

**§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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