

Cherokee Nation Code Annotated

Title 22: Criminal Procedure

Chapter 4: Proceedings After Commitment

§ 305.5. Information—Release or Disclosure—Confidentiality—Admissibility as Evidence—Violations—Penalties

Cite as: 22 CNCA § 305.5

A. Information received and collected by any service agency while the accused participates in a deferred prosecution program shall not be released to any agency or individual that will use the information for dissemination to the general public or be used by a law enforcement agency for the purposes of surveillance and investigation.

B. If the deferred prosecution program is terminated before successful completion of the agreement, no information obtained during the participation of the accused in the deferred prosecution program shall be admissible in any subsequent proceeding to the disadvantage of the accused, except if the information could have been routinely gathered in the police investigation of the crime of the accused.

Historical Data

LA 08-21, eff. February 22, 2021.