\$500.00 - 60 DAYS**

**\*2\_0045\***

**\*\*DISTURB PEACE HINDER PASSG\*\***

...did willfully and without lawful purpose [obstruct/hinder] the free passage of another and others in a public place or on a public conveyance.

**CR 10-201(c)(2)**  
**MISDEMEANOR**  
**\$500.00 - 60 DAYS**

**\*2\_0050\***

**\*\*DISORDERLY CONDUCT\*\***

...did wilfully act in a disorderly manner to the disturbance of the public peace.

**CR 10-201(c)(3)**  
**MISDEMEANOR**  
**\$500.00 - 60 DAYS**

**\*2\_0055\***

**\*\*FAIL OBEY RENBLE/LAWFL\*\***

...did wilfully fail to obey a reasonable and lawful order of a law enforcement officer, to wit, \_\_\_\_\_, made to prevent a disturbance to the public peace.

**CR 10-201(c)(4)**  
**MISDEMEANOR**  
**\$500.00 - 60 DAYS**

**\*2\_0060\***

**\*\*DISTURB THE PEACE/DISORDERLY\*\***

...did enter the [land/premises/beach] of \_\_\_\_\_ (name), and did wilfully [disturb the peace of persons thereon by unreasonably loud noise/acting in disorderly manner].

**CR 10-201(c)(5)**  
**MISDEMEANOR**  
**\$500.00 - 60 DAYS**

**\*2\_0065\***

**\*\*DISTURB PEACE - LOUD NOISE\*\***

...did unlawfully, by unreasonably loud noise willfully disturb the peace of another [on the other's land and premises/in a place of business/in a public place/on a public conveyance].

NOTE: CR 10-201(c)(5) is intended to prohibit defendants making noise in one location, no matter where, that disturbs persons in another location. It is NOT intended to apply to residents or a resident of a location who is/are disturbing other residents of the same location.

Non-residents who are on the same premises as the person(s) disturbed should be charged under CR 10-201(c)(5).

NOTE: CR 10-201(5)(6) states that in Worcester County a person may not build or allow to burn a bonfire on any beach or other property between the hours of 1 a.m. and 5 a.m.

**CR 10-202**  
**MISDEMEANOR**  
**\$300.00 - 6 MONTHS**

**\*5\_5311\***

**\*\*DISORDERLY HOUSE\*\***

...did keep a disorderly house, to wit: \_\_\_\_\_ (address), by \_\_\_\_\_ (describe method in which house was disorderly, see notes under statute).

NOTE: See CR 10-202 for minimum penalty of \$50 and 10 days if convicted.

NOTE: "House" in this section can be a room, place of business, tent, wagon, boat, etc.

NOTE: See the notes under the Statute for the definition of a "disorderly house."

**CR 10-203(b)**  
**MISDEMEANOR**  
**\$250.00 - 3 MONTHS**

**\*1\_5399\***

**\*\*DISRUPT-ATHLETIC CONTESTS\*\***

...did [disrupt/interfere with] \_\_\_\_\_ (describe event) by [throwing/projecting] \_\_\_\_\_ (describe what was thrown or projected) onto the [playing/seating] area.

NOTE: The athletic contest must be a commercial one; that is, one that is played in public stadiums, arenas, etc. and that charges an admission fee for the general public. "Object" is defined as any item which may cause injury to a participant in the contest, or an observer thereof.



**CR 10-204(c)**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

**\*1\_0479\***

**\*\*INTERFER TO/FROM MED FACIL\*\***

...did act with the intent to prevent with the intent to prevent an individual, to wit: \_\_\_\_\_ (name or description) from [entering/exiting] \_\_\_\_\_ (name and/or address) a medical facility, by physically [detaining/obstructing the passage of/hindering the passage of/impeding the passage of] that individual.

NOTE: "Action" does not include speech.

NOTE: "Medical Facility" includes an agency, clinic, or office operated under the direction of the local health officer or the regulatory authority of the Department of Health and Mental Hygiene. For a fuller definition of Medical Facility, see Health General Art., Sec. 10-101(e) and Sec. 19-101(e).

**CR 10-302**  
**PENALTY SEC. CR 10-306**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**

**\*1\_0435\***

**\*\*RELIGIOUS PROPERTY: DEFACE\***

...[did/did attempt to/did threaten 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\_0436\*

**\*\*REL BEL: OBSTRUCT EXERCISE\*\***

...[did/did attempt to] unlawfully obstruct by [force/threat of force] \_\_\_\_\_ (victim) in the free exercise of [his/her] religious beliefs.

**CR 10-304 (1)**  
**PENALTY SEC. CR 10-306**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**

\*1\_0437\*

**\*\*RACE/RELIG CRIME: PERSON/GROUP\*\***

...[did/did attempt to/did threaten to] \_\_\_\_\_ **(choose from below)** [against/of] \_\_\_\_\_ **(name of victim/group)** because of said [person's/group'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.

**CR 10-305 (1)**  
**PENALTY SEC. CR10-306**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**

**\*2\_0252\***

**\*\*RACE/RELIG PROP DAMAGE: INST\*\***

...[did/did attempt to/did threaten 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/private  
 owned/leased/used] by \_\_\_\_\_ (institution), because a  
 [person/group] [of a particular race/of a particular color/of a  
 particular religious belief/ of particular sexual orientation/of a  
 particular gender/of a particular disability/particular national  
 origin/that is homeless] had [contacts/associations] with said  
 building .

**CR 10-305(2)**  
**PENALTY SEC. CR 10-306**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**

**\*2\_0251\***

**\*\*RACE/RELIG HARAS: ANIMOS: INST\*\***

...[did/did attempt to/did threaten 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/private 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**

**\*3\_3932\***

**\*\*REMOVE HUMAN REMAINS\*\***

...did [remove / attempt to remove] human remains from a burial site in the State.

NOTE: See CR 10-402(b) and CR 10-402(f) for exceptions.

**GRAVE YARD DESECRATION**

**CR 10-404(a)(1)**  
**MISDEMEANOR**  
**\$10,000 - 5 YEARS**

**\*3\_3942\***

**\*\*DESTROY FUNERARY OBJECT\*\***

...did [destroy/mutilate/deface/injure/remove] a [structure/associated funerary object], to wit: \_\_\_\_\_ (identify structure) placed in \_\_\_\_\_ cemetery.

NOTE: This section covers any wall, building, fence, railing, tombstone, vault, monument, or other structure placed in a cemetery for any purpose.

**CR 10-404(b)**  
**MISDEMEANOR**  
**\$500.00 - 2 YEARS**

\*3\_3946\*

**\*\*DESTROY GRAVEYARD PLANTS\*\***

...did unlawfully [destroy/cut/break/remove] a vegetation, to wit: \_\_\_\_\_, in \_\_\_\_\_ cemetery.

NOTE: This section covers all plantings within graveyards and cemetaries.

**CR 10-404(c)**  
**MISDEMEANOR**  
**\$500.00 - 2 YEARS**

\*3\_3947\*

**\*\*DIS CONDUCT-CEMETERY\*\***

...did commit [indecent/disorderly] conduct, to wit: \_\_\_\_\_  
 (describe conduct) within the limits of \_\_\_\_\_ cemetery.

**ADULTERY**

**CR 10-501**  
**MISDEMEANOR**  
**\$10.00**

\*1\_3600\*

**\*\*ADULTERY\*\***

...did commit adultery with \_\_\_\_\_ (name).

**CR 10-502  
FELONY  
9 YEARS  
PRELIMINARY HEARING**

**\*1\_3804\***

**\*\*BIGAMY\*\***

...did, having a [wife/husband] then living, feloniously marry \_\_\_\_\_ (name) in violation of CR 10-502 of the Annotated Code of Maryland.

NOTE: The statute applies to husbands as well as wives. This section does not apply to an individual whose lawful spouse has been absent from the individual for a continuous period of seven years and who, at the time of subsequent marriage ceremony, does not know whether the spouse is living.

**CRUELTY TO ANIMALS**

**CR 10-604(a)(1)(2)(3)  
MISDEMEANOR  
\$1,000.00 - 90 DAYS**

**\*1\_0500\***

**\*\*ANIMAL CRUELTY\*\***

...did [overdrive/overload/deprive of necessary sustenance/inflct unnecessary suffering or pain on] a \_\_\_\_\_ (type of animal).

**CR 10-604(a)(4)**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

**\*1\_0501\***

**\*\*ANIMAL CRUELTY- CAUSE\*\***

...did unlawfully cause, procure, or authorize the  
[overdrive/overload/deprivation of necessary  
sustenance/infliction of unnecessary suffering or pain on] a  
\_\_\_\_\_ (type of animal).

**CR 10-604(a)(5)**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

**\*1\_0503\***

**\*\*ANIMAL CRUEL FAIL: PROVIDE\*\***

...did unnecessarily fail to provide \_\_\_\_\_ (type of  
animal) with [nutritious food in sufficient quantity/necessary  
veterinary care/proper drink/proper air/proper space/proper  
shelter/proper protection from weather] while said animal was  
in [his/her] charge and custody.

**CR 10-605(a)**  
**MISDEMEANOR**  
**\$2,500.00 - 1 YEAR**

**\*1\_0597\***

**\*\*DOGFIGHT SPECTATOR\*\***

...did knowingly attend a deliberately conducted dogfight as a  
spectator.

**CR 10-605(b)**  
**MISDEMEANOR**  
**\$2,500 - 1 YEAR**

**\*1\_0598\***

**\*\*COCKFIGHT - SPECTATOR\*\***

...did knowingly attend an event using [fowl/cock/other bird] to  
 wit: \_\_\_\_\_(describe), to fight with another [fowl/cock/other  
 bird].

**CR 10-606(b)(1)(2)**  
**FELONY**  
**DISTRICT COURT**  
**\$5,000.00 - 3 YEARS**

**\*1\_0505\***

**\*\*AGGRAVATED CRUELTY TO ANIMAL \*\***

... did intentionally \_\_\_\_\_ (choose from below) an animal  
 to wit: \_\_\_\_\_(describe).

1. [mutilate/torture/cruelly beat/cruelly kill/engage in sexual  
 contact with]
2. [cause/procure/authorize] the [mutilation/torture/cruel  
 beating/cruel killing] of

Note: See CR 10-606(a) for definition of “sexual contact with  
 an animal”.



**CR 10-606(b)(3)**  
**FELONY**  
**DISTRICT COURT**  
**\$5,000.00 - 3 YEARS**

**\*1\_0508\***

**\*\*HARM/DEATH: LAW ENFOR. ANIMAL\*\***

...did intentionally inflict [bodily harm/permanent disability/death] on an animal used by a law enforcement unit, to wit: \_\_\_\_\_ .

NOTE: The intention of the General Assembly is that this section applies to all animals:

Privately owned; strays; domesticated; feral; farm animals; corporately or institutionally owner; in privately, locally, state, or federally funded scientific or medical activities; or otherwise located in the state.

NOTE: See CR 10-606(a)(3) for exemption.

NOTE: Exclusive jurisdiction of District Court.

**CR 10-607(b)(1)**  
**FELONY**  
**DISTRICT COURT**  
**\$5,000.00 - 3 YEARS**

**\*1\_0506\***

**\*\*ANIMAL CRUEL: DOG FIGHTING\*\***

...did [use a dog/allow to be used/arrange for a dog to be used/conduct to be used] in a dog fight.

NOTE: Baiting means using a dog to train a fighting dog or to test the fighting or killing instinct of another dog.

**CR 10-607(b)(2)**  
**FELONY**  
**DISTRICT COURT**  
**\$5,000.00 - 3 YEARS**

**\*1\_0652\***

**\*\*DOGFIGHT: CONDUCT\*\***

...did [arrange/conduct] a dog fight.

**CR 10-607(b)(3)**  
**FELONY**  
**DISTRICT COURT**  
**\$5,000.00 - 3 YEARS**

**\*1\_0510\***

**\*\*POSS/TRAIN DOG FOR DOGFIGHT\*\***

...did [possess/own/sell/transport/train] a dog with the intent to use the dog [in a dogfight/for baiting].

NOTE: Baiting means using a dog to train a fighting dog or to test the fighting or killing instinct of another dog.

**CR 10-607(b)(4)**  
**FELONY**  
**\$5,000.00 - 3 YEARS**  
**DISTRICT COURT**

**\*1\_0511\***

**\*\*PROVIDE PREMISES FOR DOGFIGHT\*\***

...did knowingly allow premises [owned by/in charge of/controlled by] \_\_\_\_\_ (defendant) to be used [to conduct a dogfight/for baiting].

NOTE: Baiting means using a dog to train a fighting dog or to test the fighting or killing instinct of another dog.

**CR 10-607.1(b)**  
**MISDEMEANOR**  
**\$5,000.00 – 90 DAYS**

**\*1\_1150\***

**\*\*POSS DOGFIGHT IMPLEMENT\*\***

... did with intent to unlawfully use, possess an implement of dogfighting to wit: \_\_\_\_\_ (describe).

NOTE: See CR 10-607.1(a) for definition of “implement or dogfighting”.

NOTE: Each implement of dogfighting possessed in violation of this section is a separate offense.

**CR 10-608**  
**FELONY**  
**DISTRICT COURT**  
**\$5,000.00 - 3 YEARS**

**\*1\_0507\***

**\*\*ANIMAL CRUEL: COCKFIGHTING\*\***

...did [use/allow to be used] a [bird/fowl/cock] for the purpose of fighting with another animal, commonly known as cockfighting.

