

Legal Violations in the Aftermath of Coronavirus

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Taking a lesson from the aftermath of Superstorm Sandy, there are several potential categories of criminal conduct that law enforcement authorities and the courts are unlikely to excuse if committed during this period of national emergency. These include:

1. **Insurance Fraud and Healthcare Claims Fraud:** New Jersey has one of the nation's strongest set of [insurance fraud](#) and [healthcare claims fraud](#) statutes. In fact, New Jersey has an [independent prosecuting agency](#) established with the sole mission to investigate and prosecute (civilly and criminally) insurance fraud. Expect insurance companies and law enforcement authorities to be vigilant in investigating and pursuing cases of suspected fraud, especially false claims that a business was shut down due to COVID-19 as well as the filing of false claims for unemployment or health care related benefits.

2.

Price Gouging and Deceptive Business Practices Related Offenses: Attempts to price-gauge by charging exorbitant prices for scarce goods or services will draw the scrutiny of law enforcement and regulatory authorities. In addition, New Jersey has a very broad statute criminalizing [Deceptive Business Practices](#).

3.

Obstructing the Administration of Law, Disorderly Conduct, Hindering Apprehension and Resisting Arrest: Especially in emergency situations, police officers expect people to follow instructions such as curfews and business closure. Those who choose to disobey such instructions are likely to hear the clicking of handcuffs around their wrists rather quickly. Under the criminal code, citizens are required to submit to an arrest, even an unlawful one. Any remedy sought by someone aggrieved by an unlawful arrest must be pursued after-the-fact by filing a civil lawsuit or an internal complaint.

If you have a criminal law concern related to COVID-19, please contact [Darren M. Gelber](#) at 732-855-6006, or any member of the Wilentz [Criminal Law Team](#).

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Practice

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