

TITLE 6: CRIMES AND CRIMINAL PROCEDURE
DIVISION 1: CRIMES AGAINST THE PERSON

§ 1464. Violating an Order for Protection.

(a) A person commits the crime of violating an order for protection if the person is subject to an order for protection containing a provision listed in section 205(c) or 206(b) or (c), as enacted by Public Law 12-19, codified in 8 CMC §§ 1915(c) and 1916(b) and (c), respectively, and knowingly commits or attempts to commit an act in violation of that provision.

(b) Violating an order for protection is punishable by term of imprisonment not to exceed one year, by a fine of not more than \$2,000, or both. In addition, a person convicted of violating an order for protection, for conduct charged and specially found to be true, as described in (b)(1) or (b)(2) of this section, shall be sentenced to a mandatory minimum term of imprisonment, which may not be suspended, and which shall run consecutively to any other term of imprisonment:

(1) If the person threatens to cause physical injury to any other person, or attempts to cause physical injury to any other person, 10 days; and

(2) If the person causes physical injury to any other person, 20 days.

(c) For purposes of this section

(1) A person “attempts to cause physical injury” when he or she intentionally, knowingly or recklessly engages in any conduct that a reasonable person would know is likely to result in any physical pain or any impairment of physical condition to any person;

(2) A person “threatens to cause physical injury” when, by words or other conduct, that person recklessly places another person in fear of imminent physical injury;

(3) “Physical injury” means any physical pain or any impairment of physical condition.

Source: PL 14-9, § 3 (1504), modified.

Commission Comment: See the comment to 6 CMC § 1461 regarding PL 14-9 and the codification herein.