

Cherokee Nation Code Annotated
Title 21: Crimes and Punishments
Part II. Crimes Against Public Justice
Chapter 17: Perjury and Subornation of Perjury
§ 498. Degree of proof required

Cite as: 21 CNCA § 498

A. Proof of guilt beyond a reasonable doubt is sufficient for conviction under this chapter, and it shall not be necessary also that proof be by a particular number of witnesses or by documentary or other type of evidence.

B. Lack of materiality of the statement is not a defense but the degree to which a perjured statement might have affected some phase or detail of the trial, hearing, investigation, deposition, certification or declaration shall be considered, together with the other evidence or circumstances, in imposing sentence.

C. In a prosecution for perjury by contradictory statements, as defined in Section 496 of Title 21, it is unnecessary to prove which, if any, of the statements is not true.

Historical Data

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