**CR 10-608(b)(2)**  
**FELONY**  
**\$5,000.00 - 3 YEARS**  
**DISTRICT COURT**

**\*1\_0512\***

**\*\*POSSESS COCKFIGHT IMPLEMENT\*\***

...did possess with the intent to use a  
 [gaff/slasher/postiza/sparring muff/any sharp implement]  
 designed to be attached in place of a natural spur of a gamecock  
 or other fighting bird.

**Giving Away Live Animal, Etc.**

**CR 10-610**  
**MISDEMEANOR**  
**\$500.00**

**\*3\_7199\***

**\*\*ANIMAL-GIFT AS PRIZE ETC.\*\***

...did, without the approval of the Secretary of Agriculture, give  
 away a live [animal/equine/bird], to wit: \_\_\_\_\_, as a  
 [prize/inducement to enter a  
 [contest/game/competition]/inducement to enter \_\_\_\_\_, a place  
 of amusement/incentive to enter \_\_\_\_\_, a business  
 establishment], for the purpose of attracting trade.

NOTE: This section does not apply if the animal, equine or bird  
 is given as an agricultural project or for conservation purposes,  
 or is intended for slaughter.

**Dangerous Dogs Restraining Restrictions**

**CR 10-619(d)(1)**  
**MISDEMEANOR**  
**\$2,500.00**

**\*1\_0399\***

**\*\*DANGEROUS DOG FAIL CONFINE\*\***

...did, being then and there the owner of a dangerous dog, leave such dog unattended on [his/her/its] real property without confining such dog in a structure designed to restrain the dog.

**CR 10-619(d)(2)**  
**MISDEMEANOR**  
**\$2,500.00**

**\*1\_0400\***

**\*\*DANGER.DOG FAIL RESTRAIN\*\***

...did, being then and there the owner of a dangerous dog, permit such dog to go beyond [his/her/its] real property without being securely restrained and muzzled.

**CR 10-619(e)(2)**  
**MISDEMEANOR**  
**\$2,500.00**

**\*1\_0401\***

**\*\*DANGER. DOG SELL W/O WARN\*\***

...did, being then and there the owner of a [dangerous/potentially dangerous] dog, [sell/give] such dog to \_\_\_\_\_, without providing written notice to the person taking possession of such dog specifying the dog's dangerous behavior.

**CR 10-619(e)(1)**  
**MISDEMEANOR**  
**\$2,500.00**

**\*1\_0402\***

**\*\*DANGER.DOG SELL W/O NOTIC\*\***

...did, being then and there the owner of a dog which having been determined by \_\_\_\_\_ (name of agency or authority) to be a potentially dangerous dog, [sell/give] such dog to another person, without providing written notice to the aforesaid [agency/authority] of the name and address of the new owner of the dog.

NOTE: The provisions of this section do not apply to a dog owned by and working for a governmental or law enforcement agency.

NOTE: The definition of a dangerous dog in CR 10-619 is one that has killed or severely injured a person, or has been declared potentially dangerous by the appropriate authority and has then bitten a person, attacked without provocation, or has killed or inflicted severe injury upon another domestic animal off the owner's property. For an owner to be charged under CR 10-619 concerning a potentially dangerous dog, there must have been notification to the owner by the appropriate County or Municipal authority that the dog has been determined to be potentially dangerous.

**Injury-Race or Show Horse, Etc.**

**CR 10-620(1)**  
**FELONY**  
**DISTRICT COURT**  
**3 YEARS**

**\*5\_7199\***

**\*\*CRUELTY-RACE/SHOW HORSE\*\***

...did wilfully and maliciously [interfere with/injure/destroy/tamper with] a horse used for racing, breeding, and competitive exhibition, to wit: \_\_\_\_\_ (name or describe horse).

**CR 10-620(2)**  
**FELONY**  
**DISTRICT COURT**  
**3 YEARS**

**\*2\_0260\***

**\*\*INJURE ETC RACE/BRED HORSE\*\***

...did wilfully and maliciously[start/instigate/engage in/further]  
 an act, to wit: \_\_\_\_\_ (describe act) by which \_\_\_\_\_  
 (name or describe horse), a horse used for  
 [racing/breeding/competitive exhibition] [was interfered with/  
 tampered with/injured/destroyed].

NOTE: Ownership of the victim horse may be by defendant or  
 any other person, persons, corporation, etc.

**Sale-Fox or Skunk/Household Pet**

**CR 10-621(b)**  
**MISDEMEANOR**  
**\$1,000.00 (INDIVIDUAL)**  
**\$10,000.00\*\* (BUSINESS)**

**\*7\_7199\***

**\*\*SALE-FOX OR SKUNK/AS PET\*\***

... did [import into Maryland/offer] for  
 [sale/trade/barter/exchange], as a household pet, a live  
 [fox/skunk/raccoon/bear/alligator/crocodile/ member of the cat  
 family other than a domestic cat/hybrid member of the cat  
 family and domestic cat over 30 pounds/member of the dog  
 family not a domestic dog/hybrid of a member of the dog  
 family and a domestic dog/a non human primate to wit:  
 \_\_\_\_\_/poisonous snake specifically in the family groups of  
 hydrophidae, elapidae, viperidae, or crotolidae].

NOTE: For violations involving a business or organization, the  
 maximum penalty is \$10,000.

NOTE: Does not apply in case offer is to a public zoo, park  
 museum, educational institution, or to a person holding valid  
 State permits. Also exempt are those species of wildlife not  
 being kept as household pets and which are individually  
 exempted by a permit issued by the Department of Natural  
 Resources.

**CR 10-623(b)(1)**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

**\*1\_1763\***

**\*\*RESTRAIN DOG - LIMIT MOVEMENT\*\***

... did leave a dog outside and unattended by the use of a restraint that unreasonably limits the movement of the dog.

**CR 10-623(b)(2)**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

**\*1\_1764\***

**\*\*RESTRAIN DOG - COLLAR\*\***

... did leave a dog outside and unattended by the use of a restraint that uses a collar [made primarily of metal/less than the minimum required length].

**CR 10-623(b)(3)**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

**\*1\_1765\***

**\*\*RESTRAIN DOG - WATER/SHELTER\*\***

... did leave a dog outside and unattended by the use of a restraint that restricts access to suitable and sufficient [clean water/appropriate shelter].

**CR 10-623(b)(4)**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

\*1\_1766\*

**\*\*RESTRAIN DOG - UNSAFE/UNSANIT COND\*\***

... did leave a dog outside and unattended by the use of a restraint in [unsafe/unsanitary] conditions.

**CR 10-623(b)(5)**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

\*1\_1767\*

**\*\*RESTRAIN DOG - CAUSE INJURY\*\***

... did leave a dog outside and unattended by the use of a restraint that causes injury to the dog.

**CR 10-624**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

\*1\_1331\*

**\*\*UNLAW DEVOCALIZE DOG \*\***

...did unlawfully surgically devocalize a [dog/cat].

Note: This charge does not apply to a licensed veterinarian using anesthesia and the procedure was medically necessary to treat or relieve a physical illness, disease, or an injury, or to correct a congenital abnormality that was causing or will cause the animal medical harm or pain. The veterinarian must provide the owner of the animal with a written certification under CR 10-624 (c )(2).

Note: Subsequent offense penalty of 1 Year- \$2,000.

**CR 10-624**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

\*1\_1348\*

**\*\*UNLAW SURGERY ON DOG \*\***

...did unlawfully \_\_\_\_\_ (choose from below).

1. [crop/cut] off the ear of a dog.
2. [dock/cut] off the tail of a dog.
3. cut off the dewclaw of a dog.
4. surgically birth a dog.

Note: This charge does not apply to a licensed veterinarian using anesthesia WHEN APPROPRIATE on the animal.

Note: Subsequent offense penalty of 180 days - \$5,000.



## **Desecration of Flag**

**CR 10-704**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

\*1\_0671\*

### **\*\*DESECRATE FLAG\*\***

...did intentionally [mutilate/deface/destroy/burn/trample upon/otherwise use] a flag in a manner [intended to incite or produce an imminent breach of the peace/ under circumstances likely to incite or produce an imminent breach of the peace].

NOTE: "Flag" includes any flag, standard, color ensign or shield made of any substance or represented or produced thereon and of any size, evidently purporting to be such flag, standard, color, ensign or shield of the United States or of this State.

## **NUDITY AND SEXUAL DISPLAYS**

**CR 11-102**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**

\*1\_3700\*

### **\*\*SEX DISPLAYS-SELL TO MINRS\*\***

...did knowingly [sell/offer to sell] to \_\_\_\_, a minor, a \_\_\_\_ (describe object) depicting \_\_\_\_ (describe what it shows).

NOTE: This section applies to pictures, drawings, photos, films, cd roms or any other visual representations of prohibited subject matter, and to any books, magazines, stories, publications, or any other writings or printing of prohibited subject matters.

Prohibited matters are sadomasochistic abuse, sexual conduct, and sexual excitement. See the definitions in CR 11-101.

**Exhibition of Motion Pictures of Presentations to Minors**

**CR 11-103(b)(1)  
MISDEMEANOR  
\$1,000.00 - 6 MONTHS**

**\*2\_3700\***

**\*\*SEX DISPLY: MINR FOR PRICE\*\***

...did knowingly exhibit for \_\_\_\_ (name monetary or other valuable consideration or service) to \_\_\_\_ (name), a minor unaccompanied by [his/her] [parent/guardian] a [motion picture/live/animated/ [other]] presentation depicting \_\_\_\_ (see note) to wit: \_\_\_\_ (name or describe motion picture or other show).

NOTE: Any live, motion picture, animated, cd rom, or other visual representation or show depicting sexual conduct, sexual excitement, or sadomasochistic abuse as defined in CR 11-101 is covered by this section.

**CR 11-103(b)(2)  
MISDEMEANOR  
\$1,000.00 - 6 MONTHS**

**\*1\_0292\***

**\*\*SEX DIS. SELL MINOR TICKET\*\***

...did knowingly sell to \_\_\_\_, a minor unaccompanied by [parent/ guardian] a ticket to \_\_\_\_, depicting \_\_\_\_ (see note).

NOTE: Any live, motion picture, animated, cd rom, or other visual representation or show depicting sexual conduct, sexual excitement, or sadomasochistic abuse as defined in CR 11-101 is covered by this section.

**CR 11-103(b)(3)**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**

**\*3\_3710\***

**\*\*SEX DISPLAY: ADMIT MINOR\*\***

...did knowingly admit \_\_\_\_\_, a minor unaccompanied by [parent/ guardian] to \_\_\_\_\_, depicting \_\_\_\_\_ (see note).

NOTE: Any live, motion picture, animated, cd rom, or other visual representation or show depicting sexual conduct, sexual excitement, or sadomasochistic abuse as defined in CR 11-101 is covered by this section.

**Permitting Minor Enter/Remain on Certain Premises**

**CR 11-104**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**

**\*4\_3700\***

**\*\*SEX DISP MINR RET ESTABLMT\*\***

...did as [an operator/sales person/cashier/manager] of a retail establishment, knowingly permit \_\_\_\_\_, a minor unaccompanied by his/her [parent/guardian], to [enter into/remain] at \_\_\_\_\_ (name and address of premises), the retail establishment, at which there was displayed \_\_\_\_\_ (state thing) depicting [sexual conduct/sadomasochistic abuse, etc.].

NOTE: Section applies to owner, operators, and employees of the retail establishment, but not to persons on the premises who have no authority over the establishment.

**CR 11-105 (a)(1)(2)(3)**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**

**\*3\_3700\***

**\*\*SEX DIS/ADVERTISMNT PURPOS\*\***

...did knowingly display for advertising purposes a \_\_\_\_\_  
 [picture/ photo/drawing/verbal description/narrative account]  
 depicting \_\_\_\_\_ [sodomasochistic abuse/sexual conduct under  
 CR 11-101(d)(1)/sexual conduct under CR 11-101(d)(2)/sexual  
 conduct under CR 11-101(d)(3)/sexual excitement].

**CR 11-105(b)**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**

**\*1\_0293\***

**\*\*SEX DISPLAY PERMIT ON PREM\*\***

...did knowingly permit the display of a \_\_\_\_\_ [picture/photo/  
 drawing/verbal description/narrative account] depicting \_\_\_\_\_  
 [sodomasochistic abuse/sexual conduct/sexual excitement] on  
 premises [owned/rented/managed] by defendant.

**INDECENT EXPOSURE**

**CR 11-107**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**

**\*1\_3605\***

**\*\*INDECENT EXPOSURE\*\***

...did indecently expose [his/her] person [in a public place, to wit: \_\_\_\_\_ / to \_\_\_\_\_ (victim)].

NOTE: The common law crime of indecent exposure refers to the deliberate exposure of one's private parts. This can occur in two ways, in a public place with members of the public present, or deliberately to an unconsenting victim (as in what is commonly called a "flasher.") In order for probable cause to be found for indecent exposure in a public place, there should be same factual indication that members of the public were within sight of the act. In order for probable cause to be found for indecent exposure to a named victim, the facts must indicate a deliberate act of exposure done with the intent that an unconsenting victim would see.

**OBSCENE MATTER**

**Sending/Bringing into State for Sale, etc., Within State**

**CR 11-202(a)(1)**  
**MISDEMEANOR**  
**FIRST OFFENSE**  
**\$1,000.00 - 1 YEAR**  
**SUBSEQUENT OFFENSE**  
**\$5,000.00 - 3 YEARS**

**\*1\_3705\***

**\*\*OBSCENE MAT/SALE CAUSE/SND\*\***

...did knowingly [send/cause to be sent] into this State for sale or distribution \_\_\_\_\_, obscene matter.

