

## CLASS 4 FELONIES

### Elements of Offense

### C.R.S. Citation

### SAFETY — INDUSTRIAL AND COMMERCIAL

#### Offenses Related to Explosives

1. **Death by negligence.** Any person who knowingly and unlawfully places or allows explosives to be placed on a vehicle that results in the death of another person commits a class 4 felony. 9-6-104

### PROFESSIONS AND OCCUPATIONS

#### Acupuncturists

2. **Acupuncturists - grounds for disciplinary action.** Sexual intrusion or penetration by an acupuncturist with a patient during the course of patient care is a class 4 felony. 12-29.5-108 (3)

### CRIMINAL CODE — INCHOATE OFFENSES

#### Inchoate Offenses

3. **Criminal attempt.** A person who intentionally engages in conduct that constitutes a substantial step toward the commission of a class 3 felony commits a class 4 felony. 18-2-101 (4)
4. **Criminal conspiracy.** A person who agrees with another person to engage in conduct that constitutes a class 3 felony or an attempt to commit a class 3 felony, with the intent to facilitate or promote the commission of such a crime, or agrees to aid another person in planning or committing the crime or attempting to commit the crime, commits a class 4 felony. 18-2-206 (1)
5. **Criminal solicitation.** A person who attempts to persuade another person to commit a class 3 felony commits a class 4 felony. 18-2-301 (5)

### CRIMINAL CODE — OFFENSES AGAINST THE PERSON

#### Homicide and Related Offenses

6. **Manslaughter.** A person who recklessly causes the death of another person, or intentionally causes or aids another person to commit suicide, commits a class 4 felony. 18-3-104 (2)

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7. ***Vehicular homicide.*** A person who recklessly operates or drives a motor vehicle, and this conduct is the proximate cause of the death of another person, commits a class 4 felony.

18-3-106 (1) (c)

## **Assaults**

8. ***Assault in the second degree.*** A person commits assault in the second degree, a class 4 felony, if he or she: a) intentionally causes serious bodily injury to another; b) attempts to cause serious bodily injury with a deadly weapon; c) causes bodily injury with intent to prevent a peace officer or firefighter from doing his or her duty; d) recklessly causes serious injury by means of a deadly weapon; e) harms someone by means of administering a drug or other substance; or f) when lawfully confined, uses physical force against a peace officer, firefighter, judge, officer of the court, or employee or contract employee of a detention facility in the performance of his or her duties.

18-3-203 (2) (b)

9. ***Vehicular assault.*** A person who operates a motor vehicle while under the influence of alcohol or drugs and is the proximate cause of serious bodily injury to another commits a class 4 felony.

18-3-205 (1) (c)

10. ***Criminal extortion.*** A person who threatens a person, or his or her property or reputation, to induce that person to act against his will to do an act or refrain from doing a lawful act commits a class 4 felony.

18-3-207 (4)

It is a class 4 felony to, with intent to induce another person against that other person's will to give the actor money or another item of value, threaten to report to law enforcement officials the immigration status of the threatened person or another person.

18-3-207 (4)

## **Kidnapping**

11. ***Second degree kidnapping.*** A person who knowingly seizes and carries any person from one place to another, without consent or lawful justification or takes, entices, or decoys away any child not his or her own who is under the age of 18 commits a class 4 felony, if the person kidnapped is not a victim of sexual assault or robbery, and the use of a deadly weapon is not employed.

18-3-302 (5)

12. ***Violation of custody order.*** A person who, in the course of taking or enticing any child under the age of 18 from the custody of his or her parents, guardian, or other lawful custodian or who violates an order of any district or juvenile court granting the custody of a child under 18 years of age to any person, agency, or institution with the intent to deprive the lawful custodian of the custody of a child under the age of 18 and who, in the course of doing so, removes a child under the age of 18 from the country commits a class 4 felony.

18-3-304 (2.5)

13. ***Enticement of a child.*** A person who, with the intent to commit sexual assault or unlawful sexual contact, invites or persuades or attempts to invite or persuade a child under the age of 15 to enter a vehicle, building, room, or secluded place commits a class 4 felony.

