

**12th JUDICIAL DISTRICT-
UNIFORM BOND
SCHEDULE**



**CHIEF JUDGE
ADMINISTRATIVE ORDER
2012-02**

**As amended 5-20-14
As amended 3-10-15
As amended 1-18-23**

It is ordered that the following bond schedule shall be effective immediately throughout the courts of the Twelfth Judicial District. This bond schedule shall be used by law enforcement officers when an arrest occurs without an arrest warrant. Such schedule is not to be used by a judge when setting or modifying bond pursuant to the mandates of C.R.S. §§ 16-4-101, *et seq.*

FELONIES

(Excluding High Risk Crimes and Drug Offenses)

(s=Surety, p=Property, and c=Cash)

FELONY LEVEL	MAX. PENALTY	PRESUMPTIVE BOND AMOUNT	
1	Life	No bond without specific order of the Court	
2	48 years	To be set by the Court only	
3	32 years	\$50,000 s/p or \$5,000 c	Crimes Against Persons *
		\$25,000 s/p or \$2,500 c	Crimes Against Property **
4	16 years	\$20,000 s/p or \$2,000 c	Crimes Against Persons *
		\$10,000 s/p or \$1,000 c	Crimes Against Property **
5	8 years	\$5,000 s/p or \$500 c	Crimes Against Persons *
		\$2,500 s/p or \$250 c	Crimes Against Property **
6	4 years	\$2,000 s/p or \$200 c	All that are not listed below

* **Crimes Against Persons:** Any crime directed at a person or listed as a Victims' Rights Act offense except those designated below as High Risk Crimes. See **Appendices A and AA.**

****Crimes Against Property:** Any crime directed primarily at property not listed as a Crime Against Persons, a Victims' Rights Act offense, a High Risk Crime, or a Drug Offense. See **Appendix B.**

HIGH RISK CRIMES
(s=Surety, p=Property, and c=Cash)

LEVEL OF FELONY OFFENSE	PRESUMPTIVE BOND AMOUNT
1	No bond without specific order of the Court
2	To be set by the Court
3	\$60,000 s/p or \$6,000 c
4	\$25,000 s/p or \$2,500 c
5	\$10,000 s/p or \$1,000 c
6	\$5,000 s/p or \$500 c
DF1	\$50,000 s/p or \$5,000 c
DF2	\$30,000 s/p or \$3,000 c

High Risk Crimes: See Appendix C.

Parolees arrested for new offenses: No bond or bail shall be set for a person who is on parole and charged with a new offense involving any felony or drug felony excluding simple possession, any offense involving a weapon, any offense involving domestic violence, or any offense in which bodily injury or more serious harm was caused to another person. A person on parole shall not be released until her or his parole officer has been notified of the arrest.

DRUG OFFENSES

(Excluding DF1 and DF2 distribution and possession with the intent to distribute offenses)
(s=Surety, p=Property, and c=Cash)

OFFENSE LEVEL	MAX. PENALTY	PRESUMPTIVE BOND AMOUNT
DF1	32 years	\$4,500 s/p or \$450 c
DF2	16 years	\$3,000 s/p or \$300 c
DF3	6 years	\$2,000 s/p or \$200 c
DF4	2 years	\$1,500 s/p or \$150 c
DM1	6 months	\$1,000 s/p or \$100 c
DM2	No imprisonment	Presumptive PR/Summons
DPO	No imprisonment	Presumptive PR/Summons

Drug Offenses: See Appendix D.

The officer shall not arrest a person for possession of any miniscule, residual, or unusable amount of a controlled substance that may be present in a used hypodermic needle, syringe or other drug paraphernalia.

MISDEMEANORS

(s=Surety, p=Property, and c=Cash)

LEVEL OF MISDEMEANOR OFFENSE	MAX. PENALTY	PRESUMPTIVE BOND AMOUNT
1	364 days	\$1,000 s/p or \$100 c
2	120 days	\$500 s/p or \$50 c
Petty Offenses & Civil Infractions	No imprisonment	Presumptive PR/Summons

Misdemeanors: See Appendices E-EEE.

Violations involving Domestic Violence: All persons charged with a crime involving domestic violence shall be arrested and shall not be released on bail or on bond until a judge has advised the person concerning the terms of the mandatory protection order and until the person has acknowledged the restraining order as a condition of bond.

Fish, Game, and Wildlife Offenses: For any violation classified as a felony or misdemeanor, use the above schedules to set the appropriate bonds. If the violation is not classified, set bail at the amount equal to the fine defined by statute.