**CR 11-202(a)(2)**  
**MISDEMEANOR**  
**FIRST OFFENSE**  
**\$1,000.00 - 1 YEAR**  
**SUBSEQUENT OFFENSE**  
**\$5,000.00 - 3 YEARS**

**\*1\_0294\***

**\*\*OBSCENE MAT/SAL CAUS/BRING\*\***

...did knowingly [bring/cause to be brought] into this State for  
[sale/distribution] \_\_\_\_\_, obscene matter.

NOTE: See CR 11-202(b) for subsequent offense penalty of  
3Y-\$5,000.

**CR 11-202(a)(3)**  
**MISDEMEANOR**  
**FIRST OFFENSE**  
**\$1,000.00 - 1 YEAR**  
**SUBSEQUENT OFFENSE**  
**\$5,000.00 - 3 YEARS**

**\*1\_0295\***

**\*\*OBSCENE MAT/PUBLISH/DISTRIB\*\***

...did, in this State, knowingly [prepare/publish/print/exhibit/  
distribute/offer to distribute] \_\_\_\_\_, obscene matter.

NOTE: See CR 11-202(b) for subsequent offense penalty of  
3Y-\$5,000.

**CR 11-202(a)(4)**  
**MISDEMEANOR**  
**FIRST OFFENSE**  
**\$1,000.00 - 1 YEAR**  
**SUBSEQUENT OFFENSE**  
**\$5,000.00 - 3 YEARS**

**\*1\_0296\***

**\*\*OBSCENE MAT/POSS W/IN DIST\*\***

...did, in this State, knowingly have in his possession with intent to [distribute/exhibit/offer to distribute] \_\_\_\_\_, obscene matter.

NOTE: See CR 11-202(b) for subsequent offense penalty of 3Y-\$5,000.

NOTE: In CR 11-201, the term "knowingly" refers to knowledge of the contents of the item containing the obscenity. The definition of "obscene" is the same as that for CR 11-202. See the note thereunder.

### **Distribution, etc., to Minor Under 18**

**CR 11-203(b)(2)**  
**MISDEMEANOR**  
**1ST: \$1,000.00 - 1 YEAR**  
**2ND: \$5,000.00 - 3 YEARS**

**\*1\_3799\***

**\*\*OBSCENE MAT SALE TO MINORS\*\***

...did wilfully and knowingly engage in the business of [selling/showing/advertising for sale/distributing/displaying and exhibiting] to persons under the age of 18 years [still pictures/photographs/books/pocket books/pamphlets/magazines/video discs/video tape/video game/recorded phone messages/films/computer discs] the [cover/contents] of which [are principally made up of obscene [descriptions/depictions] of illicit sex/consist of obscene pictures of nude and partially denuded figures].

**CR 11-203(b)(3)**  
**MISDEMEANOR**  
**FIRST OFFENSE \$1,000.00**  
**- 1 YEAR**  
**SUBSEQUENT OFFENSE**  
**\$5,000.00 - 3 YEARS**

\*1\_0297\*

**\*\*OBSCENE MAT DISPLAY MINOR\*\***

...did, as an [owner/operator/franchisee/manager/employee with managerial responsibility] of a [newsstand/place of business], openly and knowingly display at the said [newsstand/place of business], which is frequented by persons under the age of 18 years, [still pictures/photographs/books/pocket books/pamphlets/magazines/ video disc/video tape/video game/recorded telephone messages/film/computer disc] the [cover/contents] of which [were principally made up of obscene [descriptions/depictions] of illicit sex/consist of obscene pictures of nude and partially denuded figures].

NOTE: See CR 11-203(d)(2) for subsequent offense penalty of 3Y-\$5,000.

NOTE: "OBSCENE" MEANS:

1. That the average adult applying contemporary community standards would find that the work, taken as a whole, appeals to prurient interests;
2. That the work depicts the sexual conduct specified in the wording for this section in a way that is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material;
3. That the work, taken as a whole, lacks serious literary, scientific, educational, artistic, or political value.



## Child Pornography

**CR 11-207(a)(1)**  
**FELONY**  
**\$25,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**  
**SUBSEQUENT**  
**VIOLATION**  
**\$50,000.00 - 20 YEARS**

**\*1\_0298\***

**\*\*CHILD PORN PERMIT SEX SUBJ\*\***

...did [solicit/cause/induce/knowingly permit] \_\_\_\_\_ (name), a minor to engage as a subject in a [visual representation/performance] that depicts a minor engaged as a subject in [sexual conduct/sadomasochistic abuse], to wit: \_\_\_\_\_.

NOTE: See 11-207(b)(2) for subsequent offense penalty of 20Y-\$50,000.

**CR 11-207(a)(1)**  
**FELONY**  
**\$25,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**  
**SUBSEQUENT**  
**VIOLATION**  
**\$50,000.00 - 20 YEARS**

**\*2\_3799\***

**\*\*CHILD PORN SOLICIT SUBJECT\*\***

...did [solicit/cause/induce/knowingly permit] \_\_\_\_\_ (name), a minor to engage as a subject in the production of obscene matter, to wit: \_\_\_\_\_ (name or describe).

**CR 11-207(a)(2)(3)**  
**FELONY**  
**\$25,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**  
**SUBSEQUENT**  
**VIOLATION**  
**\$50,000.00 - 20 YEARS**

**\*1\_0299\***

**\*\*CHILD PORN FILM/COMP SEX ACT\*\***

...did [photograph/film/create a computer image of]  
 \_\_\_\_ (name), a minor engaging in an [obscene act/sexual  
 conduct/sadomasochistic abuse].

NOTE: See 11-207(b)(2) for subsequent offense penalty of  
 20Y-\$50,000.

**CR 11-207(a)(4)**  
**FELONY**  
**\$25,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**  
**SUBSEQUENT**  
**VIOLATION**  
**\$50,000.00 - 20 YEARS**

**\*1\_0300\***

**\*\*CHILD PORN PROMOTE/DISTRB\*\***

...did knowingly [promote/advertise/solicit/distribute/possess  
 with intent to distribute] \_\_\_\_ (name publication or film or  
 describe matter, performance, or other visual  
 representation) \_\_\_\_ (choose from below).

1. that depicts a minor engaged as a subject in [sexual  
 conduct/sadomasochistic abuse].
2. in a manner that [reflects the belief/is intended to cause  
 another to believe] that the [matter/visual  
 representation/performance] depicts a minor engaged as  
 a subject of [sadomasochistic abuse/sexual conduct].

NOTE: See 11-207(b)(2) for subsequent offense penalty of  
 20Y-\$50,000.

NOTE: "Minor" means an individual under 18 years.

NOTE: Sexual conduct means human masturbation, sexual  
 intercourse, or any touching of or contact with genitals, pubic  
 areas or buttocks of the human male or female, or the breasts of  
 the female, whether alone or between members of the same or  
 opposite sex, or between humans and animals. these provisions  
 shall not extend to persons having bona fide scientific,  
 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 11-207(a)(5)**  
**FELONY**  
**\$25,000.00 - 10 YEARS**  
**PRELIMINARY HEARING**  
**SUBSEQUENT**  
**VIOLATION**  
**\$50,000.00 - 20 YEARS**

**\*1\_0315\***

**\*\*CHILD PORN COMPUTERS\*\***

...did, by means of a computer, knowingly [compile/enter/transmit/make/print/publish/reproduce/cause/allow/ buy/sell/receive/exchange/disseminate] a [notice/statement/advertisement/minor's name/telephone number/place of residence/physical characteristic/other descriptive or identifying information] for the purpose of [engaging/facilitating/encouraging/offering/soliciting][ unlawful sexual conduct with /sodomasochistic abuse of] a minor.

NOTE: See 11-207(b)(2) for subsequent offense penalty of 20Y-\$50,000.

NOTE: "Minor" means an individual under 18 years.

NOTE: Sexual conduct means human masturbation, sexual intercourse, or any touching of or contact with the genitals, pubic areas or buttocks of the human male or female, or the breasts of the female, whether alone or between members of the same or opposite sex, or between humans and animals.

These provisions shall not extend to persons having bona fide scientific, educational, governmental, artistic, news or, other similar justification for possessing or distributing such materials.

The minor's whereabouts or identity need not be known.

**CR 11-208**  
**MISDEMEANOR**  
**2,500.00 - 5 YEARS**

\*1\_1756\*

**\*\*POSSESS CHILD PORNOGRAPHY\*\***

...did knowingly possess and intentionally retain a [film/video tape/photograph/ visual representation to wit: \_\_\_\_\_ (name or describe) ] showing an [individual under 16 years of age/a computer generated image that is indistinguishable from an actual and identifiable child under the age of 16 years] [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\_3799\***

**\*\*OBSCENE MAT HIRE MINOR DIS\*\***

...did hire, use, and employ \_\_\_\_\_ (name), a minor under 18 years of age, to assist [him/her] in distributing obscene matter, [with knowledge that/while having in [his/her] possession facts from which [he/she] could reasonably have determined that] said minor was under 18 years of age.

NOTE: The prohibitions and penalties imposed in this sub-title do not extend to persons having bona fide scientific, educational, governmental, or other similar justification for possessing such matter, or to distributions thereof pursuant to such justification.

**CR 11-303**  
**MISDEMEANOR**  
**\$500.00 - 1 YEAR**

\*1\_1093\*

**\*\*PROSTITUTION - GENERAL\*\***

...did knowingly \_\_\_\_\_ (select from language below)

1. engage in [prostitution/assignation] by any means.
2. occupy a [building/structure/conveyance] for [prostitution/assignation].

**CR 11-304(a)**  
**MISDEMEANOR**  
**\$10,000.00 - 10 YEARS**

**\*1\_1090\***

**\*\*PROSTITUTION - BUSINESS\*\***

...did [receive money/acquire money or proceeds] from the earnings of \_\_\_\_\_ (name) engaged in prostitution with the intent to [promote a crime/profit from a crime/conceal/disguise the nature,/location/source/ownership/control of money or proceeds of a crime] under Title 11, Subtitle 3 of the Criminal Law Article.

**CR 11-305(a)(1)**  
**FELONY**  
**\$5,000.00 - 25YEARS**

**\*1\_1336\***

**\*\*PROSTITUTION - UNDER 16\*\***

...did [persuade/entice/aid in the persuasion of/aid in the enticement of]  
\_\_\_\_\_ (name), a person under the age of 16 from [the person's  
home/the custody of the person's parents/the custody of the person's  
guardian] and knowingly [secrete/harbor/aid in the secreting of/aid in the  
harboring of] said person for the purpose of committing a sexual crime as  
defined in Criminal Law Article, Title 3, Subtitle 3 .



**CR 11-306**  
**MISDEMEANOR**  
**\$500 - 1 YEAR**

**\*1\_1730\***

**\*\*PROCURE/SOL PROSTITUTION/ASSIG\*\***

... did knowingly [procure/solicit/offer to procure/offer to solicit]  
[prostitution/assignation].

Effective 10/01/2019

**CR 11-307**  
**MISDEMEANOR**  
**\$500 - 1 YEAR**

**\*1\_1731\***

**\*\*PROST – ALLOW/MAIN BUILDING\*\***

...did knowingly \_\_\_\_\_ (select from language below)

1. allow a [building/structure/conveyance] [owned/under a person's control] to be used for [prostitution/assignment].
2. [allow/agree to allow] a person into a [building/structure/conveyance] for [prostitution/assignment].
3. [keep/set up/maintain/operate] a [building/structure/conveyance] for [prostitution/assignment].

Effective 10/01/2019

**CR 12-102(a)(1)**  
**MISDEMEANOR**  
**\$5,000.00- 6 MONTHS**

**\*1\_1710\***

**\*\*MAKE/SELL POOL\*\***

...did [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.

Effective 10/01/2019

**CR 12-102(a)(2)**  
**MISDEMEANOR**  
**\$5,000.00- 6 MONTHS**

**\*1\_1711\***

**\*\*GAMBL-KEEP/USE/PERMIT PLAC\*\***

...did [establish/keep/rent/use/occupy/knowingly permit the use of] a [building/vessel/place] on [land/water] within the State, to wit: \_\_\_\_\_, (specify location and type of place) for the purpose of \_\_\_\_\_ (choose from below)

1. [betting/wagering/gambling]; or
2. [making/selling/buying] [books/pools] on the result of a [race/contest/contingency]

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.

**Keeping, Etc., Gaming Table/Place**

**CR 12-104**  
**MISDEMEANOR**  
**\$500.00 - 1 YEAR**

**\*1\_3908\***

**\*\*GAMING-KEEP TABLE/PLACE\*\***

...did [keep/deal at/manage/have an interest in/have an interest in the profits of/lease/rent] a [gaming table at \_\_\_\_/a place used for gambling].

NOTE: Under case law, bingo in Anne Arundel County is not made illegal by these sections.

Effective 10/01/2019

**Keeping Gaming Table/Place**

**CR 12-104(1)**  
**MISDEMEANOR**  
**\$500.00 - 1 YEAR**

**\*1\_3921\***

**\*\*GAMING-KEEP TABLE/PLACE\*\***

...did keep a [gaming table/house/vessel/place] to wit:  
\_\_\_\_\_(location), for the purpose of gambling.

NOTE: See CR 12-104(b) regarding minimum penalty of 6 months if convicted.

NOTE: Can be on land or water in the State. A gaming table is a table or other device on which games of chance are played for money; it does not apply, however, to billiard or pool tables used for that purpose.

