

**588.20 CRIMINAL CONTEMPTS.**

Subdivision 1. **Felony contempt.** (a) A person who knowingly and willfully disobeys a subpoena lawfully issued in relation to a crime of violence, as defined in section 609.11, subdivision 9, with the intent to obstruct the criminal justice process is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

(b) A felony charge under this subdivision may be filed upon the person's nonappearance. However, the charge must be dismissed if the person voluntarily appears within 48 hours after the time required for appearance on the subpoena and reappears as directed by the court until discharged from the subpoena by the court. This paragraph does not apply if the person appears as a result of being apprehended by law enforcement authorities.

Subd. 2. **Misdemeanor contempt.** Every person who commits a contempt of court, of any one of the following kinds, is guilty of a misdemeanor:

(1) disorderly, contemptuous, or insolent behavior, committed during the sitting of the court, in its immediate view and presence, and directly tending to interrupt its proceedings, or to impair the respect due to its authority;

(2) behavior of like character in the presence of a referee, while actually engaged in a trial or hearing, pursuant to an order of court, or in the presence of a jury while actually sitting for the trial of a cause, or upon an inquest or other proceeding authorized by law;

(3) breach of the peace, noise, or other disturbance directly tending to interrupt the proceedings of a court, jury, or referee;

(4) willful disobedience to the lawful process or other mandate of a court other than the conduct described in subdivision 1;

(5) resistance willfully offered to its lawful process or other mandate other than the conduct described in subdivision 1;

(6) contumacious and unlawful refusal to be sworn as a witness, or, after being sworn, to answer any legal and proper interrogatory;

(7) publication of a false or grossly inaccurate report of its proceedings; or

(8) willful failure to pay court-ordered child support when the obligor has the ability to pay.

No person may be punished as provided in this subdivision for publishing a true, full, and fair report of a trial, argument, decision, or other court proceeding.

**History:** (10042) RL s 4854; 1993 c 340 s 53; 1998 c 367 art 2 s 3