

Penal Code Crimes - Felony "Wobblers"

32	Accessory after the fact to a felony
69	Resisting or deterring executive officer
71	Threat to injure school or public employees
72	False claim to public board or officer wit defraud
95	Influencing juror/referee/umpire
95.1	Threatening juror following verdict
96	Misconduct of jurors/referees/umpires
99	State printer conflict of interest
100	Collusion of state printer in fraud against state
148.10	Resisting officer and causing death or serious bodily injury
107	Escape of felon prisoner from training school/county hospital
115.1	Publishing campaign advertisement containing unauthorized signature
118.1	Peace officer filing a false report
136.1(a)	Maliciously dissuade witness or victim from testimony
136.1(b)	Dissuade witness to or victim of crime from making report
136.5	Possess deadly weapon wit dissuade witness from testimony
149	Assault or battery by police
166 (c)(4)	Violation of protective order w/pc
166 (d)	Purchase or receipt of firearm in violation of protective order
168	Disclosing warrant prior to execution
171b	Bringing firearm, knife, or deadly weapon into courthouse
171b	Bringing firearm, knife, or deadly weapon into state or local public building
171c	Bringing loaded firearm into state office/capitol/legislative office
171d	Bringing loaded firearm into res/grounds of governor/legis off/legislator
182(a)(1)	Criminal conspiracy to commit felony (see underlying felony)
182(a)(2)	Conspiracy to indict falsely
182(a)(3)	Conspiracy to maintain false court action
182(a)(4)	Conspiracy to cheat or defraud
182(a)(5)	Conspiracy to obstruct justice
182.5	Criminal street gang conspiracy (see underlying felony)
186.22(a)	Participation in criminal street gang activity
186.22(a)	Participation in criminal street gang activity
186.22(b)(1)	Committing misdemeanor while violating provisions against participating in criminal street gang
186.22(c)	Committing felony/misdemeanor while violating provisions against participating in criminal street gang
186.22(d)	Commission of wobbler in association with criminal street gang
186.26(a)	Adult use of physical violence to coerce, induce, or solicit minor to participate in criminal street gang activity
186.26(b)	Adult use of threats of physical violence on two or more occasions within 30-day period to coerce, induce, or solicit minor to participate in criminal street gang activity
186.28	Supplying or selling of firearm for use in commission of felony by criminal street gang member

192(c)(1) Vehicular manslaughter, w/o drugs or alcohol, but w/gross neg
 192(c)(3) Vehicular manslaughter, w/drugs or alcohol, but w/o gross neg
 192.5(a) Vessel manslaughter, w/o drugs or alcohol, but w/gross neg
 192.5(c)(3) Vessel manslaughter, w/drugs or alcohol, but w/o gross neg
 227 Dueling
 231/227 Leaving state to duel/aid a duel
 241.1 Assault on a custodial officer
 241.4 Assault on school security patrol member
 241.7 Assault on juror
 243(c) Battery against peace officer/firefighter/paramedic w/injury
 243(c)(1) Battery against custodial officer/firefighter/paramedic w/injury
 243(c)(2) Battery against peace officer w/injury
 243(d) Battery against person resulting in serious BI
 243.3 Battery against public vehicle operator w/injury

 243.4(a)-(d) Sexual battery
 243.6 Battery against school employee w/injury
 243.7 Battery against juror
 243.9(a) Battery of peace officer or local detention facility employee by prisoner by gassing

 244.5(b) Assault w/stun gun or taser
 244.5(c) Assault w/stun gun or taser on peace officer/firefighter
 245(a)(1) ADW other than firearm or assault w/force likely to produce GBI on person
 245(a)(2) Assault with firearm 245.5(a) ADW other than firearm or assault w/force likely to produce GBI on school employee

 245.5(b) ADW w/firearm on school employee
 245.5(c) Assault w/stun gun or taser on school employee
 246 Discharge firearm at inhabited dwelling, vehicle, or aircraft
 247(b) Discharge firearm at unoccupied vehicle
 247.5 Discharge laser at aircraft
 261.5 Unlawful sexual intercourse
 261.5(c) Unlawful sexual intercourse with minor more than 3 years younger than defendant