GENERAL & SPECIFIC TRAFFIC OFFENSES

(Excluding those listed above)

(s=Surety, p=Property, and c=Cash)

LEVEL OF TRAFFIC OFFENSE	MAX. PENALTY	PRESUMPTIVE BOND AMOUNT
1	1 year	\$1,000 s/p or \$100 c
2	90 days	\$500 s/p or \$50
A & B	No imprisonment	Presumptive PR/Summons
Careless Driving (causing bodily injury or death)	1 year	\$2,500 s/p or \$250 c
Careless Driving	90 days	\$250 s/p or \$25 c
Driving Under the Influence (Felony)	12 years	\$15,000 s/p or \$1,500 c
Driving Under the Influence (Misdemeanor)	12 months	\$750 s/p or \$75 c (first offense) \$1,500 s/p or \$150 c (2+ offense)
Driving While Ability Impaired	6 months	\$500 s/p or \$50 c (first offense) \$750 s/p or \$75 c (2+ offense)
Eluding or Attempt to Elude	90 days	\$500 s/p or \$50 c
Reckless Driving	6 months (2+ offense)	\$300 s/p or \$30 c (first off.) \$ 500 s/p or \$50 c (2+ off.)
Speeding (in a maintenance repair, construction, or school zone)	1 year	\$500 s/p or \$50 c
Speeding (25+ mph over speed limit)	90 days	\$250 c/s or \$25 c

NOTES

1. When a defendant is arrested, the arresting officer or jail deputy shall set bail according to the above schedules. Such bail will remain in force until the defendant is brought before a judge for advisement (within 48 hours of the defendant's arrival at the jail or detention facility).
2. When a defendant is arrested for more than one offense, the arresting officer or jail deputy shall set bail for the highest/most serious offense alleged according to the above schedules. Bail shall not be accumulated.
3. If a warrant or approved probable cause statement sets a bail or bond that is different than the schedule amount for that offense, the amount stated on the warrant or approved probable cause statement shall prevail.
4. All persons arrested on warrants issued in a civil case shall be required to post the bond set by the warrant.
5. All bonds accepted per these schedules shall command the defendant to appear in court at a date and time certain, which shall be the court's regularly-scheduled arraignment day or the court's next business day as the court may direct. If a summons is issued, then the return date on the bond shall be the same date set on the Summons. If the court has set an appearance date, then the return date on the bond shall be the date and time set by the court.
6. Any person who does not post bond shall be taken to court for advisement as soon as possible but in no event later than 48 hours following her or his arrival to the jail or detention center.
8. Law enforcement officials in the Twelfth Judicial District, or their authorized deputies, may release an arrested person only upon posting of the required bond unless otherwise authorized by a judge.
9. All prior bond schedules used or relied upon are hereby rescinded, null, and void.

DATED THIS 18th DAY OF January 2023.

BY THE CHIEF JUDGE:



MICHAEL A. GONZALES

cc: All Judges, Sheriffs, Court Clerks, District Attorney, Public Defender, and Police Agencies of the Twelfth Judicial District

APPENDIX A: CRIMES AGAINST PERSONS

A

Abuse of a corpse

Accessory to a crime

Aiding escape from an institution for the care or treatment of behavioral or mental health disorders

Animal fighting

Attempt to influence a public servant

B

Bias-motivated crime (assault)

Bribery

Bribery in sports

Bribing a juror

Bribing a witness or victim

Commercial bribery

Second degree burglary (of a dwelling)

C

Carrying a firearm, explosive, or incendiary device in a facility of public transportation

First degree contributing to the delinquency of a minor

Cruelty to animals

D

E

Endangering public transportation or utility transmission

Engaging in a riot (armed with a deadly weapon or device or simulated)

Extortion

Extortionate collection of extensions of credit

F

Felony failure to register as a sex offender

False reporting (causing serious bodily injury or death)

False reporting of an explosive, weapon, or harmful substance

Fighting by agreement (deadly weapons)

G

Gathering identity information by deception

H

I

Indecent exposure (2+ priors)

Identity theft

Inciting a riot

Inducing the consumption of a controlled substance by fraudulent means

Intimidating a juror

Introducing contraband in the first or second degree (materials to aid in escape)

J

Jury tampering

K

Second degree kidnapping

L

M

Making or financing extortionate extensions of credit

Membership in an anarchistic or seditious association

Misuse of gametes

N

O

Unlawful ownership of a dangerous dog (caused serious bodily injury or death)

P

Perjury in the first degree

Possession of contraband in the first or second degree (materials to aid in escape)

