

3-5-2020 State of Emergency Charging **Language Supplement**

On 3-5-2020, the Governor of the State of Maryland, Lawrence J. Hogan, Jr., proclaimed a “Declaration of a State of Emergency and Existence of Catastrophic Health Emergency – Covid-19”. Where criminal charges for violations relating to said State of Emergency occur, please use the CJIS Codes below for consistent charging and tracking. These CJIS Codes will only be effective for the duration of said State of Emergency.

CJIS Code: 8-0100

PS 14-114

Misdemeanor

\$1,000.00 – 6 months

State of Emergency – Maryland Emergency Management Agency - Violation

...did violate an [order/rule/regulation] to _____ (describe order, rule, or regulation), issued under the authority of Title 14, Subtitle 1 of the Public Safety Article.

NOTE: Use this charge only after a state of emergency is declared under Title 14, Subtitle 1 of the Public Safety Article.

CJIS Code: 8-0101

PS 14-114

Misdemeanor

\$5,000.00 – 1 Year

State of Emergency – Maryland Emergency Management Agency - Willful Violation

...did willfully violate an [order/rule/regulation] to _____ (describe order, rule, or regulation), issued under the authority of Title 14, Subtitle 1 of the Public Safety Article.

NOTE: Use this charge only after a state of emergency is declared under Title 14, Subtitle 1 of the Public Safety Article.

CJIS Code: 8-0300

PS 14-3A-08

Misdemeanor

\$5,000.00 – 1 Year

State of Emergency–Health Emergency- Fail Comply

...did knowingly and willfully fail to comply with an [order/ requirement/ directive] issued under PS Title 14, Subtitle 3A _____(Choose from below)

1. to [control/restrict/regulate] the [use/sale/dispensing/distribution/ transportation] of anything needed to respond to the medical consequences of the catastrophic health emergency;
2. requiring _____(defendant's name) to submit to [medical examination/testing];
3. requiring _____(defendant's name) to submit to [vaccination/medical treatment], that is not likely to cause serious harm to _____(defendant's name);
4. requiring _____(defendant's name) to go to and remain in places of [isolation/quarantine] until [the Secretary of Health/ _____, a designated official] determined that _____(defendant's name) no longer posed a substantial risk of transmitting the [disease/condition____(describe)] to the public;
5. to [evacuate/close/ decontaminate] a facility;
6. to [remain indoors/refrain from congregating], being necessary and reasonable to save lives or to prevent exposure to a deadly agent;

NOTE: Use this charge only if the Governor issued a proclamation for a catastrophic health emergency under PS 14-3A-02

CJIS Code: 8-0200

PS 14-309 (a)

Misdemeanor

\$1,000.00 – 6 Months

State of Emergency - Public/ Energy Emergency Violation

...did violate [PS, Title 14, Subtitle 3, _____(section)/an order promulgated under PS, Title 14, Subtitle 3/ a rule promulgated under PS, Title 14, Subtitle 3/ a regulation promulgated under PS, Title 14, Subtitle 3] [to/by] _____(describe order, rule, regulation, or section violated).

NOTE: Use this charge only after the Governor has proclaimed a Public Emergency or Energy Emergency under PS 14-303 or PS 14-304.

NOTE: A list of applicable orders, rules, and regulations under PS 14-303 and PS 14-304 are given below for your convenience, but this charge is not limited to the orders, rules, and regulations below as this charge can be used for any violation of PS, Title 14, Subtitle 3.

Orders, rules, and regulations under a Governor’s proclamation of a Public Emergency under PS 14-303:

1. control traffic, including public and private transportation, in the emergency area);
2. designate specific zones in the emergency area in which the occupancy and use of buildings and vehicles may be controlled;
3. control the movement of individuals or vehicles into, in, or from the designated zones;
4. control places of amusement and places of assembly;
5. control individuals on public streets;
6. establish curfews;
7. control the sale, transportation, and use of alcoholic beverages;
8. control the possession, sale, carrying, and use of firearms, other dangerous weapons, and ammunition;
9. control the storage, use, and transportation of explosives or flammable materials or liquids considered to be dangerous to public safety, including “Molotov cocktails”.; and
10. authorize the use of alternate care sites.

Orders, rules, and regulations during Energy Emergencies, under PS 14-304 to:

1. establish and implement programs, controls, standards, priorities, and quotas for the allocation, conservation, and consumption of energy resources;
2. suspend and modify existing standards and requirements affecting or affected by the use of energy resources, including those that relate to air quality control, the type and composition of various energy resources, the production and distribution of energy resources, and the hours and days during which public buildings and commercial and industrial establishments are authorized or required to remain open; and
3. establish and implement regional programs and agreements to coordinate the energy resource programs and actions of the State with those of the federal government and of other states and localities.

NOTE: A violation of the Maryland Vehicle Law for which a penalty is provided is not subject to the penalties of Title 14, Subtitle 3 of the Public Safety Article.

CJIS Code: 8-0201
PS 14-309 (b)
Misdemeanor
\$1,000.00 – 6 months

State of Emergency - Public Emergency/Energy Emergency - Fraud

... did willfully _____ (choose from below) [in meeting the requirements of an [order/
rule/regulation] promulgated under Title 14, Subtitle 3 of the Public Safety Article/in applying
for a [service/benefit] provided by the State in the [allocation/assignment] of energy supplies.]

1. conceal a material fact
2. make a [false/fictitious/fraudulent] [statement/representation]
3. use a [false writing/document] that contains a [false/fictitious/fraudulent] statement

NOTE: Use this charge only if the Governor has proclaimed a Public Emergency under PS 14-303 or an Energy Emergency under PS 14-304.

NOTE: A violation of the Maryland Vehicle Law for which a penalty is provided is not subject to the penalties of Title 14, Subtitle 3 of the Public Safety Article.