

## Extortion Statutes by State<sup>1</sup>

### NO RELEVANT STATUTE

#### ARKANSAS

No relevant statute.

#### MISSOURI

No relevant statute.

#### MONTANA

No relevant statute.

#### NEBRASKA

No relevant statute.

#### NORTH DAKOTA

No relevant statute.

#### TEXAS

No relevant statute.

#### VERMONT

No relevant statute.

---

<sup>1</sup> Researched and compiled by Lauren K. Shryne, Boston University School of Law, J.D. Candidate 2014.

## **GROUP ONE**

### **ALABAMA**

Ala.Code 1975 § 13A-8-13

§ 13A-8-13. Extortion -- Definition.

A person commits the crime of extortion if he knowingly obtains by threat control over the property of another, with intent to deprive him of the property.

### **DISTRICT OF COLUMBIA**

DC ST § 22-3251

Formerly cited as DC ST 1981 § 22-3851

§ 22-3251. Extortion.

(a) A person commits the offense of extortion if:

(1) That person obtains or attempts to obtain the property of another with the other's consent which was induced by wrongful use of actual or threatened force or violence or by wrongful threat of economic injury; or

(2) That person obtains or attempts to obtain property of another with the other's consent which was obtained under color or pretense of official right.

(b) Any person convicted of extortion shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 10 years, or both.

### **INDIANA**

IC 35-45-2-1

35-45-2-1 Intimidation

**<This version of section effective until July 1, 2014. See, also, version of this section effective July 1, 2014.>**

Sec. 1. (a) A person who communicates a threat to another person, with the intent:

(1) that the other person engage in conduct against the other person's will;

(2) that the other person be placed in fear of retaliation for a prior lawful act; or

(3) of:

(A) causing:

(i) a dwelling, building, or other structure; or

(ii) a vehicle;

to be evacuated; or

(B) interfering with the occupancy of:

(i) a dwelling, building, or other structure; or

(ii) a vehicle;

commits intimidation, a Class A misdemeanor.

(b) However, the offense is a:

(1) Class D felony if:

(A) the threat is to commit a forcible felony;

(B) the person to whom the threat is communicated:

(i) is a law enforcement officer;

(ii) is a witness (or the spouse or child of a witness) in any pending criminal proceeding against the person making the threat;

(iii) is an employee of a school or school corporation;

(iv) is a community policing volunteer;

(v) is an employee of a court;

(vi) is an employee of a probation department;

(vii) is an employee of a community corrections program;

(viii) is an employee of a hospital, church, or religious organization; or

(ix) is a person that owns a building or structure that is open to the public or is an employee of the person;

and, except as provided in item (ii), the threat is communicated to the person because of the occupation, profession, employment status, or ownership status of the person as described in items (i) through (ix) or based on an act taken by the person within the scope of the occupation, profession, employment status, or ownership status of the person;

(C) the person has a prior unrelated conviction for an offense under this section concerning the same victim; or

(D) the threat is communicated using property, including electronic equipment or systems, of a school corporation or other governmental entity; and

(2) Class C felony if:

(A) while committing it, the person draws or uses a deadly weapon; or

(B) the person to whom the threat is communicated:

(i) is a judge or bailiff of any court; or

(ii) is a prosecuting attorney or a deputy prosecuting attorney.

(c) “Communicates” includes posting a message electronically, including on a social networking web site (as defined in IC 35-42-4-12(d)).

(d) “Threat” means an expression, by words or action, of an intention to:

(1) unlawfully injure the person threatened or another person, or damage property;

(2) unlawfully subject a person to physical confinement or restraint;

(3) commit a crime;

(4) unlawfully withhold official action, or cause such withholding;

(5) unlawfully withhold testimony or information with respect to another person's legal claim or defense, except for a reasonable claim for witness fees or expenses;

(6) expose the person threatened to hatred, contempt, disgrace, or ridicule;

(7) falsely harm the credit or business reputation of the person threatened; or

(8) cause the evacuation of a dwelling, a building, another structure, or a vehicle.

IC 35-45-2-1

35-45-2-1 Intimidation

**<This version of section effective July 1, 2014. See, also, version of this section effective until July 1, 2014.>**

Sec. 1. (a) A person who communicates a threat to another person, with the intent:

- (1) that the other person engage in conduct against the other person's will;
- (2) that the other person be placed in fear of retaliation for a prior lawful act; or
- (3) of:

(A) causing:

- (i) a dwelling, building, or another other structure; or
- (ii) a vehicle;

to be evacuated; or

(B) interfering with the occupancy of:

- (i) a dwelling, building, or other structure; or
- (ii) a vehicle;

commits intimidation, a Class A misdemeanor.

(b) However, the offense is a:

(1) Level 6 felony if:

(A) the threat is to commit a forcible felony;

(B) the person to whom the threat is communicated:

- (i) is a law enforcement officer;
- (ii) is a witness (or the spouse or child of a witness) in any pending criminal proceeding against the person making the threat;
- (iii) is an employee of a school or school corporation;
- (iv) is a community policing volunteer;
- (v) is an employee of a court;
- (vi) is an employee of a probation department;
- (vii) is an employee of a community corrections program;
- (viii) is an employee of a hospital, church, or religious organization; or
- (ix) is a person that owns a building or structure that is open to the public or is an employee of the person;

and, except as provided in item (ii), the threat is communicated to the person because of the occupation, profession, employment status, or ownership status of the person as described in items (i) through (ix) or based on an act taken by the person within the scope of the occupation, profession, employment status, or ownership status of the person;

(C) the person has a prior unrelated conviction for an offense under this section concerning the same victim; or

(D) the threat is communicated using property, including electronic equipment or systems, of a school corporation or other governmental entity; and

(2) Level 5 felony if:

(A) while committing it, the person draws or uses a deadly weapon; or

(B) the person to whom the threat is communicated:

- (i) is a judge or bailiff of any court; or
- (ii) is a prosecuting attorney or a deputy prosecuting attorney.

(c) “Communicates” includes posting a message electronically, including on a social networking web site (as defined in IC 35-42-4-12(d)).

(d) “Threat” means an expression, by words or action, of an intention to:

- (1) unlawfully injure the person threatened or another person, or damage property;
- (2) unlawfully subject a person to physical confinement or restraint;
- (3) commit a crime;
- (4) unlawfully withhold official action, or cause such withholding;
- (5) unlawfully withhold testimony or information with respect to another person's legal claim or defense, except for a reasonable claim for witness fees or expenses;
- (6) expose the person threatened to hatred, contempt, disgrace, or ridicule;
- (7) falsely harm the credit or business reputation of the person threatened; or
- (8) cause the evacuation of a dwelling, a building, another structure, or a vehicle.