APPENDIX A: CRIMES AGAINST PERSONS

Possession of a dangerous weapon

Wholesale or simple promotion of obscenity to a minor

Unlawfully providing or permitting a juvenile to possess a handgun

Q

R

Unauthorized residency by an adult offender from another state

Retaliation against a judge or an elected official

Retaliation against a prosecutor

Simple robbery

S

Smuggling of humans

T

Tampering with a deceased human body

Tampering with a witness or victim

U

Criminal usury or financing criminal usury

V

Violation of a custody order

Any crime listed in the Victim Rights Act not listed as a High Risk Crime (See Appendices AA and C)

W

Wiretapping

X, Y, Z

APPENDIX AA: VICTIMS RIGHTS ACT OFFENSES*

A

First degree arson

First, second, or third degree assault

Any crime against an at-risk adult or juvenile

B

Bias-motivated crimes (incl. harassment)

First degree burglary

Second degree burglary (of a dwelling)

C

Careless driving resulting in death

Child abuse

Child prostitution

D

Any crime alleging domestic violence

E

F

Failure to stop at an accident resulting in death or SBI

G

H

Human trafficking

I

Incest and aggravated incest

Indecent exposure

Inducement of a child to prostitution

Intimidating and aggravated intimidation of a witness or victim

Invasion of privacy

I

K

First or second degree kidnapping

M

Manslaughter

Menacing

First or second degree murder

N

Criminally negligent homicide

O

P

Patronizing a prostituted child

Pimping a child

Posting a private image for harassment or pecuniary gain

Procurement of a child for sexual exploitation

Q

R

Retaliation against a judge or an elected official

Retaliation against a juror

Retaliation against a prosecutor

Retaliation against a witness or victim

Robbery and aggravated robbery (incl. of controlled substances)

S

Sexual assault

Sexual assault on a child

Sexual assault on a child by one in a position of trust

Sexual assault on a client

Sexual exploitation of children

Soliciting a child prostitute

Stalking

T

Tampering with a witness or victim

APPENDIX AA: VICTIMS RIGHTS ACT OFFENSES*

U

Unlawful sexual contact

V

Vehicular assault

Vehicular homicide

Violation of a protection order issued in a criminal case involving sexual assault or stalking charges

W, X, Y, Z

* Any attempt, conspiracy, or solicitation to commit any of the listed crimes

APPENDIX B: CRIMES AGAINST PROPERTY

A

Unlawful activity concerning the selling of land (selling twice or false ownership interest)

Second, third, and fourth degree arson

B

Bribe-receiving by a witness or juror

Second degree burglary (non-dwelling)

Buying, selling, manufacturing, or possessing eavesdropping or wiretapping devices

C

Cheating games or devices

COCCA violations

Commodity metal purchase violations (>\$2,000)

Compensation for past official behavior

Concealment or removal of secured property (>\$2,000)

Cybercrime

D

Defrauding a secured creditor or debtor (>\$2,000)

Unlawful designation of a supplier

E

Embezzlement of public property

Unlawful entry into a limited gaming facility by an ejected person

Equity skimming of a vehicle (>\$2,000)

Equity skimming of real property

F

Failure to pay over assigned accounts (>\$2,000)

Failure to pay over proceeds (>\$2,000)

Failing to file or making a false or fraudulent tax return for limited gaming (2+ times in 12 mo.)

Giving false or misleading information to obtain a limited gaming license

Forgery

Fraud by check (>\$2,000)

Fraudulent receipt

G

H

Unlawful hazardous waste disposal

I

Illegal possession of a weapon by a juvenile (2+ priors)

Criminal impersonation

Issuing a false certificate

Issuing a false financial statement (2+ documents)

J, K, L

M

Maintaining a gambling premises (repeat offender)

Making a false statement on an application for limited gambling

Unlawful manufacture of a financial transaction device

Unlawful manufacture, sale, distribution, marking, altering, or modifying equipment and devices related to limited gambling incl. repeat offenders

Misuse of official information

Criminal mischief

Money laundering

Aggravated motor vehicle theft in the first degree

N

O

Offering a false instrument for recording

Other fraudulent acts in limited gaming incl. repeat offenders

Owning or operating a chop shop

P

Possession of burglary tools

APPENDIX B: CRIMES AGAINST PROPERTY

Possession or concealment of records of criminal usury

Use of a device for calculating probabilities incl. repeat offenders

Possession, delivery, circulation, or sale of a blank financial transaction device

Unlawful use of wiretap or eavesdropping information

Criminal possession of a financial transaction device (2+ devices)

V

Criminal possession of forged devices

Violation of bail bond conditions (felony charges)

Criminal possession of a forged instrument or device

W

Willfully aiding in fraudulent or false activities regarding taxation in limited gaming

Criminal possession of an identification document (2+ people)

X, Y, Z

Possession of identity theft tools

Possession of a weapon by a previous offender

Professional gambling (repeat offender)