NOTE: This section covers any place operated for the purpose of gambling on a game of chance. Gambling or betting on a horse race, dog race, contest, or other such contingency is covered by CR 12-102. See the definition of "Gaming Table" in CR 12-101.

NOTE: Under case law, bingo in Anne Arundel County is not made illegal by these sections.

**Owner/Occupant of Building, Etc. Permitting  
Keeping of Tables**

**CR 12-104(2)  
MISDEMEANOR  
\$500.00 - 1 YEAR**

**\*2\_3908\***

**\*\*GAMING-BLDG OWNER/OCCUPANT\*\***

...did knowingly permit a gaming table to be kept at  
\_\_\_\_(location) [owned/leased/occupied] by [him/her].

NOTE: Under case law, bingo in Anne Arundel County is not  
made illegal by these sections.

**Renting Place for Gambling**

**CR 12-104(3)  
MISDEMEANOR  
\$500.00 - 1 YEAR**

**\*2\_3921\***

**\*\*GAMBLING-RENTED PLACE\*\***

...did [lease/rent] \_\_\_\_, to be used for the purpose of gambling.

NOTE: Under case law, bingo in Anne Arundel County is not  
made illegal by these sections.

OFF-SHORE GAMBLING**Gambling on boat, pier, Wharf, etc**

**CR 12-105**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

\*6\_2620\*

**\*\*OFF-SHORE GAMBLING\*\***

...did [bet upon/wager upon/gamble at/keep/conduct/maintain/operate/establish/ rent/ use/occupy/knowingly suffer to be established/knowingly suffer to be kept/knowingly suffer to be used/knowingly suffer to be rented/knowingly suffer to be occupied] a gaming device upon a [vessel upon the waters of the State of Maryland, to wit: \_\_\_\_\_ (name vessel)/structure built upon and over the waters of the State of Maryland, to wit: \_\_\_\_\_ (name or describe structure)] which could not be entered from shore by a person on foot.

NOTE: See CR 12-105 for minimum fine of \$200.

NOTE: See TA 6-209 for vessels that do not apply.

NOTE: It is not a defense to this section that a permit or license had been issued for the gambling activity by any political subdivision of this State.

**Results of Horse Race**

**CR 12-109**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**

\*1\_0433\*

**\*\*FIXED HORSE RACE\*\***

... did willfully, knowingly, and unlawfully [cause/attempt to cause] the [prearrangement/predetermination] of the results of a horse race, to wit: \_\_\_\_\_ (name race).



**Lotteries - Prohibited**

**CR 12-203  
MISDEMEANOR  
\$1,000.00 - 12 MONTHS**

**\*2\_3925\***

**\*\*LOTTERY-SELL\*\***

...did hold a lottery.

**CR 12-203  
MISDEMEANOR  
\$1,000.00 - 12 MONTHS**

**\*2\_3930\***

**\*\*LOTTERY-SELL\*\***

...did sell a lottery device to \_\_\_\_.

NOTE: Lottery is a species of gaming, the elements of which are consideration, chance, and prize.

Lottery device does not have to be a written document. It may constitute a mere exchange of words between the lottery operator and the bettor, by which they agree upon terms under which a chance or share in lottery is being acquired.

**CR 12-204**  
**MISDEMEANOR**  
**\$100.00 - 1 YEAR**  
**SUBSEQUENT OFFENSE**  
**SEC. 12-210**  
**\$5,000.00 - 5 YEARS**

**\*4\_3921\***

**\*\*LOTTERY UNAUTH PL TO SELL\*\***

...did keep a certain place, to wit: \_\_\_\_ located at \_\_\_\_, for the purpose of selling [lottery devices/policies/certificate] (specify).

NOTE: Facts must show keeping of a house, office, or other place (automobile included) for purpose of selling or bartering lottery devices. Ownership is not an element.

**CR 12-204**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**  
**SUBSEQUENT OFFENSE**  
**SEC. 12-21**  
**\$5,000.00 - 5 YEARS**

**\*5\_3921\***

**\*\*LOTTERY PROP OWN/PERMT SAL\*\***

...did knowingly permit \_\_\_\_ (property used) located at \_\_\_\_, of which he was the [owner/lease holder] to be used as a place for selling [lottery devices/policy/certificate] \_\_\_\_ (specify).

NOTE: Facts must indicate ownership or leaseholder interest in property, including automobile, and that owner/leaseholder knew of the use to which property was being put.

NOTE: State lottery exempted from these prohibitions.

S.G. Sec. 9-102.

**CR 12-205**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**  
**SUBSEQUENT OFFENSE**  
**SEC. 12-210**  
**\$5,000.00 - 5 YEARS**

**\*1\_0286\***

**\*\*LOTTERY POSS NUMBERS LIST\*\***

...did possess a record of numbers drawn in a [lottery/lottery ticket/ship/list/record]; to wit \_\_\_\_\_ (name item).

**Possession - Records or Money**

**CR 12-205**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**  
**SUBSEQUENT OFFENSE**  
**SEC. 12-210**  
**\$5,000.00 - 5 YEARS**

**\*2\_3918\***

**\*\*LOTTERY: INTERSTATE TRANSP\*\***

...did bring into the State of Maryland a [lottery ticket/policy/certificate]; to wit \_\_\_\_\_ (name item).

**CR 12-205(b)(2)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**  
**SUBSEQUENT OFFENSE**  
**SEC. 12-210**  
**\$5,000.00 - 5 YEARS**

**\*1\_0287\***

**\*\*LOTTERY POSS SALES MONEY\*\***

...did possess a [book/list/slip/record] of money [received/to be received] from the sale of a lottery device.

NOTE: Possession may be actual (on one's person) or constructive (within one's immediate control), and may be sole or joint possession. Ownership and knowledge are not elements of crime.

**Publication/Account of Lottery**

**CR 12-206**  
**MISDEMEANOR**  
**\$100.00 - 60 DAYS**  
**SUBSEQUENT OFFENSE**  
**12- 210**  
**\$5,000.00 - 5 YEARS**

**\*1\_3915\***

**\*\*LOTTERY-PUBLISH ACCT\*\***

... did [print/write/publish] an account of a lottery that describes \_\_\_\_\_ (choose from below)

1. [when/where] the lottery is drawn.
2. Any prize available in the lottery.
3. The [price/share] of a lottery ticket.
4. Where a lottery ticket may be obtained.

NOTE: Publication or aiding and assisting in publication (either written, printed or broadcast) of an account of a lottery means stating when or where it is to be drawn, or the price of a ticket, or where ticket may be obtained.

It should be noted that it makes no difference if the lottery is legal in another state.

**CR 12-302**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

**\*3\_3908\***

**\*\*SLOT MACHINE POSS/MAINTAIN\*\***

...did unlawfully [locate/possess/keep/maintain/operate] a slot machine within this State.

NOTE: See section 12-302 for definition of slot machines.

NOTE: There are several exceptions within this statute. Possession of an antique slot machine is allowed, but you should not take this into account when determining probable cause, as this must be an affirmative defense offered at trial. Within certain counties, licenses for slot machines may be issued by the proper authority. See the Statute for these exceptions.

Also, effective October 1, 1995, an exception is given to persons in the business of demonstrating for sale, or selling, such machines if they are:

- a. operating under a contract with a manufacturer;
- b. are registered with the U.S. Department of Justice as a distributor of slot machines, and;
- c. have provided the Superintendent of the State Police with a copy of their current registration.

**CR 14-104**  
**FELONY**  
**PRELIMINARY HEARING**  
**10 YEARS**

**\*1\_1733\***

**\*\*CRIME OF VIOL- PREGNANT PERS\*\***

... did commit a crime of violence as defined under CR 14-101, to wit:  
 \_\_\_\_\_(describe), against \_\_\_\_\_(victim), [knowing/believing that]  
 said person was pregnant.

NOTE: This is charge can be charged in addition to the underlying crime of violence.

## **CORRECTIONAL SERVICES ARTICLE**

**CS 2-113.1(b)**  
**MISDEMEANOR**  
**\$500.00**

**\*1\_0656\***

**\*\*FTA SUBPOENA – SEC CORR SVC\*\***

... [fail to appear before the Secretary/refuse to testify] when subpoenaed.

NOTE: Secretary means Secretary of Public Safety and Correctional Services.

**CS 2-113.1(c)**  
**MISDEMEANOR**  
**10 YEARS**

**\*1\_0657\***

**\*\*FALSESTMT SEC CORR SVC\*\***

... did make a false statement under oath before the Secretary.

NOTE: Secretary means Secretary of Public Safety and Correctional Services.

NOTE: Penalty for perjury – CR 9-101.

**CS 8-801  
FELONY  
30 YEARS  
PRELIMINARY HEARING**

**\*3\_5730\***

**\*\*IMPRISON CORRECTIONAL EMPL\*\***

...did falsely imprison \_\_\_\_\_(name), a correctional employee, while defendant was an inmate at \_\_\_\_\_ (name State, County, Municipal, or other jail, detention center, or correctional facility).

NOTE: Correctional Employee means:

1. A person who is employed by a correctional facility.
2. A person who performs volunteer work for a correctional facility.
3. A person who performs duties in a correctional facility by virtue of federal, state, or local government employment; OR
4. A person who performs duties in a correctional facility by virtue of a contract with federal, state, or local government.

**CS 8-803  
MISDEMEANOR  
\$1,000.00 - 3 YEARS**

**\*2\_1133\***

**\*\*INDECENT EXPOSE CORRECTION EMPL\*\***

... did, with the intent to [annoy/abuse/torment/harass/embarrass] a (correctional officer/authorized personnel), to wit: \_\_\_\_\_ (name/employee)  
[lewdly/lasciviously/indecently] expose parts of the body, to wit: \_\_\_\_\_, while an inmate at \_\_\_\_\_ (facility).

# **EDUCATION ARTICLE**

## **ATTENDANCE AND DISCIPLINE OF STUDENTS**

**ED 7-301**  
**MISDEMEANOR**  
**\$50.00 PER DAY OF**  
**ABSENCE - 3 DAYS**  
**SUBSEQUENT OFFENSE**  
**\$100.00 PER DAY OF**  
**ABSENCE - 5 DAYS**

\*1\_0928\*

**\*\*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.

NOTE: See ED 7-301.1 for exceptions for lawful absences involving student pregnancy.



## Compulsory Attendance

**ED 7-301**  
**MISDEMEANOR**  
**\$500.00 - 30 DAYS**

**\*1\_0101\***

**\*\*SCHOOL INDUCE/ATT ABSENCE\*\***

...did unlawfully induce and attempt to induce \_\_\_\_\_ (name), a child \_\_\_\_\_ years old and a resident of the State, to be absent from \_\_\_\_\_ school while said school was in session.

NOTE: The child must be at least 5 years old and under 16 to be covered by this section.

**ED 7-301**  
**MISDEMEANOR**  
**\$500.00 - 30 DAYS**

**\*1\_0102\***

**\*\*HARBOR/EMPLY CHILD-SCH HRS\*\***

...did unlawfully harbor or employ \_\_\_\_\_ (name), a child \_\_\_\_\_ years old and a resident of this State, to be absent from \_\_\_\_\_ school while school was in session.

NOTE: The child must be at least 5 years old and under 16 to be covered by this section.

SCHOOL SECURITY**Disturbing Activities at School Etc.  
Molesting/Threatening Students**

**ED 26-101**  
**MISDEMEANOR**  
**\$2,500.00 - 6 MONTHS**

**\*1\_0070\***

**\*\*SCHOOL: DISTURB OPERATION\*\***

...did wilfully[ disturb/prevent] the orderly conduct of the activities, administration, and classes of \_\_\_\_ (school or college, see note).

**ED 26-101(b)**  
**MISDEMEANOR**  
**\$2,500.00 - 6 MONTHS**

**\*1\_1307\***

**\*\*SCH MOLEST ETC OTHER LOC\*\***

...did [molest/threaten with bodily harm] [a student/an employee/an administrator/other individual] who is lawfully \_\_\_\_ (choose from below)

1. [on the grounds/in the immediate vicinity] of an institution of [elementary/secondary/higher education].
2. on a school vehicle.
3. at an activity sponsored by a school that is held off school property.
4. on property owned by a county board and is used for [administrative purposes/other purposes to wit: \_\_\_\_].

**ED 26-102**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**

**\*7\_5707\***

**\*\*SCHOOL: TRESPASS ON GROUND\*\***

...did unlawfully trespass upon the grounds of \_\_\_\_ (name of school), a public institution of [elementary/secondary/higher education].

## Trespass-Public Educational Institution

**ED 26-102**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**

\*8\_5707\*

**\*\*SCHL TRESPAS/REFUS LV BLDG\*\***

...did unlawfully refuse and fail to leave the building and grounds of \_\_\_\_\_ public institution of [elementary/secondary/higher education], after being requested to do so by \_\_\_\_\_, an authorized employee.

**ED 26-102**  
**MISDEMEANOR**  
**\$1,000.00 - 6 MONTHS**

\*9\_5707\*

**\*\*SCHL: TRESPASS/DAMAGE PROP\*\***

...did wilfully damage and deface the property of \_\_\_\_\_ (name school, see note#1) to wit: \_\_\_\_\_ (describe property, see note #2) by \_\_\_\_\_ (describe act).

NOTE 1: This section covers any elementary, middle, or high school, or any college or university, public or private.

NOTE 2: Property covered by this section includes any buildings, furnishings, statutes, monuments, memorials, trees, shrubs, grasses, or flowers.