## **KANSAS**

K.S.A. 21-6501

Formerly cited as K.S.A. 21-4401

21-6501. Extortion

(a) Extortion is:

- (1) Intentionally and wrongfully demanding, soliciting or receiving anything of value from the owner, proprietor or other person having a financial interest in a business; and
- (2) by means of either a threat, express or implied, or a promise, express or implied, that the person so demanding, soliciting or receiving such thing of value will:
  - (A) Cause the competition of the person from whom the payment is demanded, solicited or received to be diminished or eliminated;
  - (B) cause the price of goods or services purchased or sold in the business to be increased, decreased or maintained at a stated level; or
  - (C) protect the property used in the business or the person or family of the owner, proprietor or other interested person from injury by violence or other unlawful means.

(b) Extortion is a severity level 7, nonperson felony.

## **MAINE**

17-A M.R.S.A. § 355

§ 355. Theft by extortion

1. A person is guilty of theft if the person obtains or exercises control over the property of another as a result of extortion and with intent to deprive the other person of the property.
2. As used in this section, extortion occurs when a person threatens to:

A. Cause physical harm in the future to the person threatened or to any other person or to property at any time; or

B. Do any other act that would not in itself substantially benefit the person but that would harm substantially any other person with respect to that person's health, safety, business, calling, career, financial condition, reputation or personal relationships.

3. Violation of this section is a Class C crime.

## **MISSISSIPPI**

Miss. Code Ann. § 97-3-82

§ 97-3-82. Extortion; definitions, violations and penalties

(1) For the purposes of this section the following words and phrases shall have the meanings ascribed herein, unless the context clearly indicates otherwise:

(a) "Obtain" means: (i) in relation to property, to bring about a transfer or purported transfer of a legal interest in, or physical possession of, the property, whether to the obtainer or another; or (ii) in relation to labor or service, or any reward, favor, or advantage of any kind, to secure performance thereof; or attempt to do (i) or (ii).

(b) "Property" means anything of value, including, but not limited to, real estate, tangible and intangible personal property, contract rights, choses-in-action, reputation of a person and other interests in or claims to wealth, admission or transportation tickets, captured or domestic animals, food and drink, electric or other power.

(c) "Property of another" includes property in which any person other than the actor has an interest which the actor is not privileged to infringe, regardless of the fact that the actor also has an interest in the property and regardless of the fact that the other person might be precluded from civil recovery because the property was used in an unlawful transaction or was subject to forfeiture as contraband. Property in possession of the actor shall not be deemed property of another who has only a security interest therein, even if legal title is in the creditor pursuant to a conditional sales contract or other security agreement.

(d) "Public official" means any person elected or appointed to any office, position or employment whereby the person is paid a fee or salary by the State of Mississippi or any political subdivision thereof or any agency or subdivision of the government of the United States, regardless of the source or sources of the funds for the payment.

(2) A person is guilty of extortion if he purposely obtains or attempts to obtain property of another or any reward, favor, or advantage of any kind by threatening to inflict bodily injury on any person or by committing or threatening to commit any other criminal offense, violation of civil statute, or the public or private revelation of information not previously in the public domain for the purpose of humiliating or embarrassing the other person, without regard to whether the revelation otherwise constitutes a violation of a specific statute.

(3)(a) Except as provided in paragraph (d) of this subsection, any person, whether a public official or not, who commits the offense of extortion of property or things of value of another under the value of Five Hundred Dollars (\$500.00) shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail not to exceed six (6) months.

(b) Except as provided in paragraph (d) of this subsection, any person, whether a public official or not, who commits the offense of extortion of property or things of value of another of the value of Five Hundred Dollars (\$500.00) or more shall be guilty of a felony and, upon conviction thereof, shall be punished by commitment to the custody of the Department of Corrections for a term not to exceed fifteen (15) years.

(c) Except as provided in paragraph (d) of this subsection, any person, whether a public official or not, who commits the offense of extortion in order to obtain any intangible reward, favor or advantage to which no monetary value is normally given shall be guilty of a felony and, upon conviction thereof, shall be punished by commitment to the custody of the Department of Corrections for a term not to exceed fifteen (15) years.

(d) Any public official acting in his official capacity or under color of his office who commits the offense of extortion in order to obtain any intangible reward, favor or advantage to which no monetary value is normally given, or who commits the offense of extortion of tangible property, regardless of the value of the property, shall be guilty of a felony and, upon conviction thereof, shall be punished by commitment to the custody of the Department of Corrections for a term not less than two (2) nor more than twenty (20) years.

## **NORTH CAROLINA**

N.C.G.S.A. § 14-118.4

§ 14-118.4. Extortion

Any person who threatens or communicates a threat or threats to another with the intention thereby wrongfully to obtain anything of value or any acquittance, advantage, or immunity is guilty of extortion and such person shall be punished as a Class F felon.

## **OHIO**

R.C. § 2905.11

2905.11 Extortion

(A) No person, with purpose to obtain any valuable thing or valuable benefit or to induce another to do an unlawful act, shall do any of the following:

- (1) Threaten to commit any felony;
- (2) Threaten to commit any offense of violence;
- (3) Violate section 2903.21 or 2903.22 of the Revised Code;
- (4) Utter or threaten any calumny against any person;

(5) Expose or threaten to expose any matter tending to subject any person to hatred, contempt, or ridicule, or to damage any person's personal or business repute, or to impair any person's credit.

(B) Whoever violates this section is guilty of extortion, a felony of the third degree.

(C) As used in this section, "threat" includes a direct threat and a threat by innuendo.

## **OKLAHOMA**

21 Okl.St. Ann. § 1481

§ 1481. Extortion defined

Extortion is the obtaining of property from another with his consent, induced by a wrongful use of force or fear, or under color of official right.

## **TENNESSEE**

T. C. A. § 39-14-112

§ 39-14-112. Extortion

(a) A person commits extortion who uses coercion upon another person with the intent to:

- (1) Obtain property, services, any advantage or immunity; or
- (2) Restrict unlawfully another's freedom of action.

(b) It is an affirmative defense to prosecution for extortion that the person reasonably claimed:

- (1) Appropriate restitution or appropriate indemnification for harm done; or
- (2) Appropriate compensation for property or lawful services.

