

Cherokee Nation Code Annotated

Title 21: Crimes and Punishments

Part 1. In General

Chapter 6: Crimes Against the Executive Power

§ 264. Falsely assuming to be peace officers—Private persons may make arrests

Cite as: 21 CNCA § 264

A. Any person who shall without due authority exercise or attempt to exercise the functions of or hold himself out to any one as a deputy sheriff, marshal, policeman, constable or peace officer, shall be deemed guilty of a crime: Provided, however, that this section shall not be so construed as to prevent private persons from making arrests for crimes committed in their presence.

B. It shall be unlawful for any person to affix on his or her motor vehicle, either temporarily or permanently, any insignia typically used by a law enforcement agency for the purpose of causing any other motor vehicle operator to yield the right-of-way and stop, or which actually causes any other motor vehicle operator to yield the right-of-way and stop, whether intended or not. Any person who violates the provisions of this subsection shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment for not more than one (1) year, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment. The provisions of this subsection shall not apply to vehicles of any fire department, fire patrol, law enforcement vehicles, ambulances, or other authorized emergency vehicles.

Historical Data

LA 10–90, eff. November 13, 1990. Amended LA 28-20, eff. December 14, 2020.