

WASHINGTON COUNTY JUSTICE COURT, WASHINGTON COUNTY, UTAH  
**NOTIFICATION OF ENHANCEMENT – CUSTODIAL INTERFERENCE**

Defendant: \_\_\_\_\_, Case No. \_\_\_\_\_

**IF YOU ARE CONVICTED of the offense of Custodial Interference as checked below, this conviction may be used to make a later charge more serious by raising the classification of that offense. This form provides notification of the current provisions of Utah State Law regarding enhancement; minimum/maximum penalties applicable to the different classifications of offenses; and the specific elements of your current charges. It does not notify you of other collateral consequences.**

**ELEMENTS**

Class B Misdemeanor – Custodial Interference (Custodian Interfering with Visitation) 76-5-303(2)(a): A person who is entitled to custody of a child is guilty of custodial interference if during the period of time when another person is entitled to visitation of the child, the person takes, entices, conceals, detains, or withholds the child from the person entitled to visitation of the child, with the intent to interfere with the visitation of the child.

Class B Misdemeanor – Custodial Interference (Person with Visitation Interfering with Custody) 76-5-303(2)(b): A person who is entitled to visitation of a child is guilty of custodial interference if during a period of time when the person is not entitled to visitation of the child, the person takes, entices, conceals, detains, or withholds the child from a person who is entitled to custody of the child, with the intent to interfere with the custody of the child.

**ENHANCEMENTS**

76-5-303(3) and (4): The first conviction of Custodial Interference is a Class B misdemeanor. The actor is guilty of a Class A misdemeanor if the actor commits custodial interference and has been convicted of custodial interference at least twice in the two-year period immediately preceding the day on which the custodial interference occurs.

**PENALTIES**

Minimum/Maximum Sentences

Class B Misdemeanor:	0 days to 6 months jail	AND/OR	\$0 to \$1,950 in fines and surcharges, plus interest
Class A Misdemeanor:	0 days to 1 year jail	AND/OR	\$0 to \$4,793 in fines and surcharges, plus interest
3rd Degree Felony:	0 days to 5 years jail	AND/OR	\$0 to \$9,543 in fines and surcharges, plus interest

*I understand the foregoing Notification of Enhancement as explained here and as orally explained to me.*

\_\_\_\_\_ (Date) \_\_\_\_\_ (Defendant's signature)