(c) Extortion is a Class D felony.

## **WASHINGTON**

9A.56.110. Extortion--Definition

"Extortion" means knowingly to obtain or attempt to obtain by threat property or services of the owner, and specifically includes sexual favors.

## **GROUP TWO – CRIME ACCUSATION WITHOUT CATCHALL**

### **ALASKA**

AS § 11.41.520

§ 11.41.520. Extortion

- (a) A person commits the crime of extortion if the person obtains the property of another by threatening or suggesting that either that person or another may
- (1) inflict physical injury on anyone, except under circumstances constituting robbery in any degree, or commit any other crime;
  - (2) **accuse anyone of a crime;**
  - (3) expose confidential information or a secret, whether true or false, tending to subject a person to hatred, contempt, or ridicule or to impair the person's credit or business repute;
  - (4) take or withhold action as a public servant or cause a public servant to take or withhold action;
  - (5) bring about or continue a strike, boycott, or other collective unofficial action, if the property is not demanded or received for the benefit of the group in whose interest the person making the threat or suggestion purports to act;
  - (6) testify or provide information or withhold testimony or information with respect to a person's legal claim or defense; or
  - (7) inflict any other harm which would not benefit the person making the threat or suggestion.
- (b) A threat or suggestion to perform any of the acts described in (a) of this section includes an offer to protect another from any harmful act when the offeror has no apparent means to provide the protection or when the price asked for rendering the protection service is grossly disproportionate to its cost to the offeror.
- (c) It is a defense to a prosecution based on (a)(2), (3), or (4) of this section that the property obtained by threat of accusation, exposure, lawsuit, or other invocation of official action was honestly claimed as restitution or indemnification for harm done in the circumstances to which the accusation, exposure, lawsuit, or other official action relates, or as compensation for property or lawful services.
- (d) In this section, "property of another" means property in which a person has an interest that the defendant is not privileged to infringe, whether or not the defendant also has an interest in the property and whether or not the person from whom the property was obtained or withheld also obtained the property unlawfully. "Property of another" does not include property in the possession of the defendant in which another has only a security interest, even if legal title is in the secured party under a conditional sales contract or other security agreement; in the absence of a specific agreement to the contrary, the holder of a security interest in property is not privileged to infringe the debtor's right of possession without the consent of the debtor.

(e) Extortion is a class B felony.

## **ARIZONA**

A.R.S. § 13-1804

§ 13-1804. Theft by extortion; classification

A. A person commits theft by extortion by knowingly obtaining or seeking to obtain property or services by means of a threat to do in the future any of the following:

1. Cause physical injury to anyone by means of a deadly weapon or dangerous instrument or cause death or serious physical injury to anyone.
2. Cause physical injury to anyone except as provided in paragraph 1 of this subsection.
3. Cause damage to property.
4. Engage in other conduct constituting an offense.
5. Accuse anyone of a crime or bring criminal charges against anyone.
6. Expose a secret or an asserted fact, whether true or false, tending to subject anyone to hatred, contempt or ridicule or to impair the person's credit or business.
7. Take or withhold action as a public servant or cause a public servant to take or withhold action.
8. Cause anyone to part with any property.
9. Take or withhold action regarding an alleged claim of easement or other right of access to an adjoining property if both of the following occur:
  - (a) The claimant's property interest is the result of a tax lien purchase or foreclosure pursuant to title 42, chapter 18.1
  - (b) The fair market value of the claimant's property is equal to or less than the amount paid by the claimant for the purchase of the tax lien or foreclosure, including taxes paid after the lien purchase and any costs and attorney fees paid in connection with the lien foreclosure. For the purposes of this subdivision, "fair market value" means the fair market value as defined in § 33-814, subsection A as of the date of the theft.

B. It is an affirmative defense to a prosecution under subsection A, paragraph 5, 6 or 7 that the property obtained by threat of the accusation, exposure, lawsuit or other invocation of official action was lawfully claimed either as:

1. Restitution or indemnification for harm done under circumstances to which the accusation, exposure, lawsuit or other official action relates.
2. Compensation for property that was lawfully obtained or for lawful services.

C. Theft by extortion as defined in subsection A, paragraph 1 is a class 2 felony. Otherwise, theft by extortion is a class 4 felony.

## **CONNECTICUT**

C.G.S.A. § 53a-119

§ 53a-119. Larceny defined

A person commits larceny when, with intent to deprive another of property or to appropriate the same to himself or a third person, he wrongfully takes, obtains or withholds such property from an owner. Larceny includes, but is not limited to:

...

(5) Extortion. A person obtains property by extortion when he compels or induces another person to deliver such property to himself or a third person by means of instilling in him a fear that, if the property is not so delivered, the actor or another will: (A) Cause physical injury to some person in the future; or (B) cause damage to property; or (C) engage in other conduct constituting a crime; or (D) accuse some person of a crime or cause criminal charges to be instituted against him; or (E) expose a secret or publicize an asserted fact, whether true or false, tending to subject some person to hatred, contempt or ridicule; or (F) cause a strike, boycott or other collective labor group action injurious to some person's business; except that such a threat shall not be deemed extortion when the property is demanded or received for the benefit of the group in whose interest the actor purports to act; or (G) testify or provide information or withhold testimony or information with respect to another's legal claim or defense; or (H) use or abuse his position as a public servant by performing some act within or related to his official duties, or by failing or refusing to perform an official duty, in such manner as to affect some person adversely; or (I) inflict any other harm which would not benefit the actor.

## DELAWARE

11 Del.C. § 846

§ 846. Extortion; class E felony

A person commits extortion when, with the intent prescribed in § 841 of this title, the person compels or induces another person to deliver property to the person or to a third person by means of instilling in the victim a fear that, if the property is not so delivered, the defendant or another will:

- (1) Cause physical injury to anyone; or
- (2) Cause damage to property; or
- (3) Engage in other conduct constituting a crime; or
- (4) Accuse anyone of a crime or cause criminal charges to be instituted against anyone; or
- (5) Expose a secret or publicize an asserted fact, whether true or false, tending to subject anyone to hatred, contempt or ridicule; or
- (6) Falsely testify or provide information or withhold testimony or information with respect to another's legal claim or defense; or
- (7) Use or abuse the defendant's position as a public servant by performing some act within or related to the defendant's official duties, or by failing or refusing to perform an official duty, in such manner as to affect some person adversely; or

(8) Perform any other act which is calculated to harm another person materially with respect to the person's health, safety, business, calling, career, financial condition, reputation or personal relationships.

