

Cherokee Nation Code Annotated

Title 22: Criminal Procedure

Chapter 25: Miscellaneous Provisions

§ 1334. Dumping, etc. of trash on public or private property—Evidence—Rewards

Cite as: 22 CNCA § 1334

A. Cherokee Nation may offer and pay a reward, from funds set aside for that purpose, in an amount not less than fifty percent (50%) of the fine imposed, for the arrest and conviction or for evidence leading to the arrest and conviction of any person who violates the provisions of 21 CNCA § 1761.1.

B. Cherokee Nation may create and maintain a reward fund which shall be a revolving fund not subject to fiscal year limitations, from which to pay the rewards provided for in subsection (A) of this section. Any monies for which no claim is filed within the period provided in subsection (C) of this section, shall revert to the General Fund. Any monies remaining in the reward fund after all claims have been paid or denied shall revert to the General Fund.

C. Claims for rewards shall be on forms provided by Cherokee Nation and shall be submitted to the Prosecuting Attorney no later than thirty (30) days after sentencing of the defendant. The Prosecuting Attorney shall investigate the validity of the claim and make a nonbinding written recommendation to the Council.

D. All claims relating to a conviction shall be considered together at the next regular meeting of the Council following receipt of the Prosecuting Attorney's report.

E. In determining the amount of the reward, the Council shall have sole discretion to honor or deny the claim, but shall consider:

1. The severity of the offense;
2. The size of the fine imposed;
3. The number of persons claiming a reward and the degree to which each claimant was responsible for the arrest or conviction;
4. The burden, if any, incurred by the claimant including cost to appear at trial; and
5. Other factors which the board or governing body deems appropriate.

F. No reward shall be authorized and no debt shall accrue to Cherokee Nation upon the depletion of the reward fund authorized by this section.

G. The reward authorized by this section shall be in lieu of any other county or municipal reward.

H. Full-time peace officers of this Nation or of any state, county or municipality within this nation shall not be eligible for the reward provided by this section.

Historical Data

LA 10–90, eff. November 13, 1990.