

Cherokee Nation Code Annotated

Title 22: Criminal Procedure

Chapter 19: Bail

§ 1115.3. Pre-set bail

Cite as: 22 CNCA § 1115.3

A. The Court may prescribe prior to initial appearance the amount of bail for the following Nation offenses except for the major crimes found in 18 U.S.C. § 1152, and for the crimes listed in 22 CNCA § 1115.5.

B. The amount of bail for other offenses shall be the amount of fine and costs including any penalty assessments provided for in the Cherokee Nation Code Annotated.

C. The amount of bail for a Nation wildlife-related or water safety-related offense shall be the amount of fine and costs including any penalty assessment provided for in the Cherokee Nation Code Annotated.

D. The District Court Clerk, unless otherwise directed by the Court, shall accept bail or the payment of a fine and costs in the form of currency or personal, cashier's, traveler's, certified or guaranteed bank check, or postal or commercial money order for the amount prescribed in this section for bail.

E. The District Court Clerk shall accept as bail a guaranteed arrest bond certificate issued by a surety company, an automobile club or trucking association, if:

1. the issuer is authorized to do business in the State of Oklahoma by the State Insurance Commissioner;
2. the certificate is issued to and signed by the arrested person;
3. the certificate contains a printed statement that appearance of such person is guaranteed and the issuer, in the event of failure of such person to appear in Court at the time of trial, will pay any fine or forfeiture imposed; and
4. the limit provided on the certificate equals or exceeds the amount of bail provided for in this section.

Historical Data

LA 10–90, eff. November 13, 1990. Amended LA 19–06, eff. August 13, 2006.