Extortion is a class E felony, except where the victim is a person 62 years of age or older, in which case any violation of this section shall be a class D felony.

## **FLORIDA**

West's F.S.A. § 836.05

836.05. Threats; extortion

Whoever, either verbally or by a written or printed communication, **maliciously threatens to accuse another of any crime or offense**, or by such communication maliciously threatens an injury to the person, property or reputation of another, or maliciously threatens to expose another to disgrace, or to expose any secret affecting another, or to impute any deformity or lack of chastity to another, with intent thereby to extort money or any pecuniary advantage whatsoever, or with intent to compel the person so threatened, or any other person, to do any act or refrain from doing any act against his or her will, shall be guilty of a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

## **GEORGIA**

Ga. Code Ann., § 16-8-16

§ 16-8-16. Theft by extortion

- (a) A person commits the offense of theft by extortion when he unlawfully obtains property of or from another person by threatening to:
- (1) Inflict bodily injury on anyone or commit any other criminal offense;
  - (2) Accuse anyone of a criminal offense;**
  - (3) Disseminate any information tending to subject any person to hatred, contempt, or ridicule or to impair his credit or business repute;
  - (4) Take or withhold action as a public official or cause an official to take or withhold action;
  - (5) Bring about or continue a strike, boycott, or other collective unofficial action if the property is not demanded or received for the benefit of the group in whose interest the actor purports to act; or
  - (6) Testify or provide information or withhold testimony or information with respect to another's legal claim or defense.

(b) In a prosecution under this Code section, the crime shall be considered as having been committed in the county in which the threat was made or received or in the county in which the property was unlawfully obtained.

(c) It is an affirmative defense to prosecution based on paragraph (2), (3), (4), or (6) of subsection (a) of this Code section that the property obtained by threat of accusation, exposure, legal action, or other invocation of official action was honestly claimed as restitution or indemnification for harm done in the circumstance to which such accusation, exposure, legal action, or other official action relates or as compensation for property or lawful services.

(d) A person convicted of the offense of theft by extortion shall be punished by imprisonment for not less than one nor more than ten years.

## **ILLINOIS**

720 ILCS 5/12-6

Formerly cited as IL ST CH 38 ¶ 12-6

5/12-6. Intimidation

§ 12-6. Intimidation.

(a) A person commits intimidation when, with intent to cause another to perform or to omit the performance of any act, he or she communicates to another, directly or indirectly by any means, a threat to perform without lawful authority any of the following acts:

- (1) Inflict physical harm on the person threatened or any other person or on property; or
- (2) Subject any person to physical confinement or restraint; or
- (3) Commit a felony or Class A misdemeanor; or
- (4) Accuse any person of an offense; or
- (5) Expose any person to hatred, contempt or ridicule; or
- (6) Take action as a public official against anyone or anything, or withhold official action, or cause such action or withholding; or
- (7) Bring about or continue a strike, boycott or other collective action.

(b) Sentence.

Intimidation is a Class 3 felony for which an offender may be sentenced to a term of imprisonment of not less than 2 years and not more than 10 years.

## **IOWA**

I.C.A. § 711.4

711.4. Extortion

1. A person commits extortion if the person does any of the following with the purpose of obtaining for oneself or another anything of value, tangible or intangible, including labor or services:

- a. Threatens to inflict physical injury on some person, or to commit any public offense.

**b. Threatens to accuse another of a public offense.**

- c. Threatens to expose any person to hatred, contempt, or ridicule.
- d. Threatens to harm the credit or business or professional reputation of any person.
- e. Threatens to take or withhold action as a public officer or employee, or to cause some public official or employee to take or withhold action.
- f. Threatens to testify or provide information or to withhold testimony or information with respect to another's legal claim or defense.
- g. Threatens to wrongfully injure the property of another.

2. Extortion is a class "D" felony.

3. It is a defense to a charge of extortion that the person making a threat other than a threat to commit a public offense, reasonably believed that the person had a right to make such threats in order to recover property, or to receive compensation for property or services, or to recover a debt to which the person has a good faith claim.

**KENTUCKY**

KRS § 514.080

514.080 Theft by extortion

(1) A person is guilty of theft by extortion when he intentionally obtains property of another by threatening to:

- (a) Inflict bodily injury on anyone or commit any other criminal offense; or
- (b) Accuse anyone of a criminal offense; or**
- (c) Expose any secret tending to subject any person to hatred, contempt, or ridicule, or to impair his credit or business repute; or
- (d) Use wrongfully his position as a public officer or servant or employee by performing some act within or related to his official duties, either expressed or implied, or by refusing or omitting to perform an official duty, either expressed or implied, in a manner affecting some person adversely; or
- (e) Bring about or continue a strike, boycott, or other collective unofficial action, if the property is not demanded or received for the benefit of the group in whose interest the actor purports to act; or
- (f) Testify or provide information or withhold testimony or information with respect to another's legal claim or defense.

(2) It is a defense to prosecution based on subsection (1)(b), (c), or (d) that the property obtained by threat of accusation, exposure, lawsuit, or other invocation of official action was claimed as restitution or indemnification for harm done in the circumstances to which accusation, exposure, lawsuit, or other official action relates, or as compensation for property or lawful services.

(3) Theft by extortion is a Class A misdemeanor unless the value of the property obtained is:

- (a) Five hundred dollars (\$500) or more but less than ten thousand dollars (\$10,000), in which case it is a Class D felony; or

(b) Ten thousand dollars (\$10,000) or more, in which case it is a Class C felony.

## **LOUISIANA**

LSA-R.S. 14:66

§ 66. Extortion

A. Extortion is the communication of threats to another with the intention thereby to obtain anything of value or any acquittance, advantage, or immunity of any description. Any one of the following kinds of threats shall be sufficient to constitute extortion:

- (1) A threat to do any unlawful injury to the person or property of the individual threatened or of any member of his family or of any other person held dear to him.
- (2) A threat to accuse the individual threatened or any member of his family or any other person held dear to him of any crime.
- (3) A threat to expose or impute any deformity or disgrace to the individual threatened or to any member of his family or to any other person held dear to him.
- (4) A threat to expose any secret affecting the individual threatened or any member of his family or any other person held dear to him.
- (5) A threat to cause harm as retribution for participation in any legislative hearing or proceeding, administrative proceeding, or in any other legal action.
- (6) A threat to do any other harm.

