

Cherokee Nation Code Annotated
Title 22: Criminal Procedure
Chapter 25: Miscellaneous Provisions
§ 1343. Detention of suspect—Purposes
Cite as: 22 CNCA § 1343

Any merchant, his agent or employee, who has reasonable grounds or probable cause to believe that a person has committed or is committing a wrongful taking of merchandise or money from a mercantile establishment, may detain such person in a reasonable manner for a reasonable length of time for all or any of the following purposes:

1. Conducting an investigation, including reasonable interrogation of the detained person, as to whether there has been a wrongful taking of such merchandise or money;
2. Informing the police or other law enforcement officials of the facts relevant to such detention;
3. Performing a reasonable search of the detained person and his belongings when it appears that the merchandise or money may otherwise be lost; and
4. Recovering the merchandise or money believed to have been taken wrongfully. Any such reasonable detention shall not constitute an unlawful arrest or detention, nor shall it render the merchant, his agent or employee criminally or civilly liable to the person so detained.

Historical Data

LA 10–90, eff. November 13, 1990.