

Cherokee Nation Code Annotated

Title 21: Crimes and Punishments

Part IV. Crimes Against Public Decency and Morality

Chapter 39: Cherokee Nation Obscenity and Child Pornography Act

§ 1040.12a. Aggravated possession of child pornography--Penalties--Definitions

Cite as: 21 CNCA § 1040.12a

A. Any person who, with knowledge of its contents, possesses one hundred (100) or more separate materials depicting child pornography shall be, upon conviction, guilty of aggravated possession of child pornography. The violator shall be punished by imprisonment for a term not to exceed three (3) years and by a fine in an amount not more than Fifteen Thousand Dollars (\$15,000.00). The violator, upon conviction, shall be required to register as a sex offender pursuant to 57 CNCA § 1 et seq.

B. For purposes of this section:

1. Multiple copies of the same identical material shall each be counted as a separate item;
2. The term "material" means the same definition provided by Section 1040.75 of Title 21 of the Cherokee Nation Code Annotated and, in addition, includes all digital and computerized images and depictions; and
3. The term "child pornography" means the same definition provided by Section 1040.80 of Title 21 of the Cherokee Nation Code Annotated and, in addition, includes sexual conduct, sexual excitement, sadomasochistic abuse, and performance of material harmful to minors where a minor is present or depicted as such terms are defined in Section 1040.75 of Title 21 of the Cherokee Nation Code Annotated.

Historical Data

LA 07-21, eff. February 22, 2021.