B. Whoever commits the crime of extortion shall be imprisoned at hard labor for not less than one nor more than fifteen years.

## **MASSACHUSETTS**

M.G.L.A. 265 § 25

§ 25. Attempted extortion; punishment

Whoever, verbally or by a written or printed communication, maliciously threatens to accuse another of a crime or offence, or by a verbal or written or printed communication maliciously threatens an injury to the person or property of another, or any police officer or person having the powers of a police officer, or any officer, or employee of any licensing authority who verbally or by written or printed communication maliciously and unlawfully uses or threatens to use against another the power or authority vested in him, with intent thereby to extort money or any pecuniary advantage, or with intent to compel any person to do any act against his will, shall be punished by imprisonment in the state prison for not more than fifteen years, or in the house of correction for not more than two and one half years, or by a fine of not more than five thousand dollars, or both.

## **MICHIGAN**

M.C.L.A. 750.213

750.213. Malicious threats to extort money

Sec. 213. Malicious threats to extort money--Any person who shall, either orally or by a written or printed communication, maliciously threaten to accuse another of any crime or offense, or shall orally or by any written or printed communication maliciously threaten any injury to the person or property or mother, father, husband, wife or child of another with intent thereby to extort money or any pecuniary advantage whatever, or with intent to compel the person so threatened to do or refrain from doing any act against his will, shall be guilty of a felony, punishable by imprisonment in the state prison not more than 20 years or by a fine of not more than 10,000 dollars.

**MINNESOTA**

M.S.A. § 609.27

609.27. Coercion

Subdivision 1. Acts constituting. Whoever orally or in writing makes any of the following threats and thereby causes another against the other's will to do any act or forbear doing a lawful act is guilty of coercion and may be sentenced as provided in subdivision 2:

- (1) a threat to unlawfully inflict bodily harm upon, or hold in confinement, the person threatened or another, when robbery or attempt to rob is not committed thereby; or
- (2) a threat to unlawfully inflict damage to the property of the person threatened or another; or
- (3) a threat to unlawfully injure a trade, business, profession, or calling; or
- (4) a threat to expose a secret or deformity, publish a defamatory statement, or otherwise to expose any person to disgrace or ridicule; or
- (5) a threat to make or cause to be made a criminal charge, whether true or false; provided, that a warning of the consequences of a future violation of law given in good faith by a peace officer or prosecuting attorney to any person shall not be deemed a threat for the purposes of this section.

Subd. 2. Sentence. Whoever violates subdivision 1 may be sentenced as follows:

- (1) to imprisonment for not more than 90 days or to payment of a fine of not more than \$1,000, or both if neither the pecuniary gain received by the violator nor the loss suffered by the person threatened or another as a result of the threat exceeds \$300, or the benefits received or harm sustained are not susceptible of pecuniary measurement; or
- (2) to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if such pecuniary gain or loss is more than \$300 but less than \$2,500; or
- (3) to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both, if such pecuniary gain or loss is \$2,500, or more.

## **NEVADA**

N.R.S. 205.320

205.320. Threats

A person who, with the intent to extort or gain any money or other property or to compel or induce another to make, subscribe, execute, alter or destroy any valuable security or instrument or writing affecting or intended to affect any cause of action or defense, or any property, or to influence the action of any public officer, or to do or abet or procure any illegal or wrongful act, whether or not the purpose is accomplished, threatens directly or indirectly:

1. To accuse any person of a crime;
2. To injure a person or property;
3. To publish or connive at publishing any libel;
4. To expose or impute to any person any deformity or disgrace; or
5. To expose any secret,

is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, or by a fine of not more than \$10,000, or by both fine and imprisonment. In addition to any other penalty, the court shall order the person to pay restitution.

## **NEW MEXICO**

N. M. S. A. 1978, § 30-16-9

§ 30-16-9. Extortion

Extortion consists of the communication or transmission of any threat to another by any means whatsoever with intent thereby to wrongfully obtain anything of value or to wrongfully compel the person threatened to do or refrain from doing any act against his will.

Any of the following acts shall be sufficient to constitute a threat under this section:

- A. a threat to do an unlawful injury to the person or property of the person threatened or of another;
- B. a threat to accuse the person threatened, or another, of any crime;
- C. a threat to expose, or impute to the person threatened, or another, any deformity or disgrace;
- D. a threat to expose any secret affecting the person threatened, or another; or
- E. a threat to kidnap the person threatened or another.

Whoever commits extortion is guilty of a third degree felony.

## **NEW YORK**

McKinney's Penal Law § 135.60

§ 135.60 Coercion in the second degree

A person is guilty of coercion in the second degree when he or she compels or induces a person to engage in conduct which the latter has a legal right to abstain from engaging in, or to abstain from engaging in conduct in which he or she has a legal right to engage, or compels or induces a person to join a group, organization or criminal enterprise which such latter person has a right to abstain from joining, by means of instilling in him or her a fear that, if the demand is not complied with, the actor or another will:

1. Cause physical injury to a person; or
2. Cause damage to property; or
3. Engage in other conduct constituting a crime; or
4. Accuse some person of a crime or cause criminal charges to be instituted against him or her; or
5. Expose a secret or publicize an asserted fact, whether true or false, tending to subject some person to hatred, contempt or ridicule; or
6. Cause a strike, boycott or other collective labor group action injurious to some person's business; except that such a threat shall not be deemed coercive when the act or omission compelled is for the benefit of the group in whose interest the actor purports to act; or
7. Testify or provide information or withhold testimony or information with respect to another's legal claim or defense; or
8. Use or abuse his or her position as a public servant by performing some act within or related to his or her official duties, or by failing or refusing to perform an official duty, in such manner as to affect some person adversely; or
9. Perform any other act which would not in itself materially benefit the actor but which is calculated to harm another person materially with respect to his or her health, safety, business, calling, career, financial condition, reputation or personal relationships.

Coercion in the second degree is a class A misdemeanor.

**PENNSYLVANIA**

18 Pa.C.S.A. § 3923

§ 3923. Theft by extortion

- (a) Offense defined.--A person is guilty of theft if he intentionally obtains or withholds property of another by threatening to:
- (1) commit another criminal offense;
  - (2) accuse anyone of a criminal offense;
  - (3) expose any secret tending to subject any person to hatred, contempt or ridicule;
  - (4) take or withhold action as an official, or cause an official to take or withhold action;

- (5) bring about or continue a strike, boycott or other collective unofficial action, if the property is not demanded or received for the benefit of the group in whose interest the actor purports to act;
- (6) testify or provide information or withhold testimony or information with respect to the legal claim or defense of another; or
- (7) inflict any other harm which would not benefit the actor.