18-3-305 (2)

14. ***Internet luring of a child.*** Internet luring of a child is a class 4 felony if committed with the intent to meet for the purpose of engaging in sexual exploitation of a child or sexual contact.

18-3-306 (3)

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### **Unlawful Sexual Behavior**

15. **Sexual assault.** An actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits a class 4 felony if: a) he or she causes the submission of a victim by means of sufficient consequence reasonably calculated to cause submission against the victim's will; b) the actor knows the victim is unable to appraise the nature of the victim's conduct; c) the actor knows that the victim submits believing the actor to be the victim's spouse; d) the victim is less than fifteen years of age and the actor is four years older than and is not the spouse of the victim; e) the victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses the position of authority to coerce the victim to submit unless the act is a lawful search; or f) the actor, while purporting to offer a medical service, engages in treatment or examination of the victim for other than bona fide medical purposes. 18-3-402 (2)
16. **Unlawful sexual contact.** Unlawful sexual contact is a class 4 felony when an actor compels a victim to submit by the use of force, intimidation, or threat or if the actor engages in treatment or examination of a victim for other than bona fide medical purposes or in a manner inconsistent with reasonable medical practices or if the adult actor knowingly, with or without sexual contact, induces or coerces a child to expose intimate parts or to engage in any sexual activity with another person for the actor's own sexual gratification. 18-3-404 (2)
17. **Sexual assault on a child.** Any actor who subjects a child under the age of 15 to sexual contact when that actor is at least four years older than the victim commits a class 4 felony. 18-3-405 (2)
18. **Sexual assault on a child by one in a position of trust.** Sexual assault on a child by one in a position of trust is a class 4 felony if the victim is 15 years of age or older but less than 18 years of age and the offense is not committed as part of a pattern of sexual abuse. 18-3-405.3 (3)
19. **Internet sexual exploitation of a child.** An actor who knowingly importunes, invites, or entices, through communication via a computer network or system, telephone network, or data network or by text message or instant message, a victim whom the actor knows or believes to be under the age of 15 at and least four years younger than the actor to: a) expose or touch the victim's own or another person's intimate parts while communicating with the actor; or b) observe the actor's intimate parts via a computer network or system, telephone network, or data network or by text message or instant message, commits a class 4 felony. 18-3-405.4 (3)
20. **Sexual assault on a client by a psychotherapist.** Sexual penetration or sexual intrusion on a victim by an actor when the actor is a psychotherapist and the victim is a patient and the sexual penetration or intrusion occurred by means of therapeutic deception is aggravated sexual assault on a client by a psychotherapist and a class 4 felony. 18-3-405.5 (1) (b)

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### Stalking

21. **Stalking.** A person commits the offense of stalking if he or she knowingly makes a credible threat to another person (or causes that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship serious emotional distress) that involves repeatedly following, approaching, contacting, placing under surveillance, or making any form of communication that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship. A second or subsequent offense of stalking is a class 4 felony.

18-3-602 (3) (b)

Stalking is a class 4 felony, regardless of the number of prior offenses, if, at the time of the offense, a protection order or other court order was in place against the defendant, prohibiting the behavior described above.

18-3-602 (5)

### Offenses Against Pregnant Women

22. **Unlawful termination of pregnancy in the second degree.** A person who knowingly causes the unlawful termination of the pregnancy of a woman commits unlawful termination of pregnancy in the second degree, a class 4 felony.
23. **Aggravated vehicular unlawful termination of pregnancy.** A person who operates or drives a motor vehicle while under the influence of alcohol or drugs, or a combination of alcohol and drugs and whose conduct is the proximate cause of the unlawful termination of the pregnancy of a woman commits aggravated vehicular unlawful termination of a pregnancy, a class 4 felony.

