

Cherokee Nation Code Annotated
Title 21: Crimes and Punishments
Part VII. Crimes Against Property
Chapter 70: Other Offenses Against Property Rights
§ 1871. Use with intent to avoid payment of service charges
Cite as: 21 CNCA § 1871

A. Any person who uses a telecommunication device with the intent to avoid the payment of any lawful charge for telecommunication service or with the knowledge that it was to avoid the payment of any lawful charge for telecommunication service and the value of the telecommunication service is not more than One Thousand Dollars (\$1,000.00) or such value cannot be ascertained shall, upon conviction, be guilty of a misdemeanor.

B. Any person who uses a telecommunication device with the intent to avoid the payment of any lawful charge for telecommunication service or with the knowledge that it was to avoid the payment of any lawful charge for telecommunication service and the value of the telecommunication service exceeds One Thousand Dollars (\$1,000.00) shall, upon conviction, be guilty of a felony punishable by imprisonment for a term not to exceed two (2) years.

C. If the cloned cellular telephone used in violation of this section was used to facilitate the commission of a felony the person, upon conviction, shall be guilty of a felony punishable by imprisonment for a term not to exceed two (2) years.

D. Any person who has been convicted previously of an offense under this section shall be guilty of a felony upon a second and any subsequent conviction punishable by imprisonment for a term not to exceed three (3) years.

Historical Data

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