Q

R

Receiving deposits in a failing financial institution

Receiving personal pecuniary gain for limited gaming license

S

Unlawful sale of secondhand materials (2+ priors)

T

Tampering with physical evidence (felony case)

Theft

Trademark counterfeiting (>\$2,000)

Unlawful transfer of a sound recording for sale

Transmitting gambling information (repeat offender)

Second and third degree criminal trespass (on ag. Land with intent to commit a felony)

U

Use of counterfeit or unapproved chips, tokens, coins, or devices

Unauthorized use of a financial transaction device (>\$2,000)

APPENDIX C: HIGH RISK CRIMES

A

Unlawful administration of GHB or ketamine

Aiding escape (felony)

Arming rioters

First degree arson

Felony assault (first or second degree, vehicular, during escape)

Crimes to at-risk adults or juveniles

B

First degree burglary

C

Unlawful carrying large-capacity magazines (during the commission of a felony)

Unlawful carrying a weapon on school grounds

Felony child abuse

D

Unlawful distribution, manufacturing, dispensing, or sale; or possession with the intent to distribute or sell a controlled substance

DF1: special offenders; 225+ grams of any schedule I or II controlled substance; 112+ grams of methamphetamines, heroin, ketamine, or cathinones; or 50+ milligrams of flunitrazepam; any quantity, material, compound, mixture, or preparation of a schedule I or II to a minor when the adult is at least two years older than the minor; 2+ pounds of marijuana or 1+ pound of marijuana concentrate to a minor; 50+ grams containing any material, compound, mixture, or preparation containing fentanyl, carfentanyl, or an analog thereof; causing a person's death by distributing, manufacturing, dispensing or selling any material, compound, mixture, or preparation containing fentanyl, carfentanyl, or an analog thereof

DF2: 14-225 grams of a schedule I or II controlled substance; 7-112 grams of methamphetamine, heroin, ketamine, or cathinones; 10-15 milligrams of flunitrazepam; any quantity, material, compound, mixture, or preparation of a schedule III or IV to a minor when the adult is at least two years older than the minor; 6+ oz.-2 lbs. of marijuana or 3+oz.-1 lb. marijuana concentrate to a minor if the adult is 2 years or more older than the juvenile; any amount of any synthetic cannabinoid or salvia divinorum to a minor if adult is 2 or more years older than minor; 4-50 grams containing any material, compound, mixture, or preparation containing fentanyl, carfentanyl, or an analog thereof;

E

Enticement of a child

Escape or attempt to escape (conviction for a felony)

Escape (from commitment-charged with felony and leaves the State)

Aggravated extortion

F

Failure or refusal to leave premises (holding another person with a deadly weapon)

Felony false imprisonment

G

H

Any homicide (murder, manslaughter, negligent, vehicular)

I

Illegal discharge of a firearm

Inciting the destruction of life or property

Inducing consumption of a controlled substance by fraudulent means (DF3)

Insurrection

Intentionally setting a wildfire

APPENDIX C: HIGH RISK CRIMES

Internet luring for sexual exploitation of a child

Intimidating a witness or victim and aggravated intimidation of a witness or victim

I

K

First degree kidnapping

L

M

Felony menacing

N, O

P

Unlawful possession of materials to make methamphetamine and amphetamine

Possession, use, or removal of explosives or incendiary devices

Q

R

Retaliation against a juror

Retaliation against a witness or victim

Riot in a detention facility

Aggravated robbery

S

Sale or distribution of materials to manufacture controlled substances

Sedition

Setting fire to woods or prairie (in violation of a fire ban)

Any felony sex crime (sexual assault, unlawful sexual contact, sexual assault on a child, incest, aggravated incest, sexual assault on a client, unlawful sexual conduct by a peace officer, unlawful electronic sexual communication, human trafficking sexual exploitation of a child, pandering by threat or intimidation, pimping, solicitation for child prostitution, pandering of a child, procurement of a child for prostitution, keeping a place of child prostitution, inducement

of a child for prostitution, patronizing a prostituted child-excludes failure to register as a sex offender)

Stalking

T

Unlawful termination of pregnancy

Treason

U

V

Vehicular eluding

Violation of a protection order during an unauthorized absence

W, X, Y, Z

APPENDIX D: DRUG OFFENSES

DF1

Dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute or attempt, induce, attempt to induce, or conspire with one or more other persons to dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate without a license (50+ lbs. marijuana or 25+ lbs. of marijuana concentrate)

DF2

Unlawful acts (See C.R.S. §§ 18-18-414(1)(o), (q), (r), or (t))

Dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute or attempt, induce, attempt to induce, or conspire with one or more other persons to dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate without a license (5-50 lbs. marijuana or 2.5-25 lbs. of marijuana concentrate)

