

Charged with Threat of Violence in Utah

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A threat of violence is a misdemeanor under Utah Code 76-5-1-107. When such a *threat* is followed by a deliberate physical act that actually causes an injury, the perpetrator has also committed *assault*, which is a separate crime (76-5-102). If you have been charged with a threat of violence in the state of Utah, you should not give any statements to the police until you obtain guidance from an experienced criminal defense attorney. You need to contact the best violent crimes lawyer Utah has to offer to protect your rights and build the best possible case for your defense.

If you have been accused of making a threat of violence, call Wasatch Defense Lawyers, Salt Lake City criminal defense attorneys, for a free, confidential discussion of your case.

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Threat of Violence

Under Utah 76-5-107, a criminal threat of violence occurs when someone threatens to cause death, bodily injury, or major property damage and attempts to cause someone else to fear that threat. The threat may be expressed or implied. To qualify as a crime, it must come with an immediate display of violence or force that further instills the threat to injure a person.

A threat of violence is a Class B misdemeanor. Following through with an actual physical act of violence is a different crime. Arguing that the person who made the threat did not or could not carry out the actual violent action cannot be used as a defense under Utah

law. Threats of violence in other forms are treated individually under Utah 76-5-107, for example:

- Threat Against a School (76-5-107.1) If someone makes a threat of violence against people in a school, either in person or through electronic media, whether the individual has real intent or is perpetrating a hoax, he or she has committed the offense of making a threat against a school. Cases of minors charged with this crime are processed in juvenile court.
- Threat of Terrorism (76-5-107.3) If someone threatens to cause death or bodily injury, or substantial property damage by use of a weapon of mass destruction, whether the weapon is real or is a hoax weapon of mass destruction, the perpetrator is guilty of committing a threat of terrorism.

Criminal Penalties for Class B Misdemeanors

A threat of violence is a Class B misdemeanor in Utah. That means it is not as serious as a Class A misdemeanor. However, if you are convicted of a Class B misdemeanor, you may be sentenced to a jail term of up to 6 months and a fine of up to \$1,000, or both. You will also have a criminal record that can extremely negatively affect your life throughout your entire future.

Additionally, you can be required to pay restitution to any government body or private business or person, or other entity for all losses and/or expenses incurred due to the threat unless the court rules otherwise. In some cases, a judgment for reimbursement can be avoided if the defendant has a financial hardship.

If you are charged with a violent threat crime defined under Utah Code 76-5-107(2) you will need the best Salt Lake City, UT, criminal defense lawyer available to you.

Charged with a Threat of Violence? Call Wasatch Lawyers.

Our criminal defense lawyers bring many years of experience to delivering the aggressive legal defense necessary to protect your rights and prevent the destruction of your future.

If you are facing trial on a threat of violence charge, call Wasatch Defense Attorneys at (801) 845-3494, or contact us online to schedule a free legal consultation.