**ED 26-104**  
**MISDEMEANOR**  
**\$1,000.00 – 1 YEAR**

\*1\_1463\*

**\*\* 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**

**EL 16-802  
FELONY – DIST COURT  
\$10,000.00 - 3 YEARS**

**\*1\_0783\***

**\*\*DESTRUCTION-ELECTION EQUIPMENT\*\***

... did willfully and knowingly [tamper with/damage/ attempt to damage/prevent the correct operation/ attempt to prevent operation of/possess key for/make key for] voting equipment to be used in an election.

**EL 16-803  
FELONY – DIST COURT  
\$10,000.00 - 3 YEARS**

**\*1\_0784\***

**\*\*DESTRUCTION-ELECTION EQUIPMENT\*\***

...did [remove/deface/destroy] [equipment/supplies] in a polling place by election officials during an election.

**EL 16-804  
FELONY – DIST COURT  
\$50, 000.00 - 10 YEARS**

**\*1\_0785\***

**\*\*TAMPERING ELECTION SYSTEM\*\***

did \_\_\_\_\_(choose from below).

1. Access an electronic voting system without authoriztion from the appropriate election authority.
2. [tamper with/alter] the [hardware/system components/software] utilized by an electronic voting system for the purpose of affecting the vote count.

# ENVIRONMENT ARTICLE

## **Junkyard/Automobile Graveyard Adjoining Body of Water**

**EN 5-10A-02  
MISDEMEANOR  
\$500.00 - 90 DAYS**

**\*7\_5599\***

### **\*\*JUNKYARD ETC FAIL MAINTAIN\*\***

...did, as the [owner/manager] of a \_\_\_\_\_ (see note), fail to maintain the contents thereof so as to prevent the dumping, depositing, and transporting thereof into the waters of this State, to wit: \_\_\_\_\_ (name body of water).

NOTE: Applies to any person or organization that owns, maintains, or causes to be maintained a junkyard, automotive dismantle, recycler facility, scrap metal processing facility, or automotive graveyard. As to probable cause, see the presumptions set forth in EN 5-10A-01.

**EN 6-422(b)(1)  
MISDEMEANOR  
1<sup>st</sup> Offense: \$20,000  
Sub Offense: \$25,000 - 2 Yrs**

**\*1\_1605\***

### **\*\*VIOLATE ASBESTOS REMOVAL\*\***

... did knowingly and willfully violate a [provision of/a rule adopted under/a regulation adopted under] Title 6, Subtitle 4 of the Environment Article to wit: \_\_\_\_\_(describe).

**EN 7-265  
FELONY  
\$100,000.00 - 5 YEARS  
PRELIMINARY HEARING**

**\*1\_0012\***

### **\*\*HAZARDOUS SUBST-DISPOSAL\*\***

...did unlawfully [store/treat/dump/discharge/abandon/dispose of] \_\_\_\_\_, a controlled hazardous substance in and at \_\_\_\_\_ (place), a place that was not a controlled hazardous substance facility and that did not have a current facility permit.

**Illegal Disposal**

**EN 7-265  
FELONY  
\$100,000.00 - 5 YEARS  
PRELIMINARY HEARING**

**\*2\_0012\***

**\*\*HAZARDOUS SUBST-DISPOSAL\*\***

...did unlawfully transport for treatment, storage, and disposal a controlled hazardous substance, to wit: \_\_\_\_\_, to \_\_\_\_\_, a place that was not a controlled hazardous substance facility and did not have a current facility permit.

**EN 7-265  
FELONY  
\$100,000.00 - 5 YEARS  
PRELIMINARY HEARING**

**\*2\_0013\***

**\*\*HAZARDOUS SUBST-FALSE INFO\*\***

...did unlawfully falsify information required by the State Department of the Environment, namely \_\_\_\_\_ (specify what information was falsified relating it to a specific law, rule regulation, order, haulers certificate, vehicle certificate, or facility permit issued under the subtitle).

**EN 7-265**  
**FELONY**  
**\$100,000.00 - 5 YEARS**  
**PRELIMINARY HEARING**

**\*2\_0014\***

**\*\*HAZARDOUS SUBST-DISPOSAL\*\***

...did [authorize/direct/permit]  
 [storing/treating/dumping/discharging/abandoning/otherwise  
 disposing of a controlled hazardous substance in any place  
 other than a controlled hazardous substance facility for which a  
 a current facility permit is in effect/ falsify information required  
 by the department or any rule, regulation, order, hauler  
 certificate, vehicle certificate or facility permit issued under EN  
 7-232.]

NOTE: Each day of violation is a separate offense.

**EN 7-265**  
**FELONY**  
**\$250,000 - 15 YEARS**  
**PRELIMINARY HEARING**

**\*2\_0015\***

**\*\*HAZARDOUS SUBST/ENDANGER OTHER\*\***

...did unlawfully [store/treat/dump/discharge/abandon/dispose  
 of/transport for treatment/transport for storage/transport for  
 disposal] \_\_\_\_\_, a controlled hazardous substance, knowing  
 that the violation placed another person, to wit: \_\_\_\_\_ (name or  
 names) in imminent danger of death or serious bodily harm.

# **FAMILY LAW ARTICLE**

## **MARRYING UNLAWFULLY**

### **Within 3 Degrees of Direct Lineal/ First Degree of Collateral Consanguinity**

**FL 2-202(b)  
MISDEMEANOR  
\$1,500.00**

**\*3\_7399\***

#### **\*\*MARRIAGE-UNLAWFUL\*\***

...did marry \_\_\_\_\_ (select from list), his/her \_\_\_\_\_ (relationship), being within [three degrees of direct lineal consanguinity/the first degree of collateral consanguinity].

NOTE: The marriages prohibited under this section are as follows:

An individual may not marry their:

- Grandparent
- Parent
- Child
- Sibling; or
- Grandchild



## Marrying within Other Prohibited Degrees

FL 2-202[c]  
MISDEMEANOR  
\$500.00

\*4\_7399\*

### **\*\*MARRIAGE-UNLAWFUL\*\***

...did marry \_\_\_\_, his/her \_\_\_\_ (relationship), being within a degree of affinity and kindred prohibited by the laws of this State.

NOTE: The marriages prohibited under this section are as follows:

An individual may not marry their:

- Grandparent's Spouse
- Spouse's Grandparent
- Parent's Sibling
- Stepparent
- Spouse's Parent
- Spouse's Child
- Child's Spouse
- Grandchild's Spouse
- Spouse's Grandchild
- Sibling's Child

**FL 2-406(c)**  
**MISDEMEANOR**  
**\$500.00**

**\*6\_7390\***

**\*\*MARRIAGE-UNAUTH. BY MINISTER\*\***

...did unlawfully and without authority perform a marriage ceremony between \_\_\_\_\_ (bride) and \_\_\_\_\_ (groom).

NOTE: See section for list of authorized persons.

### **Minister, etc. Marrying Persons Within Prohibited Degrees**

**FL 2-406(d)**  
**MISDEMEANOR**  
**\$500.00**

**\*5\_7399\***

**\*\*MARRIAG UNAUTH BY MINISTER\*\***

...did knowingly perform a marriage ceremony between \_\_\_\_\_ and \_\_\_\_\_, they being related in the degrees prohibited by law, and he/she being a [religious official/clerk/deputy clerk/judge].

**FL 2-406(e)**  
**MISDEMEANOR**  
**\$500.00**

**\*6\_7395\***

**\*\*MARRIAGE-PERFORM W/O LICENSE\*\***

...did unlawfully perform a marriage ceremony between \_\_\_\_\_  
(bride) and \_\_\_\_\_ (groom) without a license.

NOTE: Persons authorized to perform marriages:

1. Any official of religious order or body by rules and customs of that order or body.
2. Any clerk.
3. Any deputy clerk designated by the county administrative judge of the circuit court for that county.
4. A judge.

**FL 2-408(a)(2)**  
**MISDEMEANOR**  
**FIRST OFFENSE \$100.00**  
**SUB OFFENSE \$500.00 - 1**  
**YEAR**

**\*9\_7399\***

**\*\*MARRIAGE-ILL ADVERTISING\*\***

...did [erect/maintain] \_\_\_\_\_ (describe advertising structure)  
 located at \_\_\_\_\_, that was intended to help solicit the  
 performance of a marriage ceremony.

**FL 4-508.1**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**  
**SUB OFFENSE \$2,500.00 -**  
**1YEAR**

**\*2\_0454\***

**\*\*VIOLATE OUT OF STATE ORDER\*\***

...did fail to comply with [temporary/final] Order for protection  
 by the State of \_\_\_\_\_ and filed with the [District/circuit court of  
 \_\_\_\_\_] by \_\_\_\_\_ (choose ONE violation from  
 list below. Additional violations may be added using the  
 word "and" if violations occurred during same event.)

1. abusing \_\_\_\_\_ ( person eligible for relief (PER))
2. threatening to abuse \_\_\_\_\_ (PER)
3. contacting \_\_\_\_\_ (PER)
4. attempting to contact \_\_\_\_\_ (PER)
5. harassing \_\_\_\_\_ (PER)
6. entering the residence of \_\_\_\_\_ (PER)
7. failing to vacate the residence of \_\_\_\_\_ (PER)
8. failing to remain away from the place of employment of  
 \_\_\_\_\_ (PER)
9. failing to remain away from the school of  
 \_\_\_\_\_ (PER)
10. failing to remain away from the temporary residence of  
 \_\_\_\_\_ (PER)
11. failing to surrender firearms to law enforcement
12. possessing a firearm

**FL 4-509**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**  
**SUB. OFFENSE**  
**\$2,500.00 - 1 YEAR**  
**RELEASE RESTRICTION**  
**(Under Certain Conditions)**

\*2\_0254\*

**\*\*VIOLATE PROT ORDER\*\***

...did fail to comply with relief granted under [an interim/a temporary/a final] protective order dated \_\_\_\_\_, issued under Title 4, Subtitle 5 of the Family Law Article by \_\_\_\_\_ (choose ONE violation from list below. Additional violations may be added using the word "and" if violations occurred during same event.)

1. abusing \_\_\_\_\_ ( person eligible for relief (PER))
2. threatening to abuse \_\_\_\_\_ (PER)
3. contacting \_\_\_\_\_ (PER)
4. attempting to contact \_\_\_\_\_ (PER)
5. harassing \_\_\_\_\_ (PER)
6. entering the residence of \_\_\_\_\_ (PER)
7. failing to vacate the residence of \_\_\_\_\_ (PER)
8. failing to remain away from the place of employment of \_\_\_\_\_ (PER)
9. failing to remain away from the school of \_\_\_\_\_ (PER)
10. failing to remain away from the temporary residence of \_\_\_\_\_ (PER)
11. failing to surrender firearms to law enforcement (Only applicable when Temp or Final Order)
12. possessing a firearm (Only applicable when Temp or Final Order)

NOTE: See definition of abuse - FL 4-501.

NOTE: A District Court commissioner may not authorize the pretrial release of a defendant charged with violating the provisions of a protective order that order the defendant to refrain from abusing or threatening to abuse a person eligible for relief. See Criminal Procedures 5-202(e); F: 4-506(d)(1); FL 4-508.1.

NOTE: An officer shall arrest with or without a warrant and take into custody a person whom the officer has probable cause to believe is in violation of a protective order in effect at the time of the violation.

NOTE: If the court is closed on the day an interim order is set to expire, the order shall be effective until the next day on which the court is open. For temporary orders, it is effective until the second day on which the Court is open.

NOTE: The commissioner must verify the type of order, verify that the order has been served, verify that the alleged violation conditions exist in the issued order; prior to making a probable cause decision.

NOTE: Under FL 4-509(b), a prior conviction under CJ 3-1508 for failure to comply with a peace order, shall be considered a conviction for the purposes of second or subsequent offense penalties. Sub offenses should be brought by State's Attorney.

**FL 5-705.2**  
**MISDEMEANOR**  
**\$10,000 .00 – 5 YEARS**

**\*1\_0734\***

**\*\*ABUSE/NEGLECT REPORTING\*\***

...did intentionally [prevent/interfere with] the making of a report of [suspected abuse/neglect] required by [FL 5-704/FL 5-705.1(c)(2)].

**Confinement/dwelling, etc.;**

**FL 5-801**  
**MISDEMEANOR**  
**\$500 .00 - 30 DAYS**

**\*1\_0005\***

**\*\*CONFINE UNATTENDED CHILD\*\***

...did, being charged with the care of \_\_\_\_\_ (name), a child under the age of 8 years, allow said child to be [locked/confined] in a [dwelling/building/enclosure/motor vehicle] which was out of [his/her] sight and while [he, she] was absent therefrom.

NOTE: This section is not applicable where the child is left attended by a reliable person at least 13 years old.

CHILD CUSTODY AND VISITATION

**FL 9-304**  
**PENALTY SEC. FL 9-307**  
**MISDEMEANOR**  
**\$250.00 - 30 DAYS**

\*1\_0364\*

**\*\*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\_0365\*

**\*\*HIDE CHLD/ABD BY REL IN ST\*\***

...did, as a relative and with intent to deprive the lawful custodian, [harbor/hide] within this State \_\_\_\_\_, a child under 16 years of age, knowing that possession of the said child was obtained by another relative in violation of this section.

**FL 9-304**  
**PENALTY SEC. FL 9-307**  
**MISDEMEANOR**  
**\$250.00 - 30 DAYS**

**\*1\_0366\***

**\*\*ABDUCT ETC CHILD/ACCESSORY\*\***

...was an accessory to ....(add appropriate wording from either CJIS Code 1-0364, 1-0365, or 2-1005).