(b) Defenses.--It is a defense to prosecution based on paragraphs (a)(2), (a)(3) or (a)(4) of this section that the property obtained by threat of accusation, exposure, lawsuit or other invocation of official action was honestly claimed as restitution or indemnification for harm done in the circumstances to which such accusation, exposure, lawsuit or other official action relates, or as compensation for property or lawful services.

## **RHODE ISLAND**

Gen.Laws 1956, § 11-42-2

§ 11-42-2. Extortion and blackmail

Whoever, verbally or by a written or printed communication, **maliciously threatens to accuse another of a crime** or offense or by a verbal or written communication maliciously threatens any injury to the person, reputation, property, or financial condition of another, or threatens to engage in other criminal conduct with intent to extort money or any unlawful pecuniary advantage, or with intent to compel any person to do any act against his or her will, or to prohibit any person from carrying out a duty imposed by law, shall be punished by imprisonment in the adult correctional institutions for not more than fifteen (15) years or by a fine of not more than twenty-five thousand dollars (\$25,000), or both.

## **SOUTH CAROLINA**

Code 1976 § 16-17-640

§ 16-17-640. Blackmail.

Any person who verbally or by printing or writing or by electronic communications:  
**(1) accuses another of a crime or offense;**  
(2) exposes or publishes any of another's personal or business acts, infirmities, or failings; or  
(3) compels any person to do any act, or to refrain from doing any lawful act, against his will;  
with intent to extort money or any other thing of value from any person, or attempts or threatens to do any of such acts, with the intent to extort money or any other thing of value, shall be guilty of blackmail and, upon conviction, shall be fined not more than five thousand dollars or imprisoned for not more than ten years, or both, in the discretion of the court.

## **WEST VIRGINIA**

W. Va. Code, § 61-2-13

§ 61-2-13. Extortion or attempted extortion by threats; penalties

If any person threaten injury to the character, person or property of another person, or to the character, person or property of his wife or child, or **to accuse him or them of any offense**, and thereby extort money, pecuniary benefit, or any bond, note or other evidence of debt, he shall be guilty of a felony, and, upon conviction, shall be confined in the penitentiary not less than one nor more than five years. And if any person make such threat of injury or accusation of an offense as herein set forth, but fail thereby to extort money, pecuniary benefit, or any bond, note or other evidence of debt, he shall be guilty of a misdemeanor, and, upon conviction, shall be confined in jail not less than two nor more than twelve months and fined not less than fifty nor more than five hundred dollars.

## **WISCONSIN**

W.S.A. 943.30

943.30. Threats to injure or accuse of crime

(1) Whoever, either verbally or by any written or printed communication, **maliciously threatens to accuse or accuses another of any crime or offense**, or threatens or commits any injury to the person, property, business, profession, calling or trade, or the profits and income of any business, profession, calling or trade of another, with intent thereby to extort money or any pecuniary advantage whatever, or with intent to compel the person so threatened to do any act against the person's will or omit to do any lawful act, is guilty of a Class H felony.

(2) Whoever violates sub. (1) by obstructing, delaying or affecting commerce or business or the movement of any article or commodity in commerce or business is guilty of a Class H felony.

(3) Whoever violates sub. (1) by attempting to influence any petit or grand juror, in the performance of his or her functions as such, is guilty of a Class H felony.

(4) Whoever violates sub. (1) by attempting to influence the official action of any public officer is guilty of a Class H felony.

(5)(a) In this subsection, "patient health care records" has the meaning given in s. 146.81 (4).

(b) Whoever, orally or by any written or printed communication, maliciously uses, or threatens to use, the patient health care records of another person, with intent thereby to extort money or any pecuniary advantage, or with intent to compel the person so threatened to do any act against the person's will or omit to do any lawful act, is guilty of a Class H felony.

## **WYOMING**

W.S.1977 § 6-2-402

§ 6-2-402. Blackmail; aggravated blackmail; penalties

(a) A person commits blackmail if, with the intent to obtain property of another or to compel action or inaction by any person against his will, the person:

(i) Threatens bodily injury or injury to the property of another person; or

(ii) Accuses or threatens to accuse a person of a crime or immoral conduct which would tend to degrade or disgrace the person or subject him to the ridicule or contempt of society.

(b) Except as provided in subsection (c) of this section, blackmail is a felony punishable by imprisonment for not more than ten (10) years.

(c) A person commits aggravated blackmail, a felony punishable by imprisonment for not less than five (5) years nor more than twenty-five (25) years if in the course of committing the crime of blackmail the person causes bodily injury to another person.

(d) As used in this section “in the course of committing the crime” includes the time during which an attempt to commit the crime or in which flight after the attempt or commission occurred.

(e) Conduct denoted blackmail in this section constitutes a single offense embracing the separate crimes formerly known as blackmail and extortion.

## **GROUP 3 – CRIME ACCUSATION + CATCHALL**

### **HAWAII**

HRS § 707-764

§ 707-764. Extortion

A person commits extortion if the person does any of the following:

(1) Obtains, or exerts control over, the property, labor, or services of another with intent to deprive another of property, labor, or services by threatening by word or conduct to:

(a) Cause bodily injury in the future to the person threatened or to any other person;

(b) Cause damage to property or cause damage, as defined in section 708-890, to a computer, computer system, or computer network;

(c) Subject the person threatened or any other person to physical confinement or restraint;

(d) Commit a penal offense;

(e) Accuse some person of any offense or cause a penal charge to be instituted against some person;

(f) Expose a secret or publicize an asserted fact, whether true or false, tending to subject some person to hatred, contempt, or ridicule, or to impair the threatened person's credit or business repute;

(g) Reveal any information sought to be concealed by the person threatened or any other person;

(h) Testify or provide information or withhold testimony or information with respect to another's legal claim or defense;

(i) Take or withhold action as a public servant, or cause a public servant to take or withhold such action;

(j) Bring about or continue a strike, boycott, or other similar collective action, to obtain property that is not demanded or received for the benefit of the group that the defendant purports to represent;

(k) Destroy, conceal, remove, confiscate, or possess any actual or purported passport, or any other actual or purported government identification document, or other immigration document, of another person; or

(l) Do any other act that would not in itself substantially benefit the defendant but that is calculated to harm substantially some person with respect to the threatened person's health, safety, business, calling, career, financial condition, reputation, or personal relationships;

(2) Intentionally compels or induces another person to engage in conduct from which another has a legal right to abstain or to abstain from conduct in which another has a legal right to engage by threatening by word or conduct to do any of the actions set forth in paragraph (1)(a) through (l); or

(3) Makes or finances any extortionate extension of credit, or collects any extension of credit by extortionate means.

