609.765 CRIMINAL DEFAMATION.

Subdivision 1. **Definition.** Defamatory matter is anything which exposes a person or a group, class or association to hatred, contempt, ridicule, degradation or disgrace in society, or injury to business or occupation.

Subd. 2. **Acts constituting.** Whoever with knowledge of its false and defamatory character orally, in writing or by any other means, communicates any false and defamatory matter to a third person without the consent of the person defamed is guilty of criminal defamation and may be sentenced to imprisonment for not more than 364 days or to payment of a fine of not more than $3,000, or both.

Subd. 3. **Justification.** Violation of subdivision 2 is justified if:

(1) the communication is absolutely privileged; or

(2) the communication consists of fair comment made in good faith with respect to persons participating in matters of public concern; or

(3) the communication consists of a fair and true report or a fair summary of any judicial, legislative or other public or official proceedings; or

(4) the communication is between persons each having an interest or duty with respect to the subject matter of the communication and is made with intent to further such interest or duty.

Subd. 4. **Testimony required.** No person shall be convicted on the basis of an oral communication of defamatory matter except upon the testimony of at least two other persons that they heard and understood the oral statement as defamatory or upon a plea of guilty.

History: *1963 c 753 art 1 s 609.765; 1984 c 628 art 3 s 11; 1986 c 444; 2016 c 126 s 8; 2023 c 52 art 6 s 16*