Possession of materials to make methamphetamine and amphetamine

Sale or distribution of materials to manufacture a controlled substance

DF3

Cultivate, grow, produce, a marijuana plant or allow a marijuana plant to be cultivate, grown, or produced on land that the person owns, occupies (30+ plants)

Cultivate, grow, or produce more than 12 marijuana plants on residential property or allow another to do so¹ (2+ offense, 24+ plants)

Cultivate salvia divinorum with the intent to dispense, sell, or distribute any amount

Dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute 1+oz.-6 oz. marijuana or ½+oz.-3 oz. marijuana concentrate to a minor if adult is 2 years or more older than minor

Dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute or attempt, induce, attempt to induce, or conspire with one or more other persons to dispense, sell,

distribute, or possess with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate without a license (12oz.-5 lbs. marijuana or 6oz.-2.5 lbs. of marijuana concentrate)

Dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute <7 grams of methamphetamine, heroin, ketamine, or cathinones; <10 milligrams of flunitrazepam

Dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute <14 grams of a schedule I or II controlled substances

Dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute 4+ grams of a schedule III or IV controlled substance

Dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute

Manufacturing, delivering, or possessing with intent to manufacture or deliver a counterfeit controlled substance any amount of any synthetic cannabinoid or salvia divinorum

Manufacturing, distributing, or possessing with intent to manufacture or distribute an imitation controlled substance (to a minor, adult more than 2 years older than minor)

Processing or manufacturing marijuana or marijuana concentrate or allowing the same on owned land with a license

DF4

Unlawful acts (See C.R.S. §§ 18-18-414(1)(a), (b), (c), or (d))

Cultivate, grow, produce, a marijuana plant or allow a marijuana plant to be cultivate, grown, or produced on land that the person owns, occupies (6-30 plants)

Dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute <1oz. of marijuana or <1/2oz. marijuana concentrate to a minor if adult is more than 2 years older than minor

Dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute or attempt, induce, attempt to induce, or conspire

¹ Exception if a county, municipality, or city and county law expressly permits growth of more than

12 plants on residential property and the person is doing so in an enclosed and locked space.

APPENDIX D: DRUG OFFENSES

with one or more other persons to dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate without a license (4-12oz. marijuana or 2-6oz. lbs. of marijuana concentrate)

Dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute <4 grams of a schedule III or IV controlled substance

Distribute, manufacture, dispense, or sell <4 grams of a material, compound, mixture, or preparation containing fentanyl, carfentanyl, or an analog thereof

Distribution or transfer for the purpose of consuming the drugs with another person or persons at a time substantially contemporaneous to the transfer (<4 grams of a schedule I or II controlled substance or <2 grams of methamphetamines, heroin, ketamine, or cathinones)

Forgery or alteration of a prescription

Manufacturing, distributing, or possessing with intent to manufacture or distribute an imitation controlled substance

Obtaining a controlled substance by fraud, deceit, misrepresentation, concealment of a material fact, use of a false name or address, or subterfuge

Possession of 4+ grams of any material, compound, mixture, or preparation containing any amount of fentanyl, carfentanyl, or an analog thereof

Possession of any quantity of flunitrazepam, ketamine, gamma hydroxybutyrate (incl. its salts, isomers, and salts of isomers), or cathinones

Possession of 4<grams of a schedule I or II controlled substance

Possession of 4>grams of a schedule I or II controlled substance (4+ offense)

Possession of any amount of a schedule III, IV, or V controlled substance (4+ offense)

DM1

Advertising, soliciting, or promoting the distribution of an imitation controlled substance

Cultivate, grow, produce, a marijuana plant or allow a marijuana plant to be cultivate, grown, or produced on land that the person owns, occupies (<6 plants)

Cultivate, grow, or produce more than 12 marijuana plants on residential property or allow another to do so² (2+ offense, 12-24 plants)

Dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute or attempt, induce, attempt to induce, or conspire with one or more other persons to dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate without a license (<4oz. marijuana or <2oz. of marijuana concentrate)

Keeping, maintaining, controlling, renting, or making available property for the unlawful distribution or manufacture of controlled substances

Manufacturing, dispensing, selling, distributing, or possessing with the intent to manufacture, distribute, dispense, or sell a schedule V controlled substance

Manufacturing, distribution, or possession with intent to distribute imitation controlled substances

Manufacturing, dispensing, selling, or distributing marijuana

Marijuana cultivation (6> plants)

Possession of 4>grams of a schedule I or II controlled substance

Possession of any amount of a schedule III, IV, or V controlled substance

Residential marijuana cultivation (13-24 plants, 2+ offenses)

Possession of marijuana (6+ oz., 3+oz. of marijuana concentrate)

Transferring marijuana or marijuana concentrate at no cost but for remuneration for any other service or product

Transferring for no remuneration not more than 4 grams of a schedule III or IV controlled substance

² Exception if a county, municipality, or city and county law expressly permits growth of more than

12 plants on residential property and the person is doing so in an enclosed and locked space.