18-3.5-104 (2)

18-3.5-108 (2)

## CRIMINAL CODE — OFFENSES AGAINST PROPERTY

### Arson

24. **Second degree arson.** A person who, by means of fire or explosives, knowingly damages or destroys the property of another, other than a building or occupied structure, commits a class 4 felony if the damage caused is valued at \$100 or more.
25. **Third degree arson.** A person who, by means of fire or explosives, intentionally damages any property with the intent to defraud commits a class 4 felony.
26. **Fourth degree arson.** A person who knowingly or recklessly starts or maintains a fire or causes an explosion on his or her or another's property, and thereby places another in danger of bodily injury or death, commits a class 4 felony.

18-4-103 (2)

18-4-104 (2)

18-4-105 (2)

### Burglary and Related Offenses

27. **Second degree burglary.** A person who knowingly and unlawfully enters a place with intent to commit a crime against a person or property commits a class 4 felony.

18-4-203 (2)

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28. **Third degree burglary.** A person who enters or breaks into any vault, safe, cash register, coin vending machine, product dispenser, money depository, safety deposit box, coin telephone, coin box, etc., commits a class 4 felony if the object of the burglary is the theft of a controlled substance that is lawfully kept in or upon the property burglarized. 18-4-204 (2)

## **Robbery**

29. **Robbery.** A person who takes anything of value from a person by the use of force, threats, or intimidation commits a class 4 felony. 18-4-301 (2)

## **Theft**

30. **Theft.** A person commits theft if he or she knowingly obtains, retains, or exercises control over anything of value belonging to another without authorization, or by threat or deception, or receives, loans money on, or disposes of anything of value or belonging to another that he or she knows or believes to have been stolen and: a) intends to deprive the other person permanently of the use or benefit of the thing of value; b) knowingly uses, conceals, or abandons the thing of value in such a manner as to deprive the owner permanently of its use or benefit; c) uses, conceals, or abandons the thing of value intending that such use, concealment, or abandonment will deprive the owner permanently of its use or benefit; or d) demands any consideration to which he or she is not legally entitled as a condition of restoring the thing of value to the owner; or e) knowingly retains the thing of value for more than 72 hours after the agreed-upon time of return in any lease or hire agreement. It is also theft to:
- be a manufacturer, dealer, or lessor who engages in conduct to delay making a final repair that is required as a consequence of the enforcement of warranties or duties under the Warranties for Assistive Technology Act of the Colorado Consumer Protection Act with the intention of requiring payment of the cost of such repair to be made by a publicly funded program of public assistance, medical assistance, or rehabilitation assistance; 6-1-409
  - be a manufacturer, dealer, or lessor who engages in conduct to delay making a final repair that is required as a consequence of the enforcement of warranties or duties under the Warranties for Facilitative Technology Act under the Colorado Consumer Protection Act with the intention of requiring payment of the cost of such repair to be made by a publicly funded program of public assistance, medical assistance, or rehabilitation assistance; 6-1-508
  - violate the trust fund provisions of law regarding preneed funeral contracts or any other misappropriation of funds; 10-15-118 (1)
  - willfully convert to his or her own use or benefit the farm products of another; 12-16-115 (1) (f)
  - if licensed as a dealer or small-volume dealer, sell farm products for less than the current market price to any person with whom such dealer has any financial connection or to sell farm products out of the purchase price of which the dealer receives any portion thereof other than the lawfully allowed commission; 12-16-115 (1) (j)
  - purchase farm products in the state and move the products to another state and issue a check in payment for those products knowing that there are insufficient funds to pay for the products; 12-16-118 (2)
  - willfully convert to his or her own use or benefit the commodities of another; 12-16-221 (1) (f)