## **IDAHO**

I.C. § 18-2403

§ 18-2403. Theft

(1) A person steals property and commits theft when, with intent to deprive another of property or to appropriate the same to himself or to a third person, he wrongfully takes, obtains or withholds such property from an owner thereof.

(2) Theft includes a wrongful taking, obtaining or withholding of another's property, with the intent prescribed in subsection (1) of this section, committed in any of the following ways:

...

(e) By extortion. A person obtains property by extortion when he compels or induces another person to deliver such property to himself or to a third person by means of instilling in him a fear that, if the property is not so delivered, the actor or another will:

1. Cause physical injury to some person in the future; or
2. Cause damage to property; or
3. Engage in other conduct constituting a crime; or
4. Accuse some person of a crime or cause criminal charges to be instituted against him; or
5. Expose a secret or publicize an asserted fact, whether true or false, tending to subject some person to hatred, contempt or ridicule; or
6. Cause a strike, boycott or other collective labor group action injurious to some person's business; except that such a threat shall not be deemed extortion when the property is demanded or received for the benefit of the group in whose interest the actor purports to act; or
7. Testify or provide information or withhold testimony or information with respect to another's legal claim or defense; or
8. Use or abuse his position as a public servant by performing some act within or related to his official duties, or by failing or refusing to perform an official duty, in such manner as to affect some person adversely; or
9. Perform any other act which would not in itself materially benefit the actor but which is calculated to harm another person materially with respect to his health, safety, business, calling, career, financial condition, reputation or personal relationships.

## **NEW HAMPSHIRE**

N.H. Rev. Stat. § 637:5

637:5 Theft by Extortion.

I. A person is guilty of theft as he obtains or exercises control over the property of another by extortion and with a purpose to deprive him thereof.

II. As used in this section, extortion occurs when a person threatens to:

- (a) Cause physical harm in the future to the person threatened or to any other person or to property at any time; or
- (b) Subject the person threatened or any other person to physical confinement or restraint; or
- (c) Engage in other conduct constituting a crime; or
- (d) Accuse any person of a crime or expose him to hatred, contempt or ridicule; or
- (e) Reveal any information sought to be concealed by the person threatened; or
- (f) Testify or provide information or withhold testimony or information with respect to another's legal claim or defense; or
- (g) Take action as an official against anyone or anything, or withhold official action, or cause such action or withholding; or
- (h) Bring about or continue a strike, boycott or other similar collective action to obtain property which is not demanded or received for the benefit of the group which the actor purports to represent; or
- (i) Do any other act which would not in itself substantially benefit him but which would harm substantially any other person with respect to that person's health, safety, business, calling, career, financial condition, reputation, or personal relationships.

## **NEW JERSEY**

N.J.S.A. 2C:20-5

2C:20-5. Theft by extortion

A person is guilty of theft by extortion if he purposely and unlawfully obtains property of another by extortion. A person extorts if he purposely threatens to:

- a. Inflict bodily injury on or physically confine or restrain anyone or commit any other criminal offense;
- b. Accuse anyone of an offense or cause charges of an offense to be instituted against any person;
- c. Expose or publicize any secret or any asserted fact, whether true or false, tending to subject any person to hatred, contempt or ridicule, or to impair his credit or business repute;
- d. Take or withhold action as an official, or cause an official to take or withhold action;
- e. Bring about or continue a strike, boycott or other collective action, if the property is not demanded or received for the benefit of the group in whose interest the actor purports to act;
- f. Testify or provide information or withhold testimony or information with respect to another's legal claim or defense; or
- g. Inflict any other harm which would not substantially benefit the actor but which is calculated to materially harm another person.

It is an affirmative defense to prosecution based on paragraphs b, c, d or f that the property obtained was honestly claimed as restitution or indemnification for harm done in the circumstances or as lawful compensation for property or services.

## **OREGON**

O.R.S. § 164.075

164.075. Theft by extortion

(1) A person commits theft by extortion when the person compels or induces another to deliver property to the person or to a third person by instilling in the other a fear that, if the property is not so delivered, the actor or a third person will in the future:

- (a) Cause physical injury to some person;
- (b) Cause damage to property;
- (c) Engage in other conduct constituting a crime;
- (d) Accuse some person of a crime or cause criminal charges to be instituted against the person;
- (e) Expose a secret or publicize an asserted fact, whether true or false, tending to subject some person to hatred, contempt or ridicule;
- (f) Cause or continue a strike, boycott or other collective action injurious to some person's business, except that such conduct is not considered extortion when the property is demanded or received for the benefit of the group in whose interest the actor purports to act;
- (g) Testify or provide information or withhold testimony or information with respect to another's legal claim or defense;
- (h) Use or abuse the position as a public servant by performing some act within or related to official duties, or by failing or refusing to perform an official duty, in such manner as to affect some person adversely; or
- (i) Inflict any other harm that would not benefit the actor.

(2) Theft by extortion is a Class B felony.

## **SOUTH DAKOTA**

SDCL § 22-30A-4

22-30A-4. Theft by threat

A person is guilty of theft if the person obtains property of another by threatening to:

- (1) Inflict bodily injury on anyone or commit any criminal offense;
- (2) Accuse anyone of a criminal offense
- (3) Expose any secret tending to subject any person to hatred, contempt, or ridicule, or to impair any person's credit or business repute;
- (4) Take or withhold action as an official, or cause an official to take or withhold action;

- (5) Bring about or continue a strike, boycott, or other collective unofficial action, if the property is not demanded or received for the benefit of the group in whose interest the actor purports to act;
- (6) Testify or provide information or withhold testimony or information with respect to another's legal claim or defense; or
- (7) Inflict any other harm which would not benefit the person making the threat.

