

CLASS 1 FELONIES

Elements of Offense

C.R.S. Citation

CRIMINAL CODE — OFFENSES AGAINST THE PERSON

Homicide and Related Offenses

1. ***Murder in the first degree.*** A person commits the class 1 felony of murder in the first degree if:
 - a) after deliberation and with the intent to cause the death of another person, he or she causes the death of that person or of another person; or 18-3-102 (1) (a)
 - b) acting either alone or with one or more persons, he or she commits or attempts to commit arson, robbery, burglary, kidnapping, sexual assault in the first or second degree as prohibited by section 18-3-402 or 18-3-403, or a class 3 felony for sexual assault on a child as provided in section 18-3-405 (2), or the crime of escape as provided in section 18-8-208, and, in the course of or in furtherance of the crime that he or she is committing or attempting to commit, or of immediate flight therefrom, the death of a person, other than one of the participants, is caused by anyone (felony murder); or 18-3-102 (1) (b)
 - c) by perjury or subornation of perjury he or she procures the conviction and execution of any innocent person; or 18-3-102 (1) (c)
 - d) under circumstances evidencing an attitude of universal malice manifesting extreme indifference to the value of human life generally, he or she knowingly engages in conduct which creates a grave risk of death to another person or persons, and thereby causes the death of another; or 18-3-102 (1) (d)
 - e) he or she commits unlawful distribution, dispensation, or sale of a controlled substance to a person under the age of eighteen years on school grounds as provided in section 18-18-407 (2), and the death of such person is caused by the use of such controlled substance; or 18-3-102 (1) (e)
 - f) he or she knowingly causes the death of a child who has not yet attained twelve years of age, and was in a position of trust with respect to the victim. 18-3-102 (1) (f)
2. ***First degree murder of a peace officer or fireman.*** A person who commits murder in the first degree and the victim is a peace officer or fireman engaged in the performance of official duties, commits the class 1 felony of first degree murder of a peace officer or fireman. 18-3-107 (1)

Kidnapping

3. ***First degree kidnapping.*** Any person who does any of the following acts with the intent thereby to force the victim or any other person to make any concession or give up anything of value in order to secure a release of a person under the offender's actual or apparent control commits first degree kidnapping:
 - a) forcibly seizes and carries any person from one place to another; or 18-3-301 (1) (a)
 - b) entices or persuades any person to go from one place to another; or 18-3-301 (1) (b)
 - c) imprisons or forcibly secretes any person. 18-3-301 (1) (c)

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First degree kidnapping is a class 1 felony if the person kidnapped suffered bodily injury; but no person convicted of first degree kidnapping may be sentenced to death if the person kidnapped was liberated alive prior to the conviction of the kidnapper.

18-3-301 (2)

**CRIMINAL CODE —
OFFENSES INVOLVING THE FAMILY RELATIONS**

Wrongs to Children

4. ***Child abuse.*** A person who knowingly causes the death of a child under the age of 12 and who is in a position of trust with respect to the child commits murder in the first degree, which is a class 1 felony.

18-6-401 (7) (c)

**CRIMINAL CODE —
GOVERNMENTAL OPERATIONS**

Escape and Offenses Relating to Custody

5. ***Assault during escape.*** Any person confined in any lawful place of confinement within the state who, while escaping or attempting to escape, commits an assault with intent to commit bodily injury upon another person with a deadly weapon, or by any means of force likely to produce serious bodily injury, commits a class 1 felony if the person has been convicted of a class 1 felony.

18-8-206 (1) (a)

**CRIMINAL CODE —
OFFENSES INVOLVING DISLOYALTY**

Anarchy — Sedition

6. ***Treason.*** A person commits the class 1 felony of treason if he or she levies war against the state of Colorado or adheres to its enemies, giving them aid and comfort.

18-11-101