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- sell commodities for less than the current market price to any person with whom one has any direct or indirect financial connection; 12-16-221 (1) (k)
- sell commodities out of the purchase price of which one receives any portion thereof other than the lawfully allowed commission; 12-16-221 (1) (k)
- exercise undue influence to convert or take possession of an at-risk elder's money, assets, or other property; 18-6.5-103 (7.5)
- knowingly obtain any telecommunications service by charging such service to or causing such service to be charged to a stolen or fraudulent telephone number, access device, or credit card number, or by any method of code calling, or by installing, rearranging, or tampering with any equipment, physically or electronically, or by the use of any other fraudulent means, method, trick, device, or scheme; 18-9-309 (3) (a)
- obtain telecommunications services with fraudulent intent through the use of a false name, telephone number, address, or credit card number or through the unauthorized use of the name, telephone number, address, or credit card information of another; 18-9-309 (3) (b)
- obtain or willfully aid or abet another, by means of a willfully false statement, representation, impersonation, or other fraudulent device, to obtain public assistance or vendor payments or medical assistance to which the person is not entitled or in an amount greater than that to which the person is justly entitled or payment of any forfeited installment grants or benefits to which the person is not entitled or in a greater amount than that to which the person is entitled; 26-1-127 (1)
- obtain or willfully aid or abet another, by means of a willfully false statement, representation, impersonation, or other fraudulent device, to obtain food stamp coupons or authorization to purchase cards or an electronic benefits transfer card or similar device for delivering food stamp benefits to which the person is not entitled, or in a value greater than that to which the person is entitled; 26-2-305 (1)
- file a fraudulent or false claim for a refund from the Colorado Beef Council Authority, or by any false pretense obtain or obtain a refund not legally due the actor, or sign a refund claim in the name of and for another person; 35-57-119 (4)
- fail to pay or remit to the Colorado Sheep and Wool Authority an assessment for licensing or to knowingly falsify any document furnished in connection with such a payment or remission; 35-57.5-119 (5)
- file a fraudulent or false claim for a refund from the Colorado Horse Development Authority, or by any false pretense obtain or obtain a refund not legally due the actor, or sign a refund claim in the name of and for another person; 35-57.8-111 (4)
- violate the trust funds provisions of law regarding lien claims to property by subcontractors, laborers, or material providers; 38-22-127 (5)
- remove property covered by a lien on a well or equipment when the lien has been filed; 38-24-108
- violate the trust funds provisions of law regarding verified claims to property by subcontractors, laborers, or material providers; 38-26-109 (4)
- misappropriate funds held in escrow or a trustee account; 38-40-101 (4)

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- as a unit operator or first purchaser, collect but fail to remit the tax from the fractional interest owners pursuant to the property tax collection article. 39-10-106 (4) (b) (III)
- Thrift is a class 4 felony if the value of the thing involved is \$20,000 or more but less than \$100,000. 18-4-401 (2) (h)
- 31. **Aggravated motor vehicle theft.** A person who takes any motor vehicle from another without authorization and who either retains control for over twenty-four hours, commits a crime, removes the vehicle from the state, causes property damage or bodily injury, or attempts to alter the license plates, identification number, or the vehicle itself, commits a class 4 felony if the motor vehicle or vehicles involved is valued at \$20,000 or less. 18-4-409 (3) (a)

## **Trespass, Tampering, and Criminal Mischief**

- 32. **Criminal mischief.** A person who, in a single criminal episode, knowingly damages real or personal property, including property owned by the person jointly with another person or property owned by the person in which another person has an interest, and the aggregate damage is at least \$1,000, but less than \$20,000, commits a class 4 felony. 18-4-501 (1)
- 33. **Second degree criminal trespass.** Unlawfully entering or remaining in or upon premises which are enclosed in a manner designed to exclude intruders or which are fenced; knowingly and unlawfully entering or remaining in or upon the common areas of a hotel, motel, condominium, or apartment building; or knowingly and unlawfully entering or remaining in a motor vehicle of another is a class 4 felony if the actor unlawfully enters or remains on fenced or enclosed premises classified as agricultural land with the intent to commit a felony. 18-4-503 (2) (b)

## **CRIMINAL CODE — OFFENSES INVOLVING FRAUD**

### **Forgery, Simulation, Impersonation, and Related Offenses**

- 34. **Controlled substances - consumption by fraudulent means.** Any individual who fraudulently causes another person to unknowingly consume or receive the direct administration of any controlled substance commits a class 4 felony. 18-5-116 (2)

