

Cherokee Nation Code Annotated

Title 22: Criminal Procedure

Chapter 2: Prevention of Public Offenses

§ 40.1. Victim of rape or forcible sodomy—Notice of rights

Cite as: 22 CNCA § 40.1

Upon the preliminary investigation of any rape or forcible sodomy, it shall be the duty of the officer who interviews the victim of the rape or forcible sodomy to inform the victim of the twenty-four-hour statewide telephone communication service established by the State of Oklahoma and to give notice to the victim of certain rights. The notice shall consist of handing such victim the following statement:

"As a victim of the crime of rape or forcible sodomy, you have certain rights. These rights are as follows:

- "1. The right to request that charges be pressed against your assailant;
- "2. The right to request protection from any harm or threat of harm arising out of your cooperation with law enforcement and prosecution efforts as far as facilities are available and to be provided with information on the level of protection available;
- "3. The right to be informed of financial assistance and other social services as a result of being a victim, including information on how to apply for the assistance and services; and
- "4. The right to a free medical examination for the procurement of evidence to aid in the prosecution of your assailant."

The written notice shall also include the telephone number of the twenty-four-hour telephone communication service established by the State of Oklahoma.

Historical Data

LA 10–90, eff. November 13, 1990.