

CRIMINAL ORDINANCE

CHAPTER B--CRIMES AGAINST THE PERSON

In the event no other entity prosecutes a person for any of the following acts, the office the Attorney General may do so for the following crimes:

ARTICLE 200: MURDER IN THE FIRST DEGREE

(A) Murder in the First Degree: No person shall intentionally, deliberately, purposely, or wrongfully cause the death of another human person; or

(B) Cause the death of another person while committing any other crime.

(C) Punishment: Any person found guilty of murder in the first degree shall be imposed in jail for a period not to exceed One (1) jail and/or a fine not to exceed Five Thousand (\$5,000.00) Dollars.

ARTICLE 201: MURDER IN THE SECOND DEGREE

(A) Murder in the Second Degree: No person shall recklessly or negligently cause the death another under any circumstances; or

(B) Cause the death of another human being by operating a motor vehicle or another vehicle of transportation in a careless, reckless, dangerous, or negligent manner, or while under the influence of any drug, alcoholic beverage, liquor, controlled substance to any degree.

(C) Cause the death by reckless, negligent, or careless action while committing any other crime.

(D) Punishment: Any person found guilty of murder in the second degree shall be confined to jail for a period not to exceed one (1) year and or a fine not to exceed Four Thousand Dollars (\$4,000.00).

ARTICLE 202: RAPE

(A) Rape: No person shall by force, violence, or intimidation shall engage in sexual intercourse or in any other form of carnal sex, with another, without the express consent of that person.

(B) Under this Ordinance, the use of any item, device, tool, or instrument to cause penetration by one person on another, without their consent of that person, shall be guilty of rape.

(C) Under this Ordinance, any person who engages in any sexual contact with, and who is not within two years of age, of any child under the age of sixteen (16), with or without consent of the child shall be guilty of rape.

(B) Punishment: Any person found guilty of rape shall be confined to jail for a period not to exceed one (1) year and\or a fine not to exceed Five Thousand Dollars (\$5,000.00).

ARTICLE 203: SEXUAL ASSAULT

1 (A) Sexual assault: Any person who intentionally subjects another person by touching of a intimate body part of another, without the knowledge, understanding of the act, or permission of that person, shall be guilty of sexual assault.

(B) Under this Ordinance, the victim can be of either sex.

(C) Punishment: A person found guilty of sexual assault shall be fined no more than Five Thousand Dollars (\$5,000.00) and\or no more than one (1) year in jail.

ARTICLE 204: CRIME AGAINST NATURE

1 (A) Crime Against Nature: Any person who commits a deviate sex act, or engages in lewd behavior, as to be repugnant to the community shall be guilty of a crime against nature.

(B) Punishment: A person found to be guilty of a crime against nature shall be fined no more than One Thousand Dollars (\$1,000.00) and\or no more than six (6) months jail.

ARTICLE 205: KIDNAPPING

(1) (A) KIDNAPPING: It shall be unlawful for a person to intentionally and wrongfully remove another individual from their residence, business, vehicle, or location without their approval and to confine, or to restrict, and to conceal that individual in certain area against their will for any period of time for any purpose, including the following:

- (i) For ransom of money or other valuables; or
- (ii) For using that individual as a hostage; or
- (iii) For using that individual as a shield against law enforcement officers; or
- (iv) To do bodily injury on that individual; or
- (v) To harass, intimidate, and threaten; or
- (vi) To prevent a public official from exercising his\her official duties; or
- (vii) To commit any other crime against the individual.

(B) Under this Ordinance, kidnapping can be performed by deception, false pretenses, force, threat, or the actual display of a dangerous weapon. If a minor, is under the age of fourteen (14), or an incompetent person, and permission from the legal custodian has not been obtained, then an act of kidnapping has been committed against the minor or the incompetent.

(C) Punishment: A person found guilty of kidnapping shall be fined no more than a Five Thousand Dollars (\$5,000.00) and\or no more than one (1) year in jail.