### **Identity Theft and Related Offenses**

- 35. **Identity theft.** A person commits the class 4 felony of identity theft if he or she: 18-5-902 (2)
  - a) knowingly uses the personal identifying information, financial identifying information, or financial device of another without permission or lawful authority with the intent to obtain anything of value or to make a financial payment; 18-5-902 (1) (a)
  - b) knowingly possesses the personal identifying information, financial identifying information, or financial device of another without permission or lawful authority, with the intent to use or to aid or permit some other person to use such information or device to obtain anything of value or to make a financial payment; 18-5-902 (1) (b)

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- c) with the intent to defraud, falsely makes, completes, alters, or utters a written instrument or financial device containing any personal identifying information or financial identifying information of another; 18-5-902 (1) (c)
- d) knowingly possesses the personal identifying information or financial identifying information of another without permission or lawful authority to use in applying for or completing an application for a financial device or other extension of credit; or 18-5-902 (1) (d)
- e) knowingly uses or possesses the personal identifying information of another without permission or lawful authority with the intent to obtain a government-issued document. 18-5-902 (1) (e)

## CRIMINAL CODE — COMPUTER CRIME

### Computer Crime

- 36. **Computer crime.** Computer crime is a class 4 felony if the loss, damage, cost of repair, value of services, or thing of value taken is at least \$1,000, but less than \$20,000. 18-5.5-102 (3) (a)

## CRIMINAL CODE — OFFENSES INVOLVING THE FAMILY RELATIONS

### Incest

- 37. **Incest.** Any person who knowingly marries, inflicts sexual penetration or sexual intrusion, or subjects to sexual contact, an ancestor or descendant, a brother or sister of the whole or half blood, or an uncle, aunt, nephew, or niece of the whole blood commits the class 4 felony of incest. 18-6-301 (1)

### Wrongs to Children

- 38. **Child abuse.** A person who causes serious bodily injury to a child while acting with criminal negligence commits a class 4 felony. 18-6-401 (7) (a) (IV)
- 39. **Sexual exploitation of a child.** The sexual exploitation of a child by possession or control of sexually exploitative material is a class 4 felony if it is a second or subsequent offense or the possession is of a video, video tape, or motion picture or more than 20 different items qualifying as sexually exploitative material. 18-6-403 (5) (b)

### Contributing to Delinquency

- 40. **Contributing to delinquency.** Inducing, aiding, or encouraging a child to violate any state or federal law, municipal or county ordinance, or court order is a class 4 felony. 18-6-701 (2)



**CRIMINAL CODE —  
WRONGS TO AT-RISK ADULTS AND AT-RISK JUVENILES**

**Crimes Against At-risk Adults and At-risk Juveniles**

41. **Criminal negligence.** A crime against an at-risk adult or at-risk juvenile that amounts to criminal negligence resulting in the death of the at-risk adult or at-risk juvenile is a class 4 felony. 18-6.5-103 (2) (a)
42. **Assault.** Assault in the first degree, as described in section 18-3-202, when the victim is an at-risk adult or an at-risk juvenile and the act causing the injury is performed, not after deliberation, upon a sudden heat of passion, caused by a serious and highly provoking act of the intended victim, affecting the person causing the injury sufficiently to excite an irresistible passion in a reasonable person is a class 4 felony. 18-6.5-103 (3) (a)
43. **Theft from at-risk adults or at-risk juveniles.** Any person who commits theft, as described in section 18-4-401, from an at-risk adult or at-risk juvenile by means other than the use of force, threat, or intimidation commits a class 4 felony without regard to the value of the thing taken. 18-6.5-103 (5)
44. **Theft from at-risk elders.** Any person who commits theft, as described in section 18-4-401, from an at-risk elder by means other than the use of force, threat, or intimidation commits a class 4 felony without regard to the value of the thing taken. 18-6.5-103 (5.5)

