

Cherokee Nation Code Annotated

Title 21: Crimes and Punishments

Part VII. Crimes Against Property

Chapter 69: Malicious Mischief

§ 1760. Malicious injury or destruction of property generally—Punishment—Damages

Cite as: 21 CNCA § 1760

A. Every person who maliciously injures, defaces or destroys any real or personal property not his or her own, in cases other than such as are specified in 21 CNCA § 1761 and following sections, is guilty of:

1. A misdemeanor, if the damage, defacement or destruction causes a loss which has an aggregate value of less than One Thousand Dollars (\$1,000.00);
2. A felony, if the damage, defacement or destruction causes a loss which has an aggregate value of One Thousand Dollars (\$1,000.00) or more; or
3. A felony, if the defendant has two or more prior convictions for an offense under this section, notwithstanding the value of loss caused by the damage, defacement or destruction.

B. In addition to any other punishment prescribed by law for violations of subsection (A) of this section, he or she is liable in treble damages for the injury done, to be recovered in a civil action by the owner of such property or public officer having charge thereof.

Historical Data

LA 10–90, eff. November 13, 1990. Amended LA 07-21, eff. February 22, 2021.