

Cherokee Nation Code Annotated

Title 10A: Cherokee Nation Juvenile Code

Article 2

Chapter 5: Treatment of Serious Acts

§ 2-5-207. Applicability to youths aged seventeen

Cite as: 10A CNCA § 2-5-207

It is the intent of the Tribal Council to fully utilize the Youthful Offender Act as a means to protect the public while rehabilitating and holding youth accountable for serious crimes. The Tribal Council finds that eligible seventeen-year-olds should have the opportunity to be processed as youthful offenders as provided by law and held accountable through the various provisions of the Youthful Offender Act for custody, institutional placement, supervision, extended jurisdiction within the Department of Juvenile Justice, and the ability to transfer youthful offenders to the contracted detention facility when incarceration or additional supervision is required beyond the maximum age allowed in the Department of Juvenile Justice. No older youth should be deemed ineligible or denied consideration as a youthful offender who is otherwise lawfully eligible based upon the age of the youth being seventeen (17) years, but it is the intent of the Legislature that such youthful offender shall not remain in the custody or under the supervision of the Department of Juvenile Justice beyond the youthful offender's maximum age of eighteen (18) years and six (6) months or until nineteen (19) years of age if jurisdiction has been extended as provided in subsection B of Section 2-5-209 of this title. To deny access to an otherwise eligible older youth without cause is to circumvent the original intent of the Legislature in creating the Youthful Offender Act.

Historical Data

LA 11-21, eff. March 15, 2021.