**CRIMINAL CODE —  
GOVERNMENTAL OPERATIONS**

**Obstruction of Public Justice**

45. **Accessory to crime.** A person who renders assistance to another who has committed a crime in order to prevent the person's apprehension and punishment commits a class 4 felony if the offender knows that the person being assisted has committed, or has been convicted of, or is charged with, or is suspected of or wanted for a class 1 or class 2 felony. 18-8-105 (3)

**Escape and Offenses Relating to Custody**

46. **Introducing contraband in the first degree.** It is a class 4 felony for any person to attempt to introduce a dangerous instrument, alcoholic beverage, controlled substance, or marijuana into a detention facility, or for any person who is confined in a detention facility to make any of these items. 18-8-203 (2)
47. **Possession of contraband.** Possession of a dangerous instrument by an individual confined in a detention facility is a class 4 felony. 18-8-204.1 (3)
48. **Escapes.** A person commits a class 4 felony if, having been charged with but not convicted of a felony, he or she knowingly escapes from custody or confinement. 18-8-208 (3)
49. **Attempt to escape.** A person who is in custody or confinement following the conviction of a felony and who attempts to escape commits a class 4 felony. 18-8-208.1 (1)

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### **Bribery and Corrupt Influences**

50. ***Attempt to influence a public servant.*** Any person who attempts to influence any public servant by means of deceit, threat of violence, or economic reprisal commits a class 4 felony. 18-8-306

### **Perjury and Related Offenses**

51. ***Perjury in the first degree.*** A person who makes a materially false statement under oath, that he or she does not believe to be true, in any official proceeding commits a class 4 felony. 18-8-502 (3)

### **Offenses Relating to Judicial and Other Proceedings**

52. ***Bribe-receiving by a witness.*** A witness accepting any benefit for the purpose of influencing his or her presence or testimony at an official proceeding commits a class 4 felony. 18-8-603 (1)
53. ***Bribing a juror.*** A person who attempts to influence a juror's decision by offering or conferring any benefit upon the juror commits a class 4 felony. 18-8-606 (2)
54. ***Bribe-receiving by a juror.*** Any juror who accepts any benefit for the purpose of influencing his or her vote commits a class 4 felony. 18-8-607 (2)
55. ***Intimidating a juror.*** A person who attempts to influence a juror's vote by use of threat of harm or injury to any person or property commits a class 4 felony. 18-8-608 (2)
56. ***Jury tampering.*** Knowing participation in the fraudulent processing or selection of jurors or prospective jurors or attempting to communicate with or influence jurors other than as a part of the official trial proceedings is a class 4 felony in any class 1 felony trial. 18-8-609 (2)
57. ***Retaliation against a judge.*** A person commits a class 4 felony if he or she makes a credible threat or commits an act of harassment, harm, or injury upon another person or property as retaliation or retribution against a judge. 18-8-615 (2)

### **Victims and Witnesses Protection**

58. ***Bribing a witness or victim.*** A person who offers or confers any benefit upon a witness or victim, in any official proceeding, members of the witness or victim's family, or persons in close relationship to or residing in the same household with a witness or victim in an attempt to influence that witness or victim commits a class 4 felony. 18-8-703 (2)
59. ***Intimidating a witness or victim.*** If, in an attempt to influence a witness or victim, a person threatens harm or injury to any person or property, he or she commits a class 4 felony. 18-8-704 (2)
60. ***Tampering with a witness or victim.*** A person who attempts to influence a victim or witness without bribery or threats commits a class 4 felony. 18-8-707 (2)

