

Cherokee Nation Code Annotated
Title 22: Criminal Procedure
Chapter 24: Searches and Seizures
§ 1228. Execution of search warrant
Cite as: 22 CNCA § 1228

A peace officer may break open an outer or inner door or window of a house, or any part of the house, or anything therein, to execute the warrant when:

1. The officer has been refused admittance after having first given notice of his authority and purpose; or
2. Pursuant to an instruction inserted in the search warrant by the Magistrate that no warning or other notice of entry is necessary because there is probable cause to believe that such warning or other notice would pose a significant danger to human life.

Historical Data

LA 10–90, eff. November 13, 1990.