

Change #2001(4)

Chapter 29. Colorado Rules of Criminal Procedure
V. Venue

Rule 18. Venue

~~(a) Place of Trial.~~

~~—(1) Except as otherwise provided by constitution, by statute, or by rule, criminal actions shall be tried in the county where the offense was committed, or in any other county where an act in furtherance of the offense occurred.~~

~~—(2) If a person committing an offense upon the person of another is in one county and his victim is in another county at the time of the commission of an act constituting an element of the offense, the offense is committed and trial may be had in either of said counties.~~

~~—(3) If cause of death is inflicted in one county and death ensues in another county, the offense is committed and the offender may be tried in either county.~~

~~—(4) Theft of property is committed and the offender may be tried in any county in which he exercised control over such property.~~

~~—(5) If the commission of an offense commenced outside the state is consummated within this state, the offense is committed and the offender shall be tried in the county where the offense is consummated.~~

~~—(6) When multiple crimes are based upon the same act or series of acts arising from the same criminal episode and are committed in several counties, the offender may be tried in any county in which any one of the individual crimes could have been tried.~~

~~—(7) An inchoate offense is committed and the offender may be tried in any county in which any act which is an element of the offense, including formation of the agreement in conspiracy, is committed.~~

~~—(8) When a person in one county solicits, abets, agrees, aids, or attempts to aid another in the planning or commission of an offense in another county, the offense is committed and the offender may be tried for the offense in either county, or in any other county in which the principal offense could be tried.~~

~~(b) Change of Venue when Offense Committed in Two or More Counties in same Judicial District.~~

~~—(1) Where a prosecution has been commenced in one county, the court for good cause shown may transfer the proceeding to another county within the same judicial district if it is shown that the offense was also committed or an act in furtherance of the offense occurred in the~~

~~county where the case is to be transferred and the court is satisfied that the interest of justice would be served by transferring the action to such other county.~~

Except as otherwise provided by the state or federal constitution, criminal actions shall be tried in the county or district where the offense was committed or in any other county or district where an act in furtherance of offense occurred, as set forth in § 18-1-202 or any other applicable statute.

Amended and Adopted by the Court, En Banc, May 17, 2001, effective July 1, 2001.

BY THE COURT:

Alex J. Martinez
Justice, Colorado Supreme Court