CHAPTER 12.1-18
KIDNAPPING

12.1-18-01. Kidnapping.

1. A person is guilty of kidnapping if he abducts another or, having abducted another, continues to restrain him with intent to do the following:
   a. Hold him for ransom or reward;
   b. Use him as a shield or hostage;
   c. Hold him in a condition of involuntary servitude;
   d. Terrorize him or a third person;
   e. Commit a felony or attempt to commit a felony; or
   f. Interfere with the performance of any governmental or political function.
2. Kidnapping is a class A felony unless the actor voluntarily releases the victim alive and in a safe place prior to trial, in which case it is a class B felony.

12.1-18-02. Felonious restraint.

A person is guilty of a class C felony, if he:

1. Knowingly abducts another;
2. Knowingly restrains another under terrorizing circumstances or under circumstances exposing him to risk of serious bodily injury; or
3. Restrains another with intent to hold him in a condition of involuntary servitude.

12.1-18-03. Unlawful imprisonment.

1. A person is guilty of a class A misdemeanor if he knowingly subjects another to unlawful restraint.
2. It is a defense to a prosecution under this section that the actor is a parent or person in equivalent relation to the person restrained and that the person restrained is a minor.

12.1-18-04. Definitions.

In this chapter:

1. "Abduct" means to restrain a person with intent to prevent his liberation by:
   a. Secreting or holding him in a place where he is not likely to be found; or
   b. Endangering or threatening to endanger the safety of any human being.
2. "Restrain" means to restrict the movement of a person unlawfully and without consent so as to interfere substantially with his liberty by removing him from his place of residence or business, by moving him a substantial distance from one place to another, or by confining him for a substantial period. Restraint is "without consent" if it is accomplished by: a. force, intimidation, or deception; or b. any means, including acquiescence of the victim, if he is a child less than fourteen years old or an incompetent person, and if the parent, guardian, or person or institution responsible for the general supervision of his welfare has not acquiesced in the movement or confinement.

12.1-18-05. Removal of child from state in violation of custody decree - Penalty.

Any person who intentionally removes, causes the removal of, or detains the person's own child under the age of eighteen years outside this state with the intent to deny another person's rights in violation of an existing custody decree is guilty of a class C felony. Detaining the child outside this state in violation of the custody decree for more than seventy-two hours is prima facie evidence that the person charged intended to violate the custody decree at the time of removal.