NOTE: You may not require an applicant for a statement of charges in a child abduction by a relative case to submit written proof that the applicant has legal custody of the child. If such is available and offered to you, however, it should be reviewed and a copy attached to the application.

**FL 9-304**  
**PENALTY SEC. FL 9-307**  
**MISDEMEANOR**  
**\$250.00 - 30 DAYS**

**\*2\_1005\***

**\*\*ABDUCT CHILD/RELATIV IN ST\*\***

...did, as a relative and with intent to deprive the lawful custodian, knowingly [abduct/take/carry away] \_\_\_\_, a child under 16 years of age from \_\_\_\_ [his/her] lawful custodian, to a place within this State.



**FL 9-305**  
**PENALTY SEC. FL 9-307**  
**Detained not more than 30**  
**days**  
**(barcode 1\_0737)**  
**FELONY**  
**\$1,000.00 – 1YEAR**  
**PRELIMINARY HEARING**  
**Detained more than 30 days**  
**(barcode 1-0747)**  
**FELONY**  
**\$2,500.00 - 3 YEARS**  
**PRELIMINARY HEARING**

\*1\_0737\*

\*1\_0747\*

**\*\*DET CHLD CUSTODIAN OUT ST\*\***

...did being a relative, having acquired lawful possession of  
 \_\_\_\_\_(name), a child under the age of 16, detain said child  
 in another state, with intent to deprive the lawful custodian of  
 the custody of said child, for more than 48 hours after a demand  
 for the return by the lawful custodian.

**Abduction by Relative - Child Under 16 -Outside  
State**

**FL 9-305  
PENALTY SEC. FL 9-307  
Detained not more than 30  
days  
(barcode 1-0738)  
FELONY  
\$1,000.00 – 1 YEAR  
PRELIMINARY HEARING  
Detained more than 30 days  
(barcode 1-0748)  
FELONY  
\$2,500.00 - 3 YEARS  
PRELIMINARY HEARING**

**\*1\_0738\***

**\*\*HIDE CHLD AB BY REL OUT ST\*\***

**\*1\_0748\***

...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**

\*1\_0739\*

\*1\_0749\*

**\*\*ABDUCT ETC CHILD/ACCESSORY\*\***

...act as an accessory to . . . (select from list)

LIST:

1. The [abduction/taking/carrying away] of \_\_\_\_\_ (name) a child under the age of 16, to a place in another state, by \_\_\_\_\_ (name), being a relative of said child, knowing that another person is the lawful custodian of the child and with intent to deprive the lawful custodian.
2. \_\_\_\_\_, a relative, who having acquired lawful possession of said child, knowing another to be the lawful custodian, detain \_\_\_\_\_ (name), a child under the age of 16, for more than 48 hours after a demand for return by the lawful custodian with the intent to deprive the lawful custodian of said child.
3. The [harboring/hiding], \_\_\_\_\_ (name), a child under the age of 16, in another state, by \_\_\_\_\_ (name), who knows that possession of the child was obtained by another relative in violation of title 9 of the Family Law Article and with the intent to deprive the lawful custodian of said child.

NOTE: You may not require an applicant for a statement of charges in a child abduction by a relative case to submit written proof that the applicant has legal custody of the child. If such is available and offered to you, however, it should be reviewed and a copy attached to the application.

**FL 9-305**  
**PENALTY SEC. FL 9-307**  
**Detained not more than 30**  
**days**  
**(barcode 1-0736)**  
**FELONY**  
**\$1,000.00 – 1 YEAR**  
**PRELIMINARY HEARING**  
**Detained more than 30 days**  
**(barcode 1-0746)**  
**FELONY**  
**\$2,500.00 - 3 YEARS**  
**PRELIMINARY HEARING**

\*1\_0736\*

\*1\_0746\*

**\*\*ABDUCT CHILD/CUST OUT ST\*\***

...did, as a relative and with intent to deprive the lawful custodian, knowingly [abduct/ take/ carry away] \_\_\_\_\_, a child under 16 years of age from \_\_\_\_\_ [his/her] lawful custodian, to a place in another state.

### **Nonsupport - Spouse**

**FL 10-201**  
**MISDEMEANOR**  
**\$100.00 - 3 YEARS**

\*1\_3899\*

**\*\*NONSUPPORT SPOUSE\*\***

...did, without just cause, willfully fail to provide for the support of \_\_\_\_\_ [his/her] spouse.

**FL 10-203  
MISDEMEANOR  
\$100.00 - 3 YEARS**

**\*2\_3899\***

**\*\*DESERTION-MINOR CHILD\*\***

...did desert \_\_\_\_ (name) [his/her] minor child.

### **Desertion/Nonsupport - Minor Child**

**FL 10-203  
MISDEMEANOR  
\$100.00 - 3 YEARS**

**\*3\_3899\***

**\*\*NONSUPPORT - MINOR CHILD\*\***

...did willfully fail to provide for the support of \_\_\_\_ (name),  
[his/her] minor child, during the period \_\_\_\_ through \_\_\_\_  
inclusive.

**FL 10-219  
MISDEMEANOR  
\$100.00 - 1 YEAR**

**\*4\_3899\***

**\*\*DESERTION-MINOR CHILD\*\***

...did desert \_\_\_\_ (name), a minor child under [his/her] care,  
custody, and control [with the intent that such child become a  
public charge/without providing for said child's support for at  
least 3 years by a responsible individual or a licensed child care  
facility].

NOTE: This section does not require that custodian be the  
parent.

**Non-Support Destitute Adult Child**

**FL 13-102  
MISDEMEANOR  
\$1,000.00 - 1 YEAR**

**\*5\_3899\***

**\*\*NONSUP DESTITUT ADULT CHLD\*\***

...did neglect and refuse to provide necessary shelter, food, care and clothing for \_\_\_\_ (name), [his/her] destitute adult child, the said \_\_\_\_ (defendant) having the means to do so.

Effective 10/01/2019

# HEALTH – GENERAL ARTICLE

**HG 4-226(f)**  
**PENALTY SEC. HG 4-227**  
**MISDEMEANOR**  
**\$1,000.00 - 30 DAYS**

**\*1\_0695\***

**\*\*VITAL RECORDS FRAUD - USE\*\***

...did willfully [use/attempt to use] a photocopy of a [birth/death/fetal death/marriage] certificate for a fraudulent and deceptive purpose.

NOTE: Application or statement of charges should indicate the fraudulent or deceptive purpose.

**HG 5-514**  
**MISDEMEANOR**  
**\$5,000.00 – 1 YEAR**

**\*1\_0932\***

**\*\*BURY/DISPOSE BODY UNAUTH PLACE \*\***

...did [bury/dispose] of a dead human body in a place other than family burial plot, an area allowed by a local ordinance, a crematory, a cemetery, by donating the body to medical science, or by removing body to another state for final disposition in accordance with the laws of the other state.

**HG 20-601(a)**  
**PENALTY HG 20-601(a)**  
**FELONY**  
**\$5,000 - 5 YEARS**  
**PRELIMINARY HEARING**

**\*1\_0965\***

**\*\*FEM GENITAL MUTILATION\*\***

...did unlawfully and knowingly [circumcise/excise/infibulate] [the whole/a part] of the [labia majora/labia minora/clitoris] of \_\_\_\_\_(name), an individual under 18 years of age.

**Consenting to female genital mutilation on a child,  
under 18, under care of person**

**HG 20-601(b)  
PENALTY HG 20-603  
FELONY  
\$5,000 - 5 YEARS  
PRELIMINARY HEARING**

**\*1\_0970\***

**\*\*CONSENT/GENITAL MUTILATION\*\***

... unlawfully, being legally responsible and charged with the care and custody of \_\_\_\_ (name), a child under 18 years of age, did knowingly consent to the [circumcision/excision/infibulation] of the [whole/a part] of the [labia majora/labia minora/clitoris] of the said child.

**FOOD PACKAGES AND CONTAINERS**

**Opening Sealed Food Container**

**HG 21-259.1  
MISDEMEANOR  
\$25.00**

**\*1\_1596\***

**\*\*FOOD, SEALED, OPENING\*\***

...did, without [intent to purchase/authority], open a sealed, closed, and fastened food container in a [food store/supermarket] and leave said container unsalable.



# **LABOR AND EMPLOYMENT ARTICLE**

## **Wage Payment and Collection**

**LE 3-502**  
**PENALTY SEC. 3-508**  
**MISDEMEANOR**  
**\$1,000.00**

**\*1\_0698\***

### **\*\*WAGES: FAIL TO PAY REGULAR\*\***

...did, as an employer thereof, wilfully fail to pay wages to \_\_\_\_\_, an employee, at least one in every two weeks and twice in each month as required by the Maryland Annotated Code, Labor and Employment Article, Section 3-502

**LE 3-503**  
**PENALTY SEC. LE 3-508**  
**MISDEMEANOR**  
**\$1,000.00**

**\*1\_0699\***

### **\*\*WAGES: UNLAWFUL DEDUCTIONS\*\***

...did, as an employer thereof, wilfully make unauthorized deductions from the wages of \_\_\_\_\_, an employee.

NOTE: Deductions are authorized by:

1. Order by a court of competent jurisdiction;
2. Express authorization in writing by the employee;
3. Specific allowance by the Commissioner of Labor and Industry because the employee has received full consideration for the deduction;
4. In accordance with any law or any rule or regulation by a governmental unit.

**LE 3-504**  
**PENALTY SEC. LE 3-**  
**508(c)**  
**MISDEMEANOR**  
**\$1,000.00**

**\*1\_0700\***

**\*\*WAGES: FAIL TO GIVE NOTICE\*\***

...did, as an employer thereof, wilfully fail to furnish to \_\_\_\_\_,  
 [employee/complainant]. (select from list below)

1. at the time of hiring, notice of the rate of pay and regular payday.
2. for each pay period, a statement of gross earnings and deductions from gross earnings.
3. at least one pay period in advance, notice of any change in [payday/wage].

NOTE: This section does not prohibit an employer from increasing a wage without advance notice.

**LE 3-505**  
**PENALTY SEC. LE 3-**  
**508(c)**  
**MISDEMEANOR**  
**\$1,000.00**

**\*1\_0701\***

**\*\*WAGES: TERM & FAIL TO PAY\*\***

...did, as an employer thereof, wilfully fail to pay, by the customary day, \_\_\_\_\_ [employee/complainant] all wages due at time of termination of employment.

**LE 3-508  
MISDEMEANOR  
\$500.00**

**\*1\_0702\***

**\*\*EMPL/MISLEAD GOVMNT AGENCY\*\***

...did, as an employee of \_\_\_\_\_, wilfully and knowingly make a false statement to \_\_\_\_\_, a governmental [unit/official] with a false statement with respect to an investigation under Subtitle 3, Labor and Employment Article, of the Annotated Code of Maryland, with the intent that the said [unit/official] consider and take action in connection with the said statement.

**Unlawful Acts**

**LE 8-1301  
PENALTY SEC. LE 8-1305  
MISDEMEANOR  
\$1,000.00 - 90 DAYS  
RESTITUTION PLUS  
INTEREST  
DISQUALIFICATION**

**\*1\_0801\***

**\*\*UNEMPL: FAIL DISC MAT FACT\*\***

...did knowingly and willfully fail to disclose a material fact to [receive/ increase] a [payment/benefit] under the Unemployment Insurance Law of \_\_\_\_\_, for [himself/herself/ \_\_\_\_\_(name of other person) ].

NOTE: The benefit may be for the person who committed the act or for another person.

**LE 8-1301**  
**PENALTY SEC. LE 8-1305**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**  
**RESTITUTION PLUS**  
**INTEREST**  
**DISQUALIFICATION**

\*1\_0807\*

**\*\*UNEMPL FALSE STMT FOR BEN\*\***

...did knowingly and willfully make a false  
 [statement/representation] to [receive/increase] a  
 [payment/benefit] under the Unemployment Insurance Law of  
 \_\_\_\_\_, for [himself/herself/ \_\_\_\_\_ (name of other person) ].

**LE 8-1302**  
**PENALTY SEC. LE 8-1305**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

\*1\_0802\*

**\*\*UNEMPL FALS STMT PRVNT BEN\*\***

...did knowingly and willfully make a false  
 [statement/representation] to [prevent/reduce] the payment of a  
 benefit to \_\_\_\_\_(name), who was entitled to the benefit.

**LE 8-1302**  
**PENALTY SEC. LE 8-1305**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

\*1\_0803\*

**\*\*UNEMPLY FALS DISC PRVNT BEN\*\***

...did, as an employer, knowingly and willfully fail to disclose a  
 material fact to [prevent/reduce] the payment of a benefit to  
 \_\_\_\_\_ (name), who was entitled to the benefit.

**LE 8-1302**  
**PENALTY SEC. LE 8-1305**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

**\*1\_0804\***

**\*\*UNEMPL FALS STMT BY EMPLYR\*\***

...did, as an employer, knowingly and willfully make a false [statement/representation] to [avoid/reduce] a [contribution/required payment] from an employer subject to the Unemployment Insurance Law with respect to \_\_\_\_\_ (claimant).

**LE 8-1302**  
**PENALTY SEC. LE 8-1305**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

**\*1\_0809\***

**\*\*UNEMPL FALS STMT BY EMPLYR\*\***

...did, as an employer, knowingly and willfully make a false [statement/representation] to [avoid becoming/remaining] subject to the Unemployment Insurance Law with respect to \_\_\_\_\_ (claimant).

