

EXTORTION

Definition · Law Bribery · Blackmail · Lobbying · Corruption

The Criminal Act of Extortion

California extortion is a criminal offense whereby the defendant obtains goods or services by the use of direct threats or threatening behavior. Example of *threats for extortion* purposes include:

- Threats to do bodily injury;
- Threats to expose secret and/or harmful information;
- Threats to accuse the victim of a crime.

Clarifying Extortion

The crime of extortion should not be confused with the crimes of robbery, lobbying, or corruption. **Robbery** is the crime of taking another's possession or possessions by the use of force. **Lobbying** is not a crime but can lead to bribery (*a form of extortion*). **Corruption** involves the persuasion of legislators and is a separate crime from extortion. Learn more about extortion definitions and related terms.

Crimes of extortion all have one thing in common: They attempt to illegally gain behavior changes, property, or funds through the use of threats, bribes, or character defamation. Types of extortion include extortion itself, bribery, and blackmail.

The Legal Definition of Extortion

According to the **California Penal Code**, Sections 518-527, "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." (§ 518).

"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." (§ 519).

Extortion Using Bribery

Bribery is another type of extortion. Bribery is the crime of giving money or something of value to influence the conduct of a person in a position of trust (such as a public official). **Accepting a bribe** also constitutes a crime.

Extortion Using Blackmail

Blackmail is extortion by threatening another person's reputation or organization with the disclosure of harmful or secret information that would be damaging to that person if released. The information to be released may be true or false. The disclosure of the information does not have to be criminal nor does the offender actually have to receive money or property for the act to be considered extortion.

Extortion Definition and Related Terms

- **Extort** - To obtain through intimidation or coercion
- **Extortion** - The act of extorting; Extortion is the illegal use of power associated with a superior or official position to obtain goods or services, such as:
 - Funds
 - Property
 - Support or Patronage

When the **crime of extortion** has been committed, the victim willingly turns over the goods or services to avoid (future) threatened violence or other harm.

Other Types of Extortion

- **Blackmail** - Blackmail is extortion by threatening another person's reputation or organization with the disclosure of harmful or secret information that would be damaging to that person if released.
- **Bribery** - Bribery is the crime of giving money or something of value to influence the conduct of a person in a position of trust (such as a public official).

Commonly Confused Extortion Definitions

- **Robbery** - Robbery is the crime of unlawfully taking (*stealing*) another's money or property by the use of force, violence, or intimidation.
- **Lobbying** - Lobbying is the act of attempting to influence the mindset of public officials, politicians, or legislators to serve a particular cause
- **Corruption** - Normally targeted to legislators, corruption is one or more actions (*which may include solicitation*) in an attempt to either introduce new legislation or sway the votes of legislators.

The Difference Between Lobbying and Bribery

It is not against the law to lobby lawmakers. Lobbyists regularly approach legislators and, with convincing arguments, try to get laws changed or influence the thinking of political figures. But, when money is introduced and favors are done in exchange, the crime of bribery may be considered.

Extortion Penalties

California extortion, including **bribery** and **blackmail** are serious criminal offenses usually charged as a **felony**. These crimes are punishable by up to 4 years in state prison and / or fines of up to (\$10,000) ten thousand dollars or more.