

Cherokee Nation Code Annotated

Title 21: Crimes and Punishments

Part 1. In General

Chapter 2: General Provisions

§ 51. Offense of Habitual Criminal and Punishment

Cite as: 21 CNCA § 51

A. It shall be unlawful for any person to commit a felony in the Cherokee Nation after said person has been convicted within the preceding ten (10) years in the Cherokee Nation, in another federally recognized Indian tribe, or in any state of the United States, or by the federal government of any prior felony offense.

B. Any person found guilty of violating subsection A of this section shall upon conviction be guilty of a felony and punished by imprisonment for not more than three (3) years, or by a fine of not exceeding Ten Thousand Dollars (\$10,000.00), or by both fine and imprisonment.

C. The purpose of this section is to enhance the punishment for convicted felons who continue to commit felony offenses and shall be liberally construed in support of that purpose. A person may be convicted of the provisions of this section and for committing the underlying crime without the offenses merging.

Historical Data

LA 28-20, eff. December 14, 2020.