APPENDIX D: DRUG OFFENSES

Use of marijuana in a detention facility

DM2

Abusing toxic vapors

Unlawful acts (See C.R.S. §§ 18-18-414(1)(e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (2), or (4))

Unlawful advertising of marijuana

Unlawful extraction of marijuana concentrate

Manufacture, sale, delivery, or advertisement of drug paraphernalia

Possession of marijuana (2-6 oz., 1-3oz. marijuana concentrate)

Retail sale of methamphetamine precursor drugs

Unlawful use of a controlled substance

DPO

Cultivate, grow, or produce more than 12 marijuana plants on residential property or allow another to do so³ (first offense, 12+ plants)

Possession of drug paraphernalia

Residential marijuana cultivation (12<plants, first offense)

Transferring <2oz. or marijuana from one person to another for no consideration

Unauthorized possession of a prescribed controlled substance (having a prescription but possessing it outside of its original container)

Use, display, consume marijuana in public (<2oz.)^{4,5}

³ Exception if a county, municipality, or city and county law expressly permits growth of more than 12 plants on residential property and the person is doing so in an enclosed and locked space.

⁴ Doing so on the premises of a marijuana hospitality establishment is not a violation.

⁵ >2oz. considered possession.

APPENDIX E: CLASS 1 MISDEMEANORS

A

Abuse of public trust by an educator
Second and Fourth degree arson
Third degree assault

B

Bias-motivated crime (misdemeanor menacing;
criminal mischief)

C

Unlawfully carrying a concealed weapon
Child abuse (cause bodily injury)
Commodity metal purchase violations (\$1,000-
\$1,999)
Concealing death
Concealment or removal of secured property
(\$1,000-\$1,999)
Second degree contributing to the delinquency of
a minor
Criminal mischief (\$1,000-\$1,999)
Cruelty to animals
Cybercrime (\$1,000-\$1,999)

D

Defacing a firearm
Defrauding a secured creditor or debtor (\$1,000-
\$1,999)
Disorderly conduct (discharging a firearm in
public)

E

Equity skimming of a vehicle (\$1,000-\$1,999)

F

Failure or refusal to leave premises (holding
another person without consent, no deadly
weapon; belief of a deadly weapon)
Failure to pay over assigned accounts (\$1,000-
\$1,999)
Failure to pay over proceeds unlawful (\$1,000-
\$1,999)

Failure to register as a sex offender

False reporting (causing evacuation or bodily
injury)

Fraud by check (\$1,000-\$1,999)

G

Giving false information on a firearm background
check

Giving false information to a secondhand dealer

H

Harassment (bias-motivated)

I

Criminal impersonation (subject to an action or
special proceeding)
Inciting a riot (no injury or damage)
Indecent exposure (first or second offense)
Interference with staff, faculty, or students of an
educational institution (credible threats of harm)

Invasion of privacy for sexual gratification

J, K, L

M

Manufacture or sale of theft detection devices
Menacing
Aggravated motor vehicle theft in the first
degree(<\$2,000)

N

O

Obstruction of a telephone service
First degree official misconduct
Official oppression

P

Possession of a defaced firearm
Possession of an illegal weapon
Posting a private image for harassment or
pecuniary gain

APPENDIX E: CLASS 1 MISDEMEANORS

Posting, possession, or exchange of a private image by a juvenile (intent to coerce, intimidate, threaten, distress; previous diversion for same offense; 3+ images and people)

Posting protected information on the internet

Prohibited use of a weapon

Q

R

Recruitment of a juvenile for a criminal street gang (use of force, threat, intimidation, or bodily injury)

S

Sexual conduct (by an employee) in a correctional institution

Soliciting unlawful compensation

T

Tampering with physical evidence (in a misdemeanor case)

Theft (\$1,000-\$1,999)

Trademark counterfeiting (prior conviction)

Trading in public office

Unlawful transfer of a firearm by a licensed dealer

First degree criminal trespass

U

Unauthorized use of a financial transaction device (\$1,000-\$1,999)

Unlawful directing to administer ketamine

Unlawful sexual contact

V

Violation of a protection order (criminal or 2+ offense civil)

W

Wholesale promotion of obscenity

X, Y, Z

APPENDIX EE: CLASS 2 MISDEMEANORS

A

Abuse of public records

Aiding escape (charged with misdemeanor or petty offense)

