

§754. Obstructing criminal prosecution

1. A person is guilty of obstructing criminal prosecution if:

A. The person uses force, violence or intimidation, or the person promises, offers or gives any pecuniary benefit or anything of benefit to another, with the intent to induce the other:

(1) To refrain from initiating a criminal prosecution or juvenile proceeding; or

(2) To refrain from continuing with a criminal prosecution or juvenile proceeding that the other person has initiated; or [PL 2019, c. 438, §4 (AMD).]

B. The person solicits, accepts or agrees to accept any pecuniary benefit or anything of benefit to another in consideration of doing any of the things specified in this subsection. [PL 2019, c. 438, §4 (AMD).]

[PL 2019, c. 438, §4 (AMD).]

2. This section does not apply to conduct authorized by Title 15, section 891.

[PL 2001, c. 383, §89 (AMD); PL 2001, c. 383, §156 (AFF).]

3. It is an affirmative defense to prosecution under this section that:

A. The charge in fact made or liable to be made was for a Class D or Class E crime or a comparable juvenile offense; and [PL 1977, c. 510, §62 (RPR).]

B. The pecuniary benefit did not exceed an amount which the actor believed to be due as restitution or indemnification for harm caused by the offense. [PL 1977, c. 510, §62 (RPR).]

[PL 1977, c. 510, §62 (RPR).]

4. Obstructing criminal prosecution is a Class C crime.

[PL 1977, c. 510, §62 (NEW).]

SECTION HISTORY

PL 1975, c. 499, §1 (NEW). PL 1977, c. 510, §62 (RPR). PL 2001, c. 383, §89 (AMD). PL 2001, c. 383, §156 (AFF). PL 2019, c. 438, §4 (AMD).

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