**CRIMINAL CODE —  
OFFENSES AGAINST PUBLIC PEACE, ORDER, AND DECENCY**

**Public Peace and Order**

61. **Arming rioters.** A person who supplies a deadly weapon or destructive device for use in a riot, or who teaches another to use such weapon or device in a riot, commits a class 4 felony. 18-9-103 (2)
62. **Engaging in a riot.** If, in the course of engaging in a riot, a person employs a deadly weapon, destructive device, or any article used or fashioned in a manner to cause a person to believe that the article is a deadly weapon, or if in the course of rioting, the actor represents verbally or otherwise that he or she is armed with a deadly weapon, that person commits a class 4 felony. 18-9-104 (1)
63. **Vehicular eluding.** Any person who, while operating a motor vehicle, knowingly eludes or attempts to elude a peace officer also operating a motor vehicle, and who operates the vehicle in a reckless manner, commits a class 4 felony when bodily injury occurs. 18-9-116.5 (2) (a)
64. **Failure to leave premises upon request of a peace officer.** Any person who barricades or refuses police entry to any premises through use or threat of force, fails to leave upon request by a peace officer outside the structure, and holds another person hostage with use of a deadly weapon commits a class 4 felony. 18-9-119 (5)
65. **Bias-motivated crimes.** Placing another person in fear of imminent lawless action directed at that person or that person's property knowing that such words or conduct will likely produce bodily injury to that person or that person's property; or knowingly causing damage to or destruction to another person's property because of that person's actual or perceived race, color, religion, ancestry, national origin, physical or mental disability or sexual orientation is a class 4 felony if the actor is physically aided or abetted by one or more other persons during the commission of the offense. 18-9-121 (3)

**Cruelty to Animals**

66. **Animal - fighting - penalty.** Any person committing a second or subsequent offense of causing, sponsoring, arranging, or encouraging a fight between animals for monetary gain or entertainment commits a class 4 felony. 18-9-204 (2)

**Offenses Involving Communications**

67. **Telecommunications crime.** A person commits a class 4 felony if he or she knowingly uses cloning equipment (or aids, abets, advises, or encourages another person) to: a) intercept signals, including signals transmitted to or from a cellular phone, between a telecommunications provider and persons using telecommunications services, or between persons using telecommunications services; or b) create a cellular phone. 18-9-309 (4)

**CRIMINAL CODE —  
OFFENSES RELATING TO FIREARMS AND WEAPONS**

**Firearms and Weapons**

68. **Possessing a dangerous or illegal weapon.** A second or subsequent violation of knowingly possessing a dangerous weapon (firearm silencer, machine gun, short shotgun, short rifle, or ballistic knife) is a class 4 felony. 18-12-102 (3)
69. **Possession of weapons by previous offenders.** A second or subsequent offense of possession of a weapon by a person who has previously been convicted of or adjudicated for a felony, and when the weapon is a dangerous weapon or when the conviction was for, or the adjudication was based on, an offense involving burglary, arson, or any felony involving the use of force or the use of a deadly weapon is a class 4 felony. 18-12-108 (5)
70. **Unlawfully providing a handgun to a juvenile or permitting a juvenile to possess a handgun.** Any person who intentionally, knowingly, or recklessly provides a handgun to any person under the age of 18, or any person who knows of such juvenile's possession of a handgun and fails to make reasonable efforts to prevent such possession, commits a class 4 felony. 18-12-108.7 (1) (b)
- Any person who intentionally, knowingly, or recklessly provides a handgun to a juvenile or who permits a juvenile to possess a handgun, even though the person is aware of a substantial risk that such juvenile will use a handgun to commit a felony offense, or who fails to make reasonable efforts to prevent the commission of the offense, commits a class 4 felony. 18-12-108.7 (2) (b)
71. **Possession, use, or removal of explosives or incendiary devices.** Any person who knowingly possesses or controls an explosive or incendiary device commits a class 4 felony. 18-12-109 (2)
- Any person who removes any explosive or incendiary device from the premises of a lawful possessor without consent commits a class 4 felony. 18-12-109 (5)
- Any person who possesses parts for any explosive or incendiary device commits a class 4 felony. 18-12-109 (6)
- Any person who possesses a valid permit issued under the provisions of Article 7 of Title 9 regarding the regulation and inspection of explosives, or an employee of a permittee acting within the scope of his or her employment who knowingly dispenses, distributes, or sells explosive or incendiary devices to a person not authorized to possess or control such devices, commits a class 4 felony. 18-12-109 (8)
72. **Unlawful purchase of firearms.** Any person who knowingly purchases or otherwise obtains a firearm on behalf of or for transfer to a person who the transferor knows or reasonably should know to be ineligible to possess a firearm commits a class 4 felony. 18-12-111 (1)