Second and fourth degree arson

B

Unlawful bail bond activities

Bait advertising

Bigamy

C

Unlawfully carrying a large capacity magazine

Child abuse (no injury)

Commodity metal purchase violations (\$300-\$999)

Compounding

Concealment or removal of secured property (\$300-\$999)

Criminal impersonation (to gain a benefit or injure another)

Criminal mischief

Cybercrime (\$300-\$999)

D

Defacing a cave

Defacing a landmark, monument, or accessory

Defrauding a secured creditor or debtor (\$300-\$999)

Delivery of goods without a receipt

Desecration of venerated objects

Disobedience of a public safety order under riot conditions

Disorderly conduct (display of a deadly weapon in public)

Disrupting a lawful assembly

Dual contracts to induce a loan

Duplicate receipt not marked

E

Eavesdropping

E-mail fraud

Engaging in a riot (not armed with a deadly weapon or device or simulated)

Equity skimming of a vehicle (\$300-\$999)

Escape (adult in DYS convicted as a juvenile)

Escape or attempt to escape (conviction for misdemeanor or petty offense)

Escape (from commitment-charged with a misdemeanor or charged with a felony and does not leave the State)

F

Failing to disclose a conflict of interest

Failing to file or making a false or fraudulent tax return for limited gaming

Failure to pay over assigned accounts (\$300-\$999)

Failure to pay over proceeds unlawful (\$300-\$999)

Failure or refusal to leave premises (use or threat of violence)

Failure to make a record of a firearm sale

Failure to post notice of required background checks

Failure to report unlawful use of force by a peace officer (from fellow officers)

Misdemeanor false imprisonment

False reporting to authorities

False reporting of identification information to authorities

Use of a forged academic document

Second degree forgery

Fraud by check (\$301-\$999)

Fraud in effecting sales

Other fraudulent acts in limited gaming

APPENDIX EE: CLASS 2 MISDEMEANORS

Fraudulent misrepresentation to a medical provider to obtain a medical marijuana card

Fraudulent production or tampering with a medical marijuana card

Fraudulent statements in receipt

G

H

Harassment

Harboring a minor

Hazing

I

Illegal possession of a weapon by a juvenile (first offense)

Impersonating a public servant

Insurance fraud

Interference with a funeral

Interference with staff, faculty, or students of an educational institution

Introducing contraband in the second degree

Criminal invasion of privacy

Issuing a false financial statement

I

K

Keeping a place of prostitution

L

Unlawful location of protected persons

M

Maintaining gambling premises (first offense)

Manufacturing a large capacity magazine

Unlawful manufacture, sale, distribution, marking, altering, or modifying equipment and devices related to limited gaming (incl. repeat offenders)

Mortgaged goods receipt

N

O

Obstructing government operations

Obstructing a highway or other passageway (funeral)Obstructing a peace officer, firefighter, emergency medical service provider, rescue specialist, or volunteer

Obtaining signature by deception

Offenses involving fees paid to private employment agencies

Offering a false instrument for recording in the second degree

Unlawfully offering a simulated gambling device

Unlawful ownership of a dangerous dog (caused bodily harm; 2+ conviction)

P

Pandering

Perjury in the second degree

Possession of an altered identification number

Criminal possession of a financial device (1)

Possession of a gambling device or record (first offense)

Criminal possession of an identification document (same person)

Possession of burglary tools

Possession of contraband in the second degree

Posting an image of a minor's suicide (original post)

Posting, possession, or exchange of a private image by a juvenile

Professional gambling (first offense)

Prohibited use of a weapon (throwing star or nunchaku)

Promotion of obscenity

Providing sexually explicit materials to children

Purchase on credit to defraud

Q

R

Reckless endangerment

APPENDIX EE: CLASS 2 MISDEMEANORS

Recruitment of a juvenile for a criminal street gang

Release of confidential information from a medical marijuana registry or medical information

Resisting arrest

S

Unlawful sale of public services

Simulating a legal process

Criminal simulation

T

First and second degree tampering

Tampering with or drugging livestock

Tampering with oil or gas equipment

Theft (\$301-\$999)

Theft or fraudulent use of another's medical marijuana card

Throwing missiles at vehicles-harassing bicyclists

Trademark counterfeiting

Trafficking in unlawfully recorded live performances

Unlawful transfer of a private firearm

Transmitting gambling information (first offense)

Second degree trespass (motor vehicle)

Trespass or interference in a public building (public officials, judicial, legislative, administrative bodies)

U

Unauthorized absence (non-VRA or COV crime)

Unauthorized release of an animal

Unauthorized use of a financial transaction device (\$300-\$999)