 261.5(d) Unlawful sexual intercourse with minor under 16 by defendant over 21
 262 Spousal rape
 266 Seduction of minor for prostitution
 266c Inducing commission of sexual act through false representation creating fear
 267 Abduction of a minor for prostitution
 270 Child neglect by person adjudicated as parent
 271 Child abandonment
 271a Willful abandonment or nonsupport of child under 14 years
 273(c) Paying parent for adoption of child w/pc
 273a(1) Willful cruelty to child
 273a(a)(1) Willful cruelty to child
 273a(a) Willful cruelty to child
 273d Inflict traumatic injury on child
 273d(a) Inflict traumatic injury on child

- 273.5 Inflict traumatic injury on spouse or cohabitant
- 273.5(a) Inflict traumatic injury on spouse, former spouse, cohabitant, or former cohabitant
- 273.5(e) Inflict traumatic injury on spouse, former spouse, cohabitant, or former cohabitant within 7 years of specified pc
- 273.5(e)(1) Inflict traumatic injury on spouse, former spouse, cohabitant, or former cohabitant within 7 years of pc of Pen C 243(d), 243.4,
- 244,244.5,245 or 273.5(a)
- 273.5(e)(2) Inflict traumatic injury on spouse, former spouse, cohabitant, or former cohabitant within 7 years of pc Pen C 243(e)
- 273.6(c) Violation of protective order w/pc
- 273.6(d) Violation of protective order w/pc
- 273.6(d) Violation of protective order w/pc
- 273.6(e) Violation of protective order resulting in physical injury w/pc
- 273.55 Inflict traumatic injury on spouse or cohabitant w/pc of specified assault
- 273.65 (d) Violation of protective order w/pc
- 273.65(e) Violation of protective order resulting in physical injury w/pc
- 276 Soliciting women to submit to illegal abortion
- 278 Child stealing
- 278.5 Child stealing in violation of custody order
- 280(b) Child concealment outside of state
- 283 Bigamy
- 284 Marrying spouse of another
- 286(b)(1) Sodomy, victim under 18 years
- 286(e) Sodomy in jail or prison
- 286(h) Sodomy, victim incompetent, both confined for mental disorder
- 288(c) Lewd & lascivious act w/child 14 or 15, def at least 10 yrs older
- 288(c)(1) Lewd and lascivious act w/child 14 or 15, def at least 10 yrs older
- 288(c)(2) Lewd and lascivious act by caretaker w/dependent adult
- 288.2 Distribution or exhibition of lewd material to minor
- 288.2(a) Distribution or exhibition of lewd material to minor
- 288.2(b) Distribution or exhibition of lewd material to minor by electronic mail/Internet
- 288a(b)(1) Oral copulation, victim under 18
- 288a(e) Oral copulation in jail or prison
- 288a(h) Oral copulation, victim incompetent, both confined for mental disorder
- 289(c) Sexual penetration w/foreign object, victim incompetent, both confined for mental disorder
- 289(c) Sexual penetration w/foreign or unknown object, victim incompetent, both confined for mental disorder
- 289(h) Sexual penetration w/foreign object, victim under 18
- 289(h) Sexual penetration w/foreign object, victim under 18
- 289.6(a)(2) Employee of public detention facility engaging in sexual activity (as defined in Pen C 289.6(d)(1)-(4)) with inmate
- 289.6(a)(3) Employee of Youth and Adult Correctional Agency engaging in sexual activity (as defined in Pen C 289.6(d)(1)-(4)) with inmate
- 290(g)(2) Failure to register w/2 prior convictions
- 290(g)(2) Failure to register by person convicted of designated sex offenses