**LE 8-1302**  
**PENALTY SEC. LE 8-1305**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

**\*1\_0810\***

**\*\*UNEMPL FAIL DISC MAT FACT\*\***

...did, as an employer, knowingly and willfully fail to disclose a material fact to [avoid becoming/remaining] subject to the Unemployment Insurance Law with respect with \_\_\_\_\_ (claimant).

**LE 8-1302**  
**PENALTY SEC. LE 8-1305**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

**\*1\_0811\***

**\*\*UNEMPL FAIL DISC MAT FACT\*\***

...did, as an employer, knowingly and willfully fail to disclose a material fact to [avoid/reduce] any [contribution/required payment] from an employer subject to the Unemployment Insurance Law with respect to \_\_\_\_\_ (claimant).

**LE 8-1302**  
**PENALTY SEC. LE 8-1305**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

**\*2\_0800\***

**\*\*EMPLOYER/FAIL TO CONTRIBUTE\*\***

...did, as [an employer/an officer of an employer/an agent of an employer], willfully [fail/refuse] to make a [contribution/payment] as required by the 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\_0810\***

**\*\*EMPLOYER/FAIL TO REPORT\*\***

... did, as [an employer/an officer of an employer/an agent of an employer], willfully [fail/refuse] to submit a report to wit: \_\_\_\_\_ as required by the unemployment insurance law, in violation of the Labor and Employment Article, Sec. 8-1302[2][ii].

**LE 8-1302**  
**PENALTY SEC. LE 8-1305**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

**\*2\_0820\***

**\*\*EMPLOYER/RECORDS PRODUCTION\*\***

... did, as [an employer/an officer of an employer/an agent of an employer], willfully [fail/refuse] to produce records to wit: \_\_\_\_\_ as required under the unemployment insurance law, in violation of the Labor and Employment Article, Sec. 8-1302[2][iii].

**LE 8-1302**  
**PENALTY SEC. LE 8-1305**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**

**\*2\_0830\***

**\*\*EMPLOYER/RECORDS COPIES\*\***

...did, as employer, willfully fail and refuse to allow records required under the unemployment insurance law to wit: \_\_\_\_\_ to be copies or inspected in violation of the Labor and Employment Article, Sec. 8-1302(iv).

**LE 8-1303**  
**PENALTY SEC. LE 8-1305**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

**\*1\_0813\***

**\*\*UNEMPL ACCEPT WAIVE RIGHTS\*\***

...did, as an employer, accept and require from \_\_\_\_\_, an employee, a waiver of a right to which said employee was entitled under the Maryland Unemployment Insurance Law.

**LE 8-1303  
PENALTY SEC. LE 8-1305  
MISDEMEANOR  
\$1,000.00 - 1 YEAR**

**\*1\_8012\***

**\*\*UNEMPL DEDUCT FROM WAGE\*\***

...did, as an employer, [directly/indirectly] accept, make, and  
require a deduction from the wage of \_\_\_\_\_ (employee) to pay a  
contribution from the employing unit.

Effective 10/01/2019



## **NATURAL RESOURCES ARTICLE**

NOTE: NATURAL RESOURCE OFFENSES ARE TYPICALLY CHARGED WITHOUT USING CJIS CODES. HOWEVER, BELOW ARE EXCEPTIONS.

Effective 10/01/2019

**DRUNKEN BOATING****Operating Vessel Under Influence of Alcohol,  
Drugs, Etc.**

**NR 8-738(a)(1)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**  
**SECOND OFFENSE**  
**\$2,000.00 - 2 YEARS**  
**THIRD OR SUBSEQUENT**  
**OFFENSE**  
**\$3,000.00 - 3 YEARS**

**\*6\_8000\***

**\*\*OP. VESSEL/UNDER INFLUENCE\*\***

...unlawfully [did/did attempt to] operate a vessel, to wit:  
\_\_\_\_\_, while under the influence of alcohol.

**NR 8-738(a)(2)(3),(4)**  
**MISDEMEANOR**  
**\$500.00 - 2 MONTHS**  
**SUBSEQUENT OFFENSE**  
**\$1,000.00 - 1 YEAR**

**\*6\_8050\***

**\*\*OP. VESSEL/DWI, CDS, ETC.\*\***

...unlawfully [did/did attempt to] operate a vessel, to wit: \_\_\_\_\_  
 while [impaired by alcohol/impaired by a Controlled Dangerous  
 Substance of Schedule \_\_\_\_\_, to wit: \_\_\_\_\_/impaired by a  
 combination of alcohol and drugs, to wit: \_\_\_\_\_/ impaired by  
 a combination of drugs, to wit: \_\_\_\_\_].

NOTE: Under the "combination" choices in the above charge, it is not necessary that the drugs be illegal. If the drugs are illegal controlled dangerous substances, they should be identified by name and schedule. If they are legal prescription drugs which, taken in combination with other drugs or alcohol rendered the defendant unsafe to operate a vessel, they should be identified by name. It is not a defense to this statute that the drug or drugs were legally prescribed unless the defendant was unaware that the drug or combination would make him or her incapable of safely operating a vessel. If the defendant alleges that he or she was unaware of this, you should not take this into account in establishing probable cause, as this is an affirmative defense which must be established at trial.

## PUBLIC SAFETY ARTICLE

**PS 3-502(b)**  
**MISDEMEANOR**  
**\$2,000.00 - 2 YEARS**

**\*1\_1769\***

**\*\*IMPERSONATE POLICE OFFICER\*\***

...did falsely represent himself as being a \_\_\_\_ (see note) with fraudulent design upon the [person of/property of] \_\_\_\_.

NOTE: Statute includes false representation as a member of the police force of the United States, a special police officer, sheriff, deputy sheriff, police officer, or constable, or a member of the police or sheriff's departments of this or any state, or any county or municipal corporation of this or any state, or as a member of any such agency. This includes WMATA Metro Transit Police.

**PS 3-502(c)**  
**MISDEMEANOR**  
**\$2,000.00 - 2 YEARS**

**\*1\_0604\***

**\*\*IMPERSONATION: UU/UNIFORM\*\***

...did without the authority of \_\_\_\_ [Chief of Police of \_\_\_\_/Secretary of State Police/Police Commissioner of Baltimore City/Sheriff/Deputy Sheriff/constable/US Secret Service/US Park Police/WMATA Metro Transit Police/DEA/\_\_\_\_, a federal agency], [have/use/wear/display] a [uniform/shield/button/badge/identification/shoulder patch], as is worn by a [police officer/sheriff/deputy sheriff/constable].

NOTE: Statute includes any official insignia or emblem of any police, sheriff, federal agency, investigative service or enforcement agency, sheriff, deputy sheriff, or constable's agency of this or any State, county, or municipality.

## Surveillance

**PS 3-503**  
**MISDEMEANOR**  
**\$1,000.00 - 2 YEARS**

\*2\_5120\*

### **\*\*UNREGISTERED SURVEILLANCE\*\***

...did, within 6 months of having lost [his/her]  
 [registration/right to register], unlawfully conduct surveillance  
 [at \_\_\_\_ (location) /upon \_\_\_\_ (subject)] unlawfully within the  
 ensuing six months.

NOTE: Section applies to agents of or from any other State or  
 the District of Columbia. For probable cause to be found, facts  
 must show defendant has a record with the local police or  
 sheriff's department, or the State Police, of conducting a  
 previous unregistered surveillance within the six months  
 preceding the date of the offense.

## Pistol & Revolver Dealer's License

**PS 5-106**  
**PENALTY SEC. 5-144**  
**MISDEMEANOR**  
**\$10,000.00 - 5 YEARS**

\*2\_5210\*

### **\*\*REG FIREARM: SALE W/O LICENSE\*\***

...did engage in the business of [selling/renting/transferring]  
 regulated firearms, without lawfully possessing a dealer's  
 license issued by \_\_\_\_ (the Secretary of the Maryland State  
 Police or his duly authorized agent).

NOTE: Each day on which a regulated firearm is unlawfully  
 sold or offered for sale shall be considered a separate offense.

## Improper sale by dealer or person

**PS 5-123**  
**PENALTY SEC. 5-144**  
**MISDEMEANOR**  
**\$10,000.00 - 5 YEARS**

\*1\_5230\*

### **\*\*FIREARM/SALE/DEALER\*\***

...did, being a regulated firearms dealer,[sell/rent/transfer] a regulated firearm, to wit: \_\_\_\_ (describe), to \_\_\_\_ (name), before the expiration of seven days from the time an application to purchase and transfer had been executed by the prospective purchaser and transferee, and the original copy forwarded by the prospective seller and transferor to the Secretary of the State Police.

**PS 5-124(a)**  
**PENALTY SEC. 5-144**  
**MISDEMEANOR**  
**\$10,000.00 - 5 YEARS**

\*1\_5240\*

### **\*\*FIREARM/SALE/PERSON\*\***

...did [sell/rent/purchase/transfer] a regulated firearm, to wit: \_\_\_\_ (describe), to \_\_\_\_ (name), before the expiration of seven days from the time an application to purchase and transfer had been executed by the prospective purchaser and transferee, and the original copy forwarded by the prospective seller and transferor to a regulated firearms dealer and a designated law enforcement agency, for forwarding to the Secretary of the State Police.

**PS 5-125(b)**  
**PENALTY SEC. 5-144**  
**MISDEMEANOR**  
**\$10,000.00 - 5 YEARS**

**\*1\_5250\***

**\*\*FIREARM/SALE/APPLICATION\*\***

...did [sell/rent/transfer] a regulated firearm, to wit: \_\_\_\_\_  
 (describe), to \_\_\_\_\_ (name), an applicant whose application has  
 been placed on hold because of an open disposition of criminal  
 proceedings against the applicant and disapproved.

**More than one purchase of regulated firearm  
 within 30 days.**

**PS 5-128(b)**  
**MISDEMEANOR**  
**\$5,000.00 - 3 YEARS**

**\*1\_1104\***

**\*\*MULTIPLE PURCH/30 DAYS\*\***

...did purchase more than one regulated firearm in a 30-day  
 period, to wit: \_\_\_\_\_ (describe both firearms purchased).

**PS 5-132(c)(2)**  
**PENALTY SEC. 5-144**  
**MISDEMEANOR**  
**\$10,000.00 - 5 YEARS**

**\*2\_2020\***

**\*\*SELL HANDGUN W/O LOCK\*\***

...did [sell/offer for sale/rent/transfer] a handgun manufactured  
 on or before December 31, 2002 not equipped with an external  
 safety lock.

NOTE: Beginning on January 1, 2003, a dealer may not sell,  
 offer for sale, rent, or transfer a handgun manufactured AFTER  
 December 31, 2002 unless it has an integrated mechanical  
 safety device.

**PS 5-133(b)**  
**MISDEMEANOR**  
**\$10,000.00 - 5 YEARS**

\*1\_1106\*

**\*\*REG FIREARM: ILLEGAL POSS\*\***

...did knowingly possess a regulated firearm [after being/being/being a person] \_\_\_\_\_ (select from list below.)

1. convicted of a disqualifying crime to wit: \_\_\_\_\_ (charge), a violation classified as [a felony in the state/a misdemeanor in the state that carries a statutory penalty of more than 2 years];
2. convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;
3. a fugitive from justice;
4. a habitual drunkard;
5. addicted to any controlled dangerous substance or is a habitual user;
6. who suffers from a mental disorder as defined in HG 10-101(f)(2) and has a history of violent behavior against the person or another;
7. who has been found 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 under PS 5-101(c), a crime listed under CR 5-602 – CR 5-605, or a crime listed under CR 5-612 – CR 5-614.

NOTE: See PS 5-133€ and (f) for exceptions.

NOTE: “convicted of a disqualifying crime” does not include a PBJ for assault in the second degree, unless the crime was domestically related under CP 6-233. See PS 5-101 for definitions.



**PS 5-133(c)**  
**FELONY**  
**15 YEARS**  
**PRELIMINARY HEARING**

\*1\_1609\*

**\*\*FIREARM-POSS-CRIM VIO/FEL CONV\*\***

...did possess a regulated firearm after having been convicted of: \_\_\_\_\_. (choose from below)

1. a crime of violence as defined in PS 5-101(c);
2. a crime of violence as defined in CR 14-101;
3. a violation of [5-602/5-603/5-604/5-605/5-612/5-613/5-614/5-621/5-622] 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.

NOTE: See PS 5-133(e) and (f) for exceptions

**PS 5-133(d)**  
**PENALTY SEC. 5-144**  
**MISDEMEANOR**  
**\$10,000.00 - 5 YEARS**

\*1\_5285\*

**\*\*POSS OF FIREARM/MINOR\*\***

...did, being under 21 years of age, possess a regulated firearm to wit \_\_\_\_\_.

NOTE: See PS 5-133(d)(2) for exceptions.

**PS 5-133.1**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

**\*1\_1285\***

**\*\*ILLGL POSS AMMO \*\***

...did possess ammunition, being prohibited from possessing a regulated firearm under [PS 5-133(b)/PS 5-133(c )].

NOTE: Ammunition means a cartridge, shell, or any other device containing explosive or incendiary material designed and intended for use in a firearm..

Effective 10/01/2019

## **Restrictions on Sale, Transfer and Possession of Regulated Firearms**

**PS 5-134(b)  
MISDEMEANOR  
\$10,000.00 – 5 YEARS**

**\*1\_1105\***

### **\*\*REG FIREARM-ILLEGL SALE/TRAN\*\***

...did [sell/rent/loan/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 and not authorized to possess a regulated firearm under PS 5-133(d)/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/intended to use the regulated firearm to commit a crime/intended to use the regulated firearm to cause harm to another person].