## **UTAH**

U.C.A. 1953 § 76-6-406

§ 76-6-406. Theft by extortion

- (1) A person is guilty of theft if he obtains or exercises control over the property of another by extortion and with a purpose to deprive him thereof.
- (2) As used in this section, extortion occurs when a person threatens to:
  - (a) Cause physical harm in the future to the person threatened or to any other person or to property at any time; or
  - (b) Subject the person threatened or any other person to physical confinement or restraint; or
  - (c) Engage in other conduct constituting a crime; or
  - (d) Accuse any person of a crime or expose him to hatred, contempt, or ridicule; or
  - (e) Reveal any information sought to be concealed by the person threatened; or
  - (f) Testify or provide information or withhold testimony or information with respect to another's legal claim or defense; or
  - (g) Take action as an official against anyone or anything, or withhold official action, or cause such action or withholding; or
  - (h) Bring about or continue a strike, boycott, or other similar collective action to obtain property which is not demanded or received for the benefit of the group which the actor purports to represent; or
  - (i) Do any other act which would not in itself substantially benefit him but which would harm substantially any other person with respect to that person's health, safety, business, calling, career, financial condition, reputation, or personal relationships.

## **GROUP 4**

### **CALIFORNIA**

West's Ann.Cal.Penal Code § 518

§ 518. Definition

Extortion is the obtaining of property from another, with his consent, or the obtaining of an official act of a public officer, induced by a wrongful use of force or fear, or under color of official right.

- Teachers and Filipino nationals who had come from the Philippines to work in the United States stated a claim for extortion against teacher recruiting service which had brought them into the country, under California law, for purposes of alleging Racketeer Influenced and Corrupt Organizations Act (RICO) predicate acts, by claiming that service and its officers threatened teachers with “deportation and financial ruin” if they did not pay fees under their recruitment contracts; plaintiffs alleged that service forced them to choose between forfeiting their initial \$5,000 or paying approximately \$10,000 more to join the teaching program, and that service ensured that profits remained high and that complaints remained low by threatening deportation once plaintiffs were working in the United States. *Nunag-Tanedo v. East Baton Rouge Parish School Bd.*, C.D.Cal.2011, 790 F.Supp.2d 1134.

West's Ann.Cal.Penal Code § 519

§ 519. Fear used to extort; threats inducing

Fear, such as will constitute extortion, may be induced by a threat, either:

1. To do an unlawful injury to the person or property of the individual threatened or of a third person; or,
2. To accuse the individual threatened, or any relative of his, or member of his family, of any crime; or,
3. To expose, or to impute to him or them any deformity, disgrace or crime; or,
4. To expose any secret affecting him or them.
5. To report his, her, or their immigration status or suspected immigration status.

### **COLORADO**

C.R.S.A. § 18-3-207

§ 18-3-207. Criminal extortion--aggravated extortion

- (1) A person commits criminal extortion if:
  - (a) The person, without legal authority and with the intent to induce another person against that other person's will to perform an act or to refrain from performing a

lawful act, makes a substantial threat to confine or restrain, cause economic hardship or bodily injury to, or damage the property or reputation of, the threatened person or another person; and

(b) The person threatens to cause the results described in paragraph (a) of this subsection (1) by:

(I) Performing or causing an unlawful act to be performed; or

(II) Invoking action by a third party, including but not limited to, the state or any of its political subdivisions, whose interests are not substantially related to the interests pursued by the person making the threat.

(1.5) A person commits criminal extortion if the person, with the intent to induce another person against that other person's will to give the person money or another item of value, threatens to report to law enforcement officials the immigration status of the threatened person or another person.

(2) A person commits aggravated criminal extortion if, in addition to the acts described in subsection (1) of this section, the person threatens to cause the results described in paragraph (a) of subsection (1) of this section by means of chemical, biological, or harmful radioactive agents, weapons, or poison.

(3) For the purposes of this section, "substantial threat" means a threat that is reasonably likely to induce a belief that the threat will be carried out and is one that threatens that significant confinement, restraint, injury, or damage will occur.

(4) Criminal extortion, as described in subsections (1) and (1.5) of this section, is a class 4 felony. Aggravated criminal extortion, as described in subsection (2) of this section, is a class 3 felony.

## **MARYLAND**

MD Code, Criminal Law, § 3-701

Formerly cited as MD CODE Art. 27, § 562B

§ 3-701. Extortion generally

Scope of section

(a) This section does not apply to legitimate efforts by employees or their representatives to obtain certain wages, hours, or working conditions.

Obtaining, attempting or conspiring to obtain property prohibited

(b) A person may not obtain, attempt to obtain, or conspire to obtain money, property, labor, services, or anything of value from another person with the person's consent, if the consent is induced by wrongful use of actual or threatened:

(1) force or violence;

(2) economic injury; or

(3) destruction, concealment, removal, confiscation, or possession of any immigration or government identification document with intent to harm the immigration status of another person.

Penalty--Value of property, labor, or services \$500 or more

(c)(1) If the value of the property, labor, or services is at least \$1,000 but less than \$10,000, a person who violates this section is guilty of the felony of extortion and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$10,000 or both.

(2) If the value of the property, labor, or services is at least \$10,000 but less than \$100,000, a person who violates this section is guilty of the felony of extortion and on conviction is subject to imprisonment not exceeding 15 years or a fine not exceeding \$15,000 or both.

(3) If the value of the property, labor, or services is \$100,000 or more, a person who violates this section is guilty of the felony of extortion and on conviction is subject to imprisonment not exceeding 25 years or a fine not exceeding \$25,000 or both.

Penalty--Value of property, labor, or services less than \$500

(d) If the value of the property, labor, or services is less than \$1,000, a person who violates this section is guilty of the misdemeanor of extortion and on conviction is subject to imprisonment not exceeding 18 months or a fine not exceeding \$1,000 or both.

Limitation

(e) A prosecution for a felony under this section shall be instituted within 5 years after the crime was committed.

## **VIRGINIA**

VA Code Ann. § 18.2-59

§ 18.2-59. Extortion of money, property or pecuniary benefit

Any person who (i) threatens injury to the character, person, or property of another person, (ii) accuses him of any offense, (iii) **threatens to report him as being illegally present in the United States**, or (iv) knowingly destroys, conceals, removes, confiscates, withholds or threatens to withhold, or possesses any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person, and thereby extorts money, property, or pecuniary benefit or any note, bond, or other evidence of debt from him or any other person, is guilty of a Class 5 felony.

For the purposes of this section, injury to property includes the sale, distribution, or release of identifying information defined in clauses (iii) through (xii) of subsection C of § 18.2-186.3, but does not include the distribution or release of such information by a person who does so with the intent to obtain money, property or a pecuniary benefit to which he reasonably believes he is lawfully entitled.