290(g)(3) Failure to register by person convicted of a felony sex offense or w/pc
290(g)(5) Failure to register by sexually violent predator
290(g)(5) Failure to register by person adjudicated a sexually violent predator
299.5(g) Unlawful use or disclosure of offender forensic sample or DNA profile
311.1 Sale or distribution of obscene material depicting minors
311.2(d) Sale or distribution of obscene material depicting minor under 17 to minor under 18
311.2(d) Sale or distribution of obscene material depicting minor under 18 to minor under 18
311.10 Advertising obscene material depicting minor under 18
314(1) Indecent exposure after entering inhabited dwelling
332 Obtaining money or property by fraudulent game or trick
334(a) Concessioner fraud by hidden mechanical device
337a Pool selling or bookmaking
337b Corrupt sporting event/bribe player or participant
337c Accepting bribe to throw sport event
337d Bribing official of sport event
337e Official of sport event accepting bribe
337f(c) Racing drugged horse
337f(d) Racing horse under fictitious name or license
337i Transmitting race information for illegal gambling
337.3 Using name of official in touting
337.7 Use of illegal/forged credential or license in touting
347(b) Falsely reporting contamination of food/drink/medicine, etc.
350(a)(2) Manufacture, sale, or possession for sale of 1,000 or more counterfeit marks
350(a)(2) Manufacture, sale, or possession for sale of 1,000 or more counterfeit marks valued in excess of \$400
350(b) Manufacture or sale of counterfeit mark w/pc
350(b) Manufacture, sale, or possession for sale of counterfeit mark w/pc
350(d)(1) Possession for sale of less than 100 counterfeit marks at location other than point of sale w/2 pc
350(d)(2) Possession for sale of 100 or more counterfeit marks at location other than point of sale w/pc
350(d)(30) Possession for sale of 1,000 or more counterfeit marks at location other than point of sale
367f Sale of human organs for transplantation
368(a) Willful causing of pain to or suffering of dependent adult
368(b) Willful causing of pain to or suffering of dependent adult
368(c) Theft or embezzlement over \$400 by caretaker of dependent adult
368(d) Theft or embezzlement over \$400 of dependent adult
368(e) Theft or embezzlement over \$400 by caretaker of dependent adult
374.2 Malicious discharge of harmful materials into public sewer w/pc
374.8 Unauthorized deposit of hazardous substances
382.5 Selling dinitrophenol
382.6 Selling certain chemicals as eyelash dye
387 Corporate criminal liability regarding disclosure of safety hazards

- 399(b) Owner or person having control allowing vicious animal at large resulting in serious bodily injury
- 399.5 Failure of owner to exercise ordinary care with dog that bites person
- 404.6(c) Inciting riot in state prison or county jail resulting in serious BI
- 417(b) Draw/exhibit loaded firearm in threatening manner on grounds of daycare center
- 417(b) Draw/exhibit loaded firearm in threatening manner on grounds of daycare center
- 417(c) Draw/exhibit firearm in a threatening manner in presence of po
- 417.1 Draw/exhibit firearm in threatening manner in reserve po's presence
- 417.6 Inflict serious BI during violation of 417/417.1/417.8
- 422 Criminal threats of violence
- 422.7 Hate crime
- 452(a) Unlawful fire w/GBI
- 452(b) Unlawful fire of inhabited structure or property
- 452(c) Unlawful fire of structure or forest land
- 453(a) Possession of explosive/flammable material or device
- 453(a) Possess, manufacture, dispose of flammable material or incendiary device w/arson intent
- 453(b) Possess, manufacture or dispose of fire bomb
- 461(2) Burglary second degree
- 463(a) Burglary second degree during emergency resulting from earthquake, flood
- 463(a) Burglary second degree during emergency resulting from earthquake, flood, fire, riot, or other natural or manmade disaster
- 463(b) Grand theft during emergency resulting from earthquake or flood
- 463(b) Grand theft during emergency resulting from earthquake, flood, fire, riot, or other natural or manmade disaster
- 463(b) Grand theft, except grand theft of firearm, during emergency resulting from earthquake, flood, fire, riot, or other natural or unnatural disaster
- 470 Forgery
- 470a Forgery of driver's license or identification cards
- 470b Possess/display forged driver's license or identification card
- 471 Altering entries in books and records
- 472 Forgery of public and corporate seals
- 474 Sending false/forged message by phone/telegraph w/fraud intent
- 475 Passing or receiving forged bill/check/note
- 475a Fraudulent possession of completed check/money order, etc.
- 476 Making/passing/possessing fictitious bill/note/check
- 476a NSF checks
- 483.5(d) Manufacture, sale, or transport of deceptive identification document for fraudulent use
- 484b Diversion of over \$1,000 in construction improvement loans
- 484e(a) Selling or transferring access card wit defraud
- 484e(b) Theft of access cards of four or more persons
- 484e(d) Acquiring access card information wit defraud
- 484g Using forged access card to obtain over \$400
- 484g Using forged access card or altered access card account information to obtain over \$400

