

§102-A. Military orders

1. It is a defense if the person engaged in the conduct charged to constitute a crime in obedience to an order of the person's superior in the armed services that the person did not know to be unlawful. [PL 2007, c. 173, §17 (AMD).]

2. If the person was reckless in failing to know the unlawful nature of such an order, the defense is unavailable in a prosecution for a crime for which recklessness suffices to establish liability. [PL 2007, c. 173, §17 (AMD).]

SECTION HISTORY

PL 1981, c. 324, §25 (NEW). PL 2007, c. 173, §17 (AMD).

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