§ 1463. Unlawful Contact.

(a) A person commits the crime of unlawful contact if the person:

(1) Is arrested for a crime involving domestic violence, and before the person's initial appearance before a judge, the person initiates communication or attempts to communicate with the alleged victim of the crime for which the person was arrested, with the intent of inducing or encouraging the alleged victim to drop the charges, or not to cooperate with the investigation or prosecution of the case; or

(2) Has been ordered not to contact the alleged victim or any witness in the case as a court-ordered condition of release, or a condition of probation or parole, and knowingly contacts or attempts to contact, either directly or indirectly, the alleged victim or witness in violation of the order.

(b) In this section:

(1) A defendant "initiates communication" or "attempts to communicate" by sending or causing to be sent, any oral, pictorial or written message to be conveyed to the victim, regardless of the form or medium, whether directly conveyed to the victim by the defendant, or delivered through some third party, whether or not the message actually reaches the victim.

(2) In determining whether the defendant had the requisite intent of inducing or encouraging the alleged victim to drop the charges, or not to cooperate with the investigation or prosecution of the case, the court may consider any evidence going to the defendant's intent, including prior incidents of domestic violence engaged in by the defendant, prior communications between the defendant and the victim or victims of such incidents, and what the victim believed the communication was intended to convey.

(c) A person convicted under this section may be punished by imprisonment for a term not to exceed one year, by a fine not to exceed $1,000, or both.

Source: PL 14-9, § 3 (1503), modified.

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