484h Access card offenses by merchant over \$400
 484i(b) Counterfeiting access card
 484i(b) Altering or modifying access card account information wit defraud
 484i(c) Counterfeiting access card
 487(1) Grand theft
 487(2) Grand theft person
 487(3) Grand theft, farm animal
 487(3) Grand theft auto, farm animal
 487(a) Grand theft money, labor, or property over \$400
 487(b)(1), (2) Grand theft agricultural or aquacultural products over \$400
 487(b)(3) Grand theft money, labor, or property of \$400 or more by servant, agent, or employee
 487(c) Grand theft person
 487(d) Grand theft farm animal
 487(d) Grand theft auto, farm animal
 487a Grand theft carcass
 487e Stealing dog valued at more than \$400
 487g Dog stealing for commercial use
 487g Stealing/fraudulently obtaining any animal for commercial use
 487h(a) Grand theft auto, trailer, special construction equipment, vessel
 487h(a) Grand theft auto, trailer, special construction equipment, vessel
 496(1) Receiving stolen property
 496(a) Receiving stolen property
 496(b) Receiving stolen property in excess of \$400 by secondhand goods dealer
 496(e) Attempted receiving stolen property
 496(d) Attempted receiving stolen property
 496a Junk dealer receiving property of utility company/railroad, etc.
 496c Copying title information w/o consent of owner
 496d Receiving stolen vehicle, trailer, or vessel
 497 Bringing stolen or embezzled property into state
 499(a) Joyriding w/1 pc of Pen C 487(d) or Veh C 10851
 499(b) Joyriding w/2 pc of joyriding
 499b.1(a) Joyriding w/prior conviction for auto theft
 499b.1(b) Joyriding w/2 pc of joyriding
 499c Theft of trade secrets
 499d Theft of aircraft
 502(d) Receiving money of \$400 or more for transmittal to foreign countries
 502(d) Computer-related crimes
 502.5 Removal of structures from mortgaged realty w/o owner's consent
 502.7(a) Fraudulently avoiding charge for telephone or telegraph service over \$400
 502.7(a) Fraudulently avoiding charge for telephone or telegraph service
 502.7(b) Use of instrument to avoid telephone or telegraph charge over \$400
 502.7(b) Use of instrument to avoid telephone or telegraph charge
 502.7(d) Allowing fraudulent use of calling or credit card to obtain telecommunications service
 502.7(g) Theft of telephone or telegraph services w/pc within 5 years

- 502.8(c) Possession of telecommunications device with intent to sell and avoid charge for service
- 502.8(d) Possession of illegal telecommunications equipment with intent to sell and avoid charge for service
- 503 Embezzlement
- 504 Embezzlement by public officer
- 504a Embezzlement of property held under lease
- 504b Debtor's embezzlement by sale of mortgaged property
- 505 Embezzlement by carrier
- 506 Embezzlement by trustee
- 506b Violation of CC 2985.3-2985.4 re real estate sales
- 507 Embezzlement by tenant or bailee
- 508 Embezzlement by clerk or servant
- 524 Attempted extortion
- 529 Impersonation for fraud
- 530 Receiving money/property in assumed character
- 530.5 Using personal identifying information of another to obtain credit, good, services, or medical information
- 532 Obtain money/credit/property/labor by false pretense
- 532a(4) Making false financial statement
- 535 Illegal auction
- 537(a)(2) Defrauding innkeeper of more than \$400
- 537e(a) Purchase/possess/sell integrated circuit e/removed/altered ID/ser. no. more than \$400
- 538 Sale/dispose of mortgaged property
- 538.5 Fraudulent use of wire, radio, or TV transmissions
- 540 Stealing/forging/counterfeiting ration coupons
- 541 Sale/gift/transfer of forged/counterfeit ration coupons
- 542 Purchase/acquire forged or counterfeit ration coupons
- 549 Soliciting fraudulent insurance claims
- 550(a)(6)-(9) Defrauding health care provider of more than \$400
- 550(b)(1)-(4) Preparing or making false oral or written statement in support of or opposition to insurance claim
- 550(b)(2) Defrauding health care provider of more than \$400
- 551 Offering consideration for referrals to auto repair dealer or contractor w/pc
- 560 Issuing false documents of title
- 560.4 Issuing fraudulent duplicate document of title
- 566 Dairy equipment offenses over \$400
- 570 Unlawful subleasing of motor vehicle
- 577 Issuing false bill of lading/receipt/voucher
- 578 Issuing fictitious warehouse receipts
- 580 Failure to show receipt is duplicate
- 581 Sale or pledge of property receipted for by carrier or warehouse
- 587 Injury to or obstruction of railroad tracks or bridges
- 591 Injury to telegraph/telephone/cable TV or other electric line
- 592(b) Taking water from canal, ditch, flume or reservoir w/pc

