



CALIFORNIA PENAL CODE

TABLE OF CONTENTS

TITLE OF THE ACT ..... 1

THE PENAL CODE OF CALIFORNIA

PRELIMINARY PROVISIONS ..... 2-24

PART 1. OF CRIMES AND PUNISHMENTS

TITLE 1. OF PERSONS LIABLE TO PUNISHMENT FOR CRIME ..... 25-29.3

TITLE 2. OF PARTIES TO CRIME ..... 30-39

TITLE 3. OF OFFENSES AGAINST THE SOVEREIGNTY OF THE STATE ..... 37-39

TITLE 5. OF CRIMES BY AND AGAINST THE EXECUTIVE POWER OF THE STATE ..... 67-77

TITLE 6. OF CRIMES AGAINST THE LEGISLATIVE POWER ..... 85-98

TITLE 7. OF CRIMES AGAINST PUBLIC JUSTICE

CHAPTER 1. BRIBERY AND CORRUPTION ..... 92-109

CHAPTER 2. RESCUES ..... 102

CHAPTER 3. ESCAPES AND AIDING THEREIN ..... 107-110

CHAPTER 4. FORGING, STEALING, MUTILATING, AND FALSIFYING  
JUDICIAL AND PUBLIC RECORDS AND DOCUMENTS ..... 118-117

CHAPTER 5. PERJURY AND SUBORNATION OF PERJURY ..... 118-131

CHAPTER 6. FALSIFYING EVIDENCE, AND BRIBING, INFLUENCING,  
INTIMIDATING OR THREATENING WITNESSES ..... 132-141

CHAPTER 7. OTHER OFFENSES AGAINST PUBLIC JUSTICE ..... 142-181

CHAPTER 8. CONSPIRACY ..... 182-185

CHAPTER 9. CRIMINAL PROFITEERING ..... 186-186.8

CHAPTER 10. MONEY LAUNDERING ..... 186.9-186.10

CHAPTER 10.5. FRAUD AND EMBEZZLEMENT: VICTIM RESTITUTION .. 186.11-186.12

CHAPTER 11. STREET TERRORISM ENFORCEMENT AND PREVENTION ACT 186.20-186.34

TITLE 8. OF CRIMES AGAINST THE PERSON

CHAPTER 1. HOMICIDE ..... 187-189

CHAPTER 2. MAYHEM ..... 203-206.1

CHAPTER 3. KIDNAPPING ..... 207-210

CHAPTER 3.5. HOSTAGES ..... 210.5

CHAPTER 4. ROBBERY ..... 211-215

CHAPTER 5. ATTEMPTS TO KILL ..... 217.1-219.3

## California Penal Code Sections Cited in this RFE Response

**§ 192.5(e) Felony Hit & Run** A person who flees the scene of the crime after committing a violation of subdivision (a), (b), or (c), upon conviction, in addition and consecutive to the punishment prescribed, shall be punished by an additional term of imprisonment of five years in the state prison. This additional term shall not be imposed unless the allegation is charged in the accusatory pleading and admitted by the defendant or found to be true by the trier of fact. The court shall not strike a finding that brings a person within the provisions of this subdivision or an allegation made pursuant to this subdivision.

**§ 203/204 Mayhem** Every person who unlawfully and maliciously deprives a human being of a member of his body, or disables, disfigures, or renders it useless, or cuts or disables the tongue, or puts out an eye, or slits the nose, ear, or lip, is guilty of mayhem. Mayhem is punishable by imprisonment in the state prison for two, four, or eight years.

**§ 211 Robbery** is the felonious taking of personal property in the possession of another, from his person or immediate presence, and against his will, accomplished by means of force or fear.

**§ 212** The fear mentioned in Section 211 may be either: 1. The fear of an unlawful injury to the person or property of the person robbed, or of any relative of his or member of his family; or, 2. The fear of an immediate and unlawful injury to the person or property of anyone in the company of the person robbed at the time of the robbery.

**§ 222 Administering Controlled Substance to Commit Felony** Every person guilty of administering to another any chloroform, ether, laudanum, or any controlled substance, anaesthetic, or intoxicating agent, with intent thereby to enable or assist himself or herself or any other person to commit a felony, is guilty of a felony punishable by imprisonment in the state prison for 16 months, or two or three years.

**§ 236 False imprisonment** is the unlawful violation of the personal liberty of another.

**§ 237(a)** False imprisonment is punishable by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in the county jail for not more than one year, or by both that fine and imprisonment. If the false imprisonment be effected by violence, menace, fraud, or deceit, it shall be punishable by imprisonment pursuant to subdivision (h) of Section 1170.

**§ 240 Assault** is an unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another.

**§ 243(d) Battery with Serious Bodily Injury** When a battery is committed against any person and serious bodily injury is inflicted on the person, the battery is punishable by imprisonment in a county jail not exceeding one year or imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

**§ 245(a)(1): Assault with a Deadly Weapon** Any person who commits an assault upon the person of another with a deadly weapon or instrument other than a firearm **or by any means of force likely to produce great bodily injury** shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not exceeding one year, or by a fine not exceeding ten thousand dollars (\$10,000), or by both the fine and imprisonment.

**§ 245.6 Hazing** It shall be unlawful to engage in hazing, as defined in this section. "Hazing" means any method of initiation or preinitiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university, or other educational institution in this state. The term "hazing" does not include customary athletic events or school-sanctioned events.

**§ 246 Shoot into Inhabited Dwelling.** Any person who shall maliciously and willfully discharge a firearm at an inhabited dwelling house, occupied building, occupied motor vehicle, occupied aircraft, inhabited housecar, as defined in Section 362 of the Vehicle Code, or inhabited camper, as defined in Section 243 of the Vehicle Code, is guilty of a felony, and upon conviction shall be punished by imprisonment in the state prison for three, five, or seven years, or by imprisonment in the county jail for a term of not less than six months and not exceeding one year. As used in this section, "inhabited" means currently being used for dwelling purposes, whether occupied or not.