Unlawful activity concerning the selling of land (false lien waiver)

Unlawful conduct on public property (fires and funerals)

Use of a device for calculating probabilities

V

Violation of bail bond conditions (misdemeanor charges)

Violation of a civil protection order (first offense)

W

Warehouse's goods mingled-receipts

Willful harassment of a juror by an employer

Willful misrepresentation of a material fact on a jury questionnaire

Wiretapping (cordless phone)

X, Y, Z

APPENDIX EEE: PETTY OFFENSES AND UNCLASSIFIED MISDEMEANORS

A

Unlawfully abandoning or discarding an icebox or motor vehicle

Abandonment of a motor vehicle

Abuse of health or property insurance

Accessory to a crime (misdemeanor offense)

Fourth degree arson

B

C

Collection of prohibited fees for a loan

Commodity metal purchase violations (<\$300)

Concealment or removal of secured property (<\$300)

Criminal mischief (<\$300)

Cybercrime (<\$300)

D

Dealing unlawfully packaged recording articles

Defrauding a secured debtor or creditor (<\$300)

Disorderly conduct (fighting in public)

Unlawful display of a flag

Unlawful distribution or purchase of dextromethorphan

E

Equity skimming of a vehicle (<\$300)

Escape or attempt to escape (charged with a misdemeanor or petty offense)

F

Failure to obey a jury summons

Failure to obtain a sales tax license for secondhand materials dealership

Failure to pay over assigned accounts (<\$300)

Failure to pay over proceeds unlawful (<\$300)

Failure to provide firearm locking device (unclassified misdemeanor)

Failure to provide notice of secondhand materials

Failure to provide proof of ownership for secondhand materials

Failure to provide record or sales for secondhand materials dealership

Failure to verify location as a sex offender (first or second offense)

Fighting by agreement

Flag mutilation

Fraud by check (<\$300)

G

Gambling

Giving false information for hospital admittance or care

H

Harassment (directing obscenity at another person)

Hindering transportation

I

Intentional misrepresentation of a service animal for a person with disabilities

Interference with a person with disabilities

Interference with staff, faculty, or students of an educational institution (restrict movement, ingress, egress, or use of the property)

Issuance of a bad check

J, K

L

Loitering (on school grounds)

M

Minor in possession of alcohol

N

O

Obstructing a highway or other passageway

Second degree official misconduct

Unlawful ownership of a dangerous dog (caused property damage)

APPENDIX EEE: PETTY OFFENSES AND UNCLASSIFIED MISDEMEANORS

P

Patronizing a prostitute

Criminal possession of a second degree forged instrument

Preventing passage to or from a healthcare facility

Prostitute making a display

Prostitution or solicitation for prostitution

Providing false statement to the CBI for the sex offender registry (unclassified misdemeanor)

Public indecency

Q

R

Unlawfully recording a live performance

Refusal to aid a peace officer

Removal of timber from state lands

Residential picketing

S

Unlawful sale of secondhand property (first offense)

Setting fire to woods or prairie

T

Theft (<\$300)

Theft of cable

Unlawfully trafficking in stolen sound recordings

Second and third degree criminal trespass

Trespass or interference in a public building

U

Unauthorized trading in telephone records

Unauthorized use of a financial transaction device (<\$300)

Unlawful conduct on public property

Unlawful use, transportation, or storage of drip gasoline

Unlawfully using slugs

Utilizing an automated dialing system

V

Violation of a restraining order related to a public conveyance

W, X, Y, Z

APPENDIX EEEE: CIVIL INFRACTIONS

A

Abuse of telephone service

B

Bringing alcoholic beverages into Coors Field

C

D

Defacing a posted notice

Unlawful designation of insurer

Unlawful distribution or purchase of dextromethorphan (unclassified offense)

E

F

Failure to report a lost or stolen firearm

False statements as to (publication) circulation

Furnishing cigarettes, tobacco, or nicotine products to persons under 21

G, H

I

Intentional misrepresentation of an entitlement to an assistance animal

Interference with lawful distribution of newspapers

J, K

L

Littering

M, N

O

Criminal operation or a recording device in a movie theater

P

Posting an image of a juvenile's suicide (re-post)

Posting, possessing, or exchanging a private image of a juvenile (own picture)

Unlawful purchase of a firearm

Q

R

Refusal to permit inspections

Rigging publicly exhibited contests

S

Unlawfully selling metal beverage containers with a detachable opening device

T

Telecommunications crimes

Theft by resale of a lift ticket or coupon

U

Criminal use of a noxious substance

V

Violation of hotel rate posting requirements

Visual representations or actual violence

W, X, Y, Z