593 Interfering w/electric power line

593d(b) Manufacture or distribution of less than 10, or sale of less than 4, unauthorized video signal converter boxes w/pc

594(b)(1) Vandalism of \$50,000 or more

594(b)(1) Vandalism of \$400 or more

594(b)(2) Vandalism of \$5,000 or more but less than \$50,000

594.3(a) Vandalism of place of worship

594.3(a) Vandalism of place of worship or cemetery

594.35 Vandalism of mortuary; distributing or obstructing funeral service

594.4 Defacing, damaging, or contaminating property with noxious or caustic chemical or substance

594.7 Vandalism w/2 pc of vandalism

597 Cruelty to animals

600(a) Inflicting serious injury on police horse or dog

601 Trespass consisting of credible threat to cause serious bodily injury and unlawful entry onto property within 14 days of the threat

601 Trespass consisting of credible threat to cause serious bodily injury and unlawful entry onto property within 30 days of the threat

607 Injury or destruction of hydra-power equipment of \$5,000 or more

620 Altering telegraph/telephone messages

621 Vandalism of law enforcement memorial or firefighter's memorial

625b(b) Tampering w/aircraft

626.9(b) Possession of firearm within 1,000 feet of school grounds

626.10(a) Possession of weapon, not firearm, on public school grounds

626.10(a) Possession of weapon, not firearm, on public or private school grounds

626.10(b) Possession of weapon, not firearm, on public college grounds

626.10(b) Possession of weapon, not firearm, on public or private college grounds