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**CRIMINAL CODE —  
MISCELLANEOUS OFFENSES**

**Miscellaneous Offenses**

73. ***Dueling.*** Persons who by agreement engage in a fight with deadly weapons commit a class 4 felony. 18-13-104 (2)
74. ***Hazardous wastes violations.*** Any person who abandons a vehicle containing hazardous wastes or intentionally spills such wastes on a street, highway, or public or private property without consent commits a class 4 felony. 18-13-112 (3)

**CRIMINAL CODE —  
MAKING, FINANCING, OR COLLECTION OF LOANS**

**Offenses — Making, Financing, or Collection of Loans**

75. ***Extortionate extension of credit.*** Any agreement between a creditor and a debtor to the effect that delay or failure in making repayment for extension of credit will result in the use of extortionate means of collection is a class 4 felony. 18-15-102
76. ***Collection of extensions of credit by extortionate means.*** Any person who uses extortionate means to collect any extension of credit commits a class 4 felony. 18-15-107 (2)

**HEALTH CARE POLICY AND FINANCING**

**Colorado Medical Assistance Act**

77. ***Patient personal needs trust fund.*** A person who knowingly fails to deposit personal needs funds received from a patient or from the state for a patient's personal needs into the patient's personal needs trust fund within 60 days of the receipt of such moneys or who improperly uses such moneys commits a class 4 felony if the amount involved is at least \$1,000, but less than \$20,000. 25.5-6-206 (8) (d) (III)

**HUMAN SERVICES CODE**

**Offenses Related to the Department of Human Services**

78. ***Fraudulent acts.*** Obtaining public assistance or vendor payments when not entitled, or public assistance or vendor payments greater than those to which one is justly entitled, by means of a willfully false statement or representation or by impersonation or by any other fraudulent device is a class 4 felony when the value of the assistance or payments is at least \$1,000, but less than \$20,000 (see section 18-4-401 (2) (c)). 26-1-127 (1)

## Elements of Offense

## C.R.S. Citation

### **Colorado Public Assistance Act**

79. **Trafficking in food stamps.** Trafficking in food stamps is a class 4 felony if the value of the food stamps is at least \$1,000, but less than \$20,000. 26-2-306 (2) (c)
- Trafficking in food stamps twice or more within a six-month period without having been placed in jeopardy for the prior offense or offenses is a class 4 felony when the aggregate value of the food stamps is at least \$1,000, but less than \$20,000. 26-2-306 (3)

## **LOCAL GOVERNMENT**

### **Offenses Related to Hazardous Substance Incidents**

80. **Hazardous substance incidents.** Any person who intentionally causes or substantially contributes to the occurrence of a hazardous substance incident commits a class 4 felony. 29-22-108 (1)

## **AGRICULTURE**

### **Offenses Related to Livestock**

81. **Theft of certain animals.** Any person who commits theft of, or knowingly kills, sells, drives, leads, transports, rides away, purchases, or in any manner deprives the owner of the immediate possession of, any cattle, horses, mules, sheep, goats, swine, or asses, either live or slaughtered, commits a class 4 felony. 35-43-128

## **VEHICLES AND TRAFFIC**

### **Accidents and Accident Reports**

82. **Accidents involving death or personal injuries.** The driver of any vehicle who fails to stop and give notice, information, and aid after an accident in which he or she was directly involved and which results in serious bodily injury to another person commits a class 4 felony. 42-4-1601 (2) (b)

### **Automobile Theft Law**

83. **Theft of motor vehicle parts.** Theft of motor vehicle parts two times or more within a period of six months is a class 4 felony when the aggregate value of the things involved is \$20,000 or more. 42-5-104 (3)