ARTICLE 206: MAIMING OF AN INDIVIDUAL

1 (A) Maiming: Any person who intentionally injures another, causing to that person any injury that disfigures or mutilates that persons figure, appearance, or disables any organ, arm or leg, or that interferes with that person's physical ability shall be guilty of maiming that person.

(B) Under this Ordinance, maiming can be caused by any instrument, weapon, or other item.

(C) Punishment: A person found guilty of maiming shall be fined no more than a Five Thousand Dollars (\$5,000.00) and\or no more than one year jail.

Article 207: ASSAULT

1 (A) Assault: Any person who intentionally, without permission, attempts, by either force, violence, or other threats identified by a physical act, to inflict bodily harm on another individual.

(B) Under this Ordinance, assault can be an attempt to commit or cause a bodily injury or an attempt to physically harm the victim.

(C) Punishment: A person found guilty of assault shall be fined no more than Five-hundred dollars (\$500.00) and\or no more than three (3) months.

Article 208: AGGRAVATED ASSAULT

2 (A) Aggravated Assault: Any person who commits an assault with the physical possession or has in their immediate presence a gun, or other deadly weapon, material or item, with the intent to kill, rape, create fear or apprehension, or commit any crime shall be guilty of aggravated assault.

(B) Under this Ordinance when person uses a gun, a dangerous weapon, material or item, or other deadly weapon within the presence of a law enforcement officer, then that person shall be guilty of aggravated assault.

(C) Punishment: A person found guilty of aggravated assault shall be fined no more than \$1,000.00 dollars (\$1,000.00) and\or no more than one (1) year jail.

Article 209: BATTERY

1 (A) Battery: Any person who intentionally, without permission, by force or violence, touches to harm or injure the body of another shall be guilty of a battery.

(B) Under this Ordinance, the touching does not have to be direct, in that a physical item(s) or a material(s) was set in motion, that caused a battery to occur.

(C) Punishment: A person found guilty of a battery shall be fined no more than Three Hundred Dollars (\$500.00) and\or no more than three (3) months in jail.

Article 210: AGGRAVATED BATTERY

2 (A) Aggravated Battery: Any person who intentionally uses a physical weapon or a dangerous instrument to inflict bodily harm with the intent to kill, rape, rob, and\or commit any other crime with the result of serious bodily injury to the victim shall be guilty of aggravated battery.

(B) Punishment: A person found guilty of a aggravated battery shall be fined no more than One Thousand Dollars (\$1,000.00) and\or no more than one (1) year in jail.

Article 211: ROBBERY

1 (A) Robbery: Any person who intentionally, by force, fear, or intimidation, takes the property of another, in that persons physical control or presence, with or without a physical weapon or dangerous instrument, is guilty of robbery.

(B) Punishment: A person found guilty of robbery shall be fined no more than One Thousand Dollars (\$1,000.00) and\or no more than one year in jail.

Article 212: FALSE IMPRISONMENT

1 (A) False Imprisonment: Any person who intentionally confines, restrains, or interferes with the movement of another person, against the will of that person shall be guilty of False imprisonment.

(B) Under this Ordinance, threats or intimidation, by any person, which caused another person not to move on his\her own free will constitutes false imprisonment.

(C) Punishment: A person found guilty of false imprisonment shall be fined no more than One Thousand Dollars (\$1,000.00) and\or no more than six (6) months in jail.

Article 213: ASSISTING OR ENCOURAGING A SUICIDE

1 (A) Assisting or Encouraging A Suicide: No person shall aid, assist, or encourage another person to take his\her life.

(B) Under this Ordinance, any effort to cause, use force, apply duress or other stress, solicit, initiate deception or trickery, that encourages a person to commit a suicide shall be guilty of assisting in the suicide.

(C) Punishment: A person found guilty of assisting or encouraging a suicide shall be fined no more than One Thousand Dollars (\$1,000.00) and\or no more than six (6) months jail.