

Common Criminal Violations



SPACE BASE DELTA 1 LEGAL OFFICE

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The information provided in this document is meant for the sole use of Active Duty service members, retirees, their families, and other personnel eligible for legal assistance from the Space Base Delta 1 Legal Office. The information is general in nature and meant only to provide a brief overview of various legal matters. Rights and responsibilities vary widely according to the particular set of circumstances in each case. Laws can vary across states, services, and civilian jurisdictions and laws change from time to time. Do not rely upon the general restatements of background information presented here without discussing your specific situation with a legal professional.

COMMON CRIMINAL VIOLATIONS

Top Five Article 15 Offenses

- Use of Schedule I, II, or III Controlled Substances
 - Heroin, LSD, Marijuana, Ecstasy, Oxycodone, Percocet, Morphine, Opium.
- Wrongful use of marijuana.
- Violation of other general order.
- Failure to obey lawful order.
- Dereliction of duty: Willful.

Crimes against a Person

Most of the Crimes against a Person are felonies in the state of Colorado. Felonies are broken up into six classes, with class six being the lowest. Prison sentences can range from 18 months to life in prison. Some lower classes of the following examples could be considered misdemeanors.

- Assault and Battery
- Arson
- Child Abuse
- Domestic Abuse
- Kidnapping
- Rape
- Statutory Rape

Colorado DUI/DWAI Laws

In Colorado, DUI/DWAI laws and other serious traffic offenses are considered misdemeanors. Misdemeanors are divided into three classes, with class three being the lowest.

- Driving While Ability Impaired (DWAI):
 - BAC .05 or above but less than .08
- Driving Under the Influence (DUI):
 - BAC .08 or above
- Includes prescription drugs and controlled substances.

Petty Offenses

Petty offenses are the least serious criminal violation of Colorado. The maximum penalty for a Class 1 Petty Offense is a fine up to \$500 and/or six months in jail.

- Criminal Trespassing
- Littering of Public or Private Property

Gun Laws

- Concealed carry is allowed *only* off-base with a permit granted by county sheriff.
- Housing residents must register firearms within 72 hours of arrival or purchase/possession.
- Dorm residents are required to store firearms in base armory.

It should be noted that there are different gun laws when carrying a weapon in a National Forest or park. You may carry a weapon, but a firearm may not be discharged (1) within 150 yards of a residence, building, campsite, recreation site, or occupied area; or (2) across or on a Forest Development road or an adjacent body of water, or in any manner or place whereby any person or property is exposed to injury or damage as a result of such discharge; or (3) into any cave.

Area Defense Counsel

If you are under investigation, received an adverse action (LOC, LOA, LOR, Art. 15), or pending a court-martial, please contact the Area Defense Counsel at DSN 834-7611. They are located on Peterson Space Force Base in building 350 on the second floor, in room 2041. Do not contact the Peterson SFB Legal Office.

Special Victims Counsel

The SVC Program provides advice, advocacy, and empowerment to victims of sexual assault. They are located on Peterson Space Force Base in Building 350 on the second floor in room 2041. They can be reached at DSN 834-7611 or COMM 719-556-7611.