

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

§ 1320. Admission of Prior Act Evidence.

(a) In a prosecution for a crime involving a physical or sexual assault or abuse of a minor, evidence of other acts by the defendant toward the same or another child is admissible if the prior conduct

(i) occurred within the 10 years preceding the date of the offense charged;

(ii) is similar to the offense charged; and

(iii) was committed upon persons similar to the prosecuting witness.

(b) In a prosecution for a crime of sexual assault in any degree, evidence of other sexual assaults or attempted sexual assaults by the defendant against the same or another person is admissible if the defendant relies on a defense of consent. In a prosecution for a crime of attempt to commit sexual assault in any degree, evidence of other sexual assaults or attempted sexual assaults by the defendant against the same or another person is admissible.

(c) For purposes of this section, the prior conduct referred to in subsections (a) and (b) need not have resulted in any criminal charge or conviction in order to be admissible.

(d) In a prosecution for a crime involving domestic violence or of interfering with a report of a crime involving domestic violence, evidence of other crimes involving domestic violence by the defendant against the same or another person is admissible.

Source: PL 12-82, § 8 (1320).

Commission Comment: See comment to 6 CMC § 1301 regarding PL 12-82.