**PS 5-134(d)(1)(i)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

**\*1\_5270\***

**\*\*AMMO/SALE TO MINOR\*\***

...did [sell/rent/transfer] ammunition solely designed for a regulated firearm to a person under 21 years of age.

**PS 5-134(d)(3)(4)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

**\*1\_5280\***

**\*\*SALE TO MINOR/DW/ETC\*\***

...did sell, rent, and transfer [a firearm other than a regulated firearm/ammunition for a firearm/a deadly weapon], to wit: \_\_\_\_\_[describe], to \_\_\_\_\_(name), under the 21 years of age.

**Straw purchase**

**PS 5-136(b)**  
**PENALTY SEC. 5-141**  
**MISDEMEANOR**  
**\$10,000.00 - 25 YEARS**

**\*1\_5220\***

**\*\*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. 5-144  
MISDEMEANOR  
\$10,000.00 - 5 YEARS**

**\*1\_2801\***

#### **\*\*REG FIREARM: STOLEN/SELL ETC.\*\***

...did [possess/sell/transfer/dispose of] a regulated firearm, to wit: \_\_\_\_\_ (state type of firearm) [knowing/having reasonable cause to believe] the same to have been stolen.

NOTE: This subtitle, does not include any antique or unserviceable firearms sold or transferred and/or held as curios or museum pieces.

### **Sale/Transfer of Regulated Firearms**

**PS 5-139(a)  
MISDEMEANOR  
\$5,000.00 - 3 YEARS**

**\*1\_5210\***

#### **\*\*REG FIREARM: FALSE APP/PURCH\*\***

...did knowingly give false information, and make a material misstatement on an application dated \_\_\_\_\_ to purchase, rent and transfer a regulated firearm.

### **Straw purchase to prohibited person or minor; transporting into state for sale.**

**PS 5-140  
MISDEMEANOR  
\$25,000.00 - 10 YEARS**

**\*1\_5295\***

#### **\*\*TRANS REG FIREARM/SALE/TRAF\*\***

...did transport regulated firearms into this state for the purpose of illegal sale or trafficking of regulated firearms.

**PS 5-141  
MISDEMEANOR  
\$25,000.00 - 10 YEARS**

**\*1\_5290\***

**\*\*STRAW PUR TO MINOR/PROHIB\*\***

...did knowingly participate in a straw purchase of a regulated firearm to \_\_\_\_ (name), a [minor/prohibited person].

**PS 5-144(a)(1)  
MISDEMEANOR  
\$10,000.00-5 YEARS  
(Each violation is a separate crime.)**

**\*1\_0642\***

**\*\*REG FIREARM - UNLAWFUL SALE/TRANS\*\***

...did knowingly participate in the illegal [sale/rental/transfer/purchase/possession/receipt] of a regulated firearm.

**PS 5-144(a)(2)  
MISDEMEANOR  
\$10,000.00 - 5 YEARS**

**\*1\_1612\***

**\*\*KNOW ALTER FIREARM ID NUMBER\*\***

... did knowingly [obliterate/remove/change/alter] the manufacturer's identification [mark/number] on a firearm, to wit: \_\_\_\_\_, (state type of firearm).

## Short-barreled

**PS 5-203(a)**  
**MISDEMEANOR**  
**\$5,000.00 - 5 YEARS**

\*2\_5212\*

**\*\*RIFLE/SHOTGUN: UNREGISTERED\*\***

...did possess a short-barrelled [rifle/shotgun].

NOTE: A short-barrelled rifle is one having one or more barrels less than 16 inches in length or any rifle with an overall length of less than 26 inches. A short-barrelled shotgun has one or more barrels less than 18 inches in length or any shotgun with an overall length of less than 26 inches. If either the barrel length, or the overall length, or both are less than the minimums stated, the weapon falls under CR 4-201.

NOTE: Rifle means a weapon designed or redesigned made or remade and intended to be fired from the shoulder and to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifle bore for each single pull of the trigger.

Shotgun means a weapon designed or redesigned, made or remade and intended to be fired from the shoulder and to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

NOTE: Possession allowed if registered with U.S. Government in accordance with U.S. Statutes.

EXCEPTIONS - WHILE ON OFFICIAL BUSINESS: Law enforcement personnel of the U.S., this State or any political subdivision; means of armed forces of U.S. or National Guard while on duty or travelling to or from duty; law enforcement personnel of another state or political subdivision, while temporarily in this State; jailer, prison guard, warden, or guard or keeper of any penal, correctional, or detention institution in this State; sheriff and temporary or full time deputy sheriff.

**PS 5-205(b)**  
**MISDEMEANOR**  
**\$1,000.00 - 3 YEARS**

\*1\_0439\*

**\*\*RFL/SHOTGN POSS-DISQUALIFTN\*\***

...did possess a [rifle/shotgun] [after being/being/being a person] \_\_\_\_\_ (choose from list below).

1. convicted of a disqualifying crime to wit: \_\_\_\_\_ (charge), a violation classified as [a felony in the state/a misdemeanor in the state that carries a statutory penalty of more than 2 years];
2. convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;
3. a fugitive from justice;
4. a habitual drunkard;
5. addicted to any controlled dangerous substance or is a habitual user;
6. who suffers from a mental disorder as defined in HG 10-101(f)(2) and has a history of violent behavior against the person or another;
7. who has been found 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.



**PS 5-206  
FELONY  
15 YEARS  
PRELIMINARY HEARING**

**\*1\_1610\***

**\*\*RIFLE/SHOTGUN-POSS W/FEL CONV\*\***

...did possess a [rifle/shotgun] after having been convicted of:  
\_\_\_\_\_. (choose from below)

1. a crime of violence as defined in PS 5-101(c);
2. a violation of [5-602/5-603/5-604/5-605/5-612/5-613/5-614] of the Criminal Law Article; or
3. \_\_\_\_\_ (describe offense), an offense under the laws of [\_\_\_\_\_] (state)/the United States that would constitute a [crime/crime of violence] under \_\_\_\_\_ (cite statute from options above), if committed in this state.

**PS 5-406  
MISDEMEANOR  
PENALTY:  
Manuf. For Dist/Sale  
\$10,000.00**

**\*1\_0575\***

**\*\*DIS/SAL HANDGUN OFF ROSTER\*\***

...did manufacture for [distribution/sale] a handgun not included on the handgun roster in this State, to wit: \_\_\_\_\_ (described).

**PS 5-406  
MISDEMEANOR  
PENALTY:  
Selling/Offer for Sale  
\$2,500.00**

**\*1\_0576\***

**\*\*SAL HNDGUN NO ROSTER MFG 85\*\***

...did [sell/offer for sale] a handgun manufactured after January 1985 that is not on the handgun roster in the State, to wit:  
\_\_\_\_\_ (describe).

**PS 5-610**  
**MISDEMEANOR**  
**\$1,000.00 - 90 DAYS**  
**SUB. OFFENSE**  
**\$2,500.00 - 1 YEAR**  
**(No CP Title 5 Release**  
**Restriction)**

\*1\_1446\*

**\*\*VIOLATE EXTREME PROT ORDER\*\***

...did fail to comply with the provisions of [an interim/a temporary/a final] extreme protective order dated \_\_\_\_\_, issued under Title 5, Subtitle 6 of the Public Safety Article by \_\_\_\_\_ (choose ONE violation from list below. Additional violations may be added using the word "and" if violations occurred during same event.)

1. failing to surrender to law enforcement authorities [a firearm/ammunition] in [his/her] possession.
2. [purchasing/possessing] [a firearm/ammunition] during the duration of the Extreme Risk Protective order.

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 a 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.

**PS 6-602(b)**  
**MISDEMEANOR**  
**3 YEARS**

\*2\_0249\*

**\*\*OBSTRUCT FIRE MARSH INVEST\*\***

...did willfully [interfere with/obstruct] the [State Fire Marshal/a Deputy State Fire Marshal/a Special Assistant State Fire Marshal/a Special Deputy Fire Marshal] to wit: \_\_\_\_\_ (name), in the course of [conducting an inspection/investigating a fire/explosion].

**PS 6-602(c)**  
**MISDEMEANOR**  
**3 YEARS**

\*4\_5398\*

**\*\*PERSON AT N MD FIRE OFFICIAL\*\***

...did falsely represent himself as being a [State Fire Marshal/sworn employee of the office of the State Fire Marshal] with fraudulent design on the [person/property] of \_\_\_\_\_.

**PS 7-402(a)**  
**MISDEMEANOR**  
**3 YEARS**

\*4\_5399\*

**\*\*OBSTRUCT FIREFIGHTERS ETC.\*\***

...did willfully [interfere with/obstruct] the [State Fire Marshal/a Deputy State Fire Marshal/a Special Assistant State Fire Marshal/a Special Deputy State Fire Marshal/fire fighter/rescue squad member/emergency services personnel], to wit: \_\_\_\_\_ (name), who was [fighting a fire/performing emergency services/proceeding to [a fire/an emergency]].

**PS 7-402(b)**  
**MISDEMEANOR**  
**3 YEARS**

\*1\_0165\*

**\*\*PERS: MEMBER EMERG SQUAD\*\***

...did falsely represent himself as a member of a [paid/volunteer] [fire department/rescue squad/emergency service unit] of \_\_\_\_\_ [state/county/city/municipal corporation] with fraudulent design on the [person/property] of \_\_\_\_\_.

**PS 7-402(c)**  
**MISDEMEANOR**  
**3 YEARS**

\*4\_5397\*

**\*\*PERSONATION-U/U UNIFORM\*\***

...did have, wear, use and display without proper authority, for the purpose of deception, [an authentic/a simulated/an imitation]  
 [uniform/shield/button/ornament/identification/shoulder patch] adopted by [the Office of the State Fire Marshal/a [paid/volunteer] [fire department/rescue squad/emergency service unit]].

## Permits to Discharge or Sell

**PS 10-104(a)(1)**  
**MISDEMEANOR**  
**\$250.00 EACH OFFENSE**

**\*1\_0016\***

**\*\*FIREWORKS DISCHARGE W/O PERMIT\*\***

...did discharge fireworks without required permit.

**PS 10-104(a)(2)**  
**MISDEMEANOR**  
**PENALTY SEC. 10-111**  
**\$250.00 EACH OFFENSE**

**\*1\_0021\***

**\*\*FIREWORKS POSS. W/O PERMIT\*\***

...did possess [with intent to discharge/with intent to permit the discharge of/for the purpose of disposal/for the purpose of sale to persons] fireworks, without the required permit.

**PS 10-110(b)(1)**  
**MISDEMEANOR**  
**PENALTY SEC. 10-111**  
**\$1,000.00 EACH OFFENSE**

**\*1\_0029\***

**\*\*FIREWORKS: SALE W/O PERMIT\*\***

...did sell fireworks to \_\_\_\_\_ without the required permit.

NOTE: Section does not apply to sale by a manufacturer licensed by the State Fire Marshal to certain distributors, etc.

NOTE: Refer to PS 10-101 for definition of fireworks.

**PS 10-112**  
**MISDEMEANOR**  
**\$1,000.00**

**\*1\_1097\***

**\*\*SPARKLERS - SALE\*\***

...did sell [sparklers/sparkling devices (name)], to a person under the age of 16 years.

**PS 10-113(b)**  
**MISDEMEANOR**  
**\$1,000.00 - 1 YEAR**

**\*1\_1098\***

**\*\*SPARKLERS-MANUFACTURE\*\***

...did fail to register as a [distributor/wholesaler] of [sparklers/sparkling devices] who [conducts business in/sells, ships and assigns] in the State of Maryland.

## **REAL PROPERTY ARTICLE**

### **Fee/Other Consideration Obtaining Settlement, etc.**

**RP 14-127  
MISDEMEANOR  
\$1,000.00 - 6 MONTHS**

**\*1\_7099\***

#### **\*\*REAL EST.-ILL SETTLMNT FEE\*\***

...did having a connection with the settlement of real estate transactions involving Maryland land, [pay to/receive from] \_\_\_\_\_ (name) \_\_\_\_\_ (consideration) for the purpose of [arranging a real estate settlement/soliciting/obtaining/retaining] real estate settlement business] involving Maryland land

Note: A "consideration" includes:

1. A fee;
2. Compensation;
3. A gift
4. A thing of value
5. A rebate
6. A loan; or
- 7 An advancement or a commission or deposit money

# **TRANSPORTATION ARTICLE**

## **Firearms or Explosives Aboard Aircraft**

**TR 5-1008  
FELONY  
10 YEARS  
PRELIMINARY HEARING**

**\*2\_5203\***

**\*\*FIREARM EXPLSIV ON AIRCRFT\*\***

...did have on and about his person a [firearm/explosive], to wit: \_\_\_\_\_, while [aboard/boarding/attempting to board] an aircraft engaged in certified air commerce services, without being specifically authorized to do so by State or Federal law.

### **NON-BARCODED CHARGES**

THE FOLLOWING CHARGES ARE MUST APPEAR VIOLATIONS. NO CJIS CODES ARE ASSIGNED AS THIS IS A CITATION EVENT.

## **Possession of Motor Vehicle Master Key**

**TR 14-103  
MISDEMEANOR  
\$500.00 - 1 YEAR**

...did unlawfully have in his possession a motor vehicle master key adapted for and capable of opening and operating any motor vehicle in the State.

### **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.

Effective 10/01/2019