626.95 Possessing firearms on grounds of playground or youth center

629.34 Violation of wiretapping laws

629.84 Violation of wiretapping laws

631 Wiretapping

632 Eavesdropping or recording confidential communication

632.5 Unlawful interception of cellular radio telephone communication

632.6 Unlawful interception of cordless telephone communication

632.7 Unlawful interception of and recordation of cellular radio or cordless telephone communication

634 Trespass to invade privacy

635 Mfg. or sale of eavesdropping devices

636(b) Nonelectronic eavesdropping on privileged conversation

637 Wrongful disclosure of telephone/telegraph communication

637.1 Wrongful disclosure of telephone/telegraph communication by employee

641.3 Commercial bribery where amount of bribe exceeds \$1,000

642 Grand theft from corpse

646.9(a) Stalking

646.9(b) Stalking in violation of temporary restraining order or injunction

646.9(c) Stalking w/pc of stalking same victim within seven years

646.9(c)(1) Stalking w/pc of Pen C 273.5, 273.6, or 422

647.6 Child molestation after entering inhabited dwelling without consent

653f(a) Soliciting commission of crime not murder

653f(d) Soliciting commission of drug offenses w/pc

653f(e) Soliciting commission of health care fraud under Welf & I C 14014 w/pc

653h(b) Illegal sound recording, transfer or transport of 1,000 or more articles

653h(c) Illegal sound recording, transfer or transport, w/pc

653h(d) Illegal sound recording for sale w/pc

666 Petty theft w/prior, grand, or auto theft, burglary, robbery, or felony receiving stolen property

666 Petty theft w/prior petty, grand, or auto theft, burglary, carjacking, robbery, or felony receiving stolen property

1319.4 Failure to appear on a felony

1320(b) Willful failure to appear felony hearing, when released on OR

1320.5 Willful failure to appear felony hearing, when released on bail

1370.5 Escape from mental health facility

4011.7 Escape w/force or violence of misdemeanor prisoner from hospital

4131.5 Battery on non-inmate by county jail prisoner

4133 Escape from industrial farm

4501.1 Battery of peace officer or prison employee by prisoner by gassing

4532(a) Escape or attempt of misdemeanant from jail w/o force or violence

4532(b) Escape or attempt of felon from jail w/o force or violence

4532(b) Escape or attempt of felon from jail w/force or violence

4532(d) Failure of misdemeanant to return to jail subsequent to temporary release

4532(d) Failure of felon to return to jail subsequent to temporary release

4536 Escape or attempt of MDSO from state hospital, etc

4550(2) Rescue or attempt-prisoner convicted of noncapital crime

11411(b) Placing or displaying Nazi swastika on property of another on two or more occasions for purpose of terrorizing the property owner

14411(c) Cross-burning on property of another for purposes of terrorizing the property owner

11411(c) Cross-burning on private property of another or school property for purpose of terrorizing owner, student, or school employee

11418(d) Use of recombinant technology to create new pathogens for destructive purposes

11418.1 Mailing, sending, or causing to be sent a false or facsimile weapon of mass destruction, or placing or possessing such weapon and causing another person to be placed in sustained fear

11418.5 Threat of use of weapon of mass destruction resulting in isolation, quarantine, or decontamination

12020 Mfg., sale, possession of illegal weapon

12020 Mfg., sale, possession of illegal weapons or large-capacity magazines

12021(c) Possession of firearm within 10 years of certain misdemeanor convictions

12021(d) Possession of firearm in violation of condition of probation

12021(e) Possession of firearm by juvenile court ward before age of 30

12021(g) Purchasing/receiving firearm when subject to domestic violence restraining or protective order

12021.3 Possession of firearm within 10 years of misdemeanor conviction of Pen C 76
(threat of harm to government official)

12023 Carrying loaded firearm with intent to commit felony

12025(a) Carrying concealed firearm on person and pc of a narcotics offense or an offense
against person or property

12025(a) Immediate possession or ready access to concealable firearm and ammunition or
loaded concealable firearm, and defendant not registered owner

12025(b) Carrying concealed firearm on person w/o license and pc of a narcotics offense or
an offense against person or property

12031(a) Carrying loaded firearm on person or in vehicle w/pc of a narcotics offense or an
offense against person or property

12031(a) Carrying loaded firearm on person or in vehicle and defendant not registered
owner

12031.5(a) Carrying loaded firearm on person or in vehicle in violation of Pen C 12031 w/pc

12034(b) Permitting another to discharge firearm from motor vehicle

12034(d) Discharging firearm from motor vehicle

12035(b)(1) Criminal storage of firearm in the first degree

12040 Carrying firearm in public while masked to hide identity

12072 Unlawful firearm transaction defined in Pen C 12072(g)(3) (A)-(F)

12072 Unlawful firearm transaction defined in Pen C 12072(g)(3) (A)-(H)

12072(a) Sale of firearm to addict or felons

12100 Sale of concealable firearm to minor w/pc

12100 Sale of concealable firearm to minor by addict, felon, or mental patient

12101 Possession of concealable firearm by minor w/pc

12220 Possession or sale of machine guns

12220(a) Possession or transport of machine gun

12220(b) Possession of assault weapon

12303 Possession of destructive device

12304 Second conviction for sale or transportation of fixed ammunition

12316(b) Possession of ammunition or reloaded ammunition by felon or mental patient

12320 Possession of metal-piercing ammunition

12321 Sale or transport of metal-piercing ammunition

12355(b) Possession of a booby trap

12403.7 Using tear gas other than in self-defense

12422 Alteration of identification on tear gas weapons

12520 Possession of firearm silencer

12560 Possession of firearm w/pfc-firearm

14166 Money laundering