

Cherokee Nation Code Annotated

Title 12: Civil Procedure

Chapter 10: Harassment

§ 1502. Definitions

Cite as: 12 CNCA § 1502

1. "Course of conduct" means a pattern of conduct composed of a series of acts over time, however short, evidencing a continuity of purpose. "Course of conduct" includes, in addition to any other form of communication, contact, or conduct, the sending of an electronic communication, but does not include constitutionally protected free speech. Constitutionally protected activity is not included within the meaning of "course of conduct."
2. "Unlawful harassment" includes unlawful violence, a credible threat of violence, or a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, harasses, or is detrimental to such person, and which serves no legitimate or lawful purpose. The course of conduct shall be such as would cause a reasonable person to suffer substantial emotional distress, and shall actually cause substantial emotional distress to the petitioner, or, when the course of conduct would cause a reasonable parent to fear for the well-being of their child.
3. "Credible threat of violence" is a knowing and willful statement or course of conduct that would place a reasonable person in fear for the person's safety or the safety of the person's immediate family, and that serves no legitimate purpose.
4. "Unlawful violence" is any assault or battery, or stalking prohibited in 21 CNCA § 1134, but does not include lawful acts of self-defense or defense of others.

Historical Data

LA 28-21, eff. June 14, 2021.