

Cherokee Nation Code Annotated

Title 57: Prisons and Reformatories

Chapter 1: Sex Offender Registration and Notification

**§ 8. Required registration information—Conviction data, fingerprints and palm prints—
Notice of certain changes to registration information**

Cite as: 57 CNCA § 8

A. Any registration with the Cherokee Nation Marshal Service required by the Sex Offender Registration and Notification Act shall be in a form approved by the Marshal Service and shall include, at a minimum, the following information, in digitized form, about the person registering:

1. The name of the person and all aliases, pseudonyms and nicknames used or under which the person has been known, including ethnic or tribal names;
2. A complete description of the person, including, social security number (both actual and purported numbers), age, race, sex, date of birth (both actual and purported dates), height, weight, hair and eye color, identifying marks and tattoos, a photograph and fingerprints and palm prints;
3. When requested by the Cherokee Nation Marshal Service, such registrant shall submit to a blood, saliva or other scientifically accepted test for purposes of a deoxyribonucleic acid (DNA) profile to be submitted to the Combined DNA Index System Database (CODIS). Submission to testing for individuals registering shall be within thirty (30) days of registration. Registrants who already have valid samples on file in CODIS shall not be required to submit duplicate samples for testing;
4. The offenses listed in 57 CNCA § 4 for which the person has received a conviction, where the offense was committed, where the person received the conviction, the date of the conviction, a brief description of the crime or crimes committed by the offender, and the name under which the person received the conviction;
5. All telephone numbers for fixed locations and cellular numbers, including pager numbers;
6. The name and location of each hospital or penal institution to which the person was committed for each offense listed in 57 CNCA § 4;
7. Where the person previously resided, where the person currently resides either permanently or temporarily, how long the person has resided there, how long the person expects to reside there, and how long the person expects to remain in the Cherokee Nation:

- a. Addresses shall include a rural route address and a post office box.
 - b. A post office box shall not be provided in lieu of a physical residential address. In instances where there is no physical address, the registrant shall give a specific description to the location.
 - c. If the sex offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, the sex offender shall also provide to the Marshal Service written notice of the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home.
 - d. If a sex offender's place of residence is a vessel, live-aboard vessel, or houseboat, the sex offender shall also provide to the Marshal Service written notice of the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.
8. A description of all occupants residing with the person registering, including, but not limited to, name, date of birth, gender, relation to the person registering, and how long the occupant has resided there;
9. If the sex offender is enrolled, employed, or carrying on a vocation at an institution of higher education, the sex offender shall also provide to the Marshal Service the name, address, and county of each institution, including each campus attended, and the sex offender's enrollment or employment status;
10. The name of any entity for whom the sex offender works whether for remuneration or voluntarily or as an unpaid intern or whether the person is self-employed, the position held by the sex offender, and the address where the sex offender will work or, if not a fixed location, as definite a description of the work location as is possible;
11. All professional licenses held by the person;
12. The license plate number, vehicle identification number, and description of all vehicles owned, operated, or regularly driven by the sex offender, including watercraft and airplanes, and a description of where these vehicles are habitually parked, docked, or otherwise kept;
13. A copy of the person's passport, and if the person is an alien, a copy of the person's immigration documentation;
14. A copy of the person's driver's license and/or any other identification cards;

15. The tier level of the person;

16. Any and all electronic mail addresses, instant message names, or other designations or monikers used for self-identification or routing in Internet communications or postings prior to using such electronic mail address or instant message name and any such electronic mail address or instant message name existing or otherwise in use at the time of registration;

17. The name of the federally-recognized Indian tribe in which the person is enrolled, and a copy of the person's tribal enrollment card or Certificate Degree of Indian Blood;

18. The text of the registration offense;

19. Criminal history of the person, including dates of all arrests and convictions, status of parole, probation or supervised release, registration status, and outstanding arrest warrants;

20. The age, gender, and race of the offender's victims; and

21. Any other information determined necessary by the department, including non-privileged personnel and treatment records and evidentiary genetic markers when available.

B. 1. Any person subject to the provisions of the Sex Offender Registration and Notification Act who:

a. changes their name or alias, a permanent or temporary address, telephone or pager information, employment or termination thereof, school attendance, vehicle, color of vehicle or vehicle registration, or any e-mail or instant message address or other internet address or identifier, shall report in person to the Cherokee Nation Marshal Service and give a written notice of the change and the new address, name, employment, school, e-mail or instant message address, vehicle information, no later than three (3) business days prior to the change taking. Within three (3) business days of receipt of the updated information, the Marshal Service shall notify the jurisdictions listed in 57 CNCA § 10(A).

shall report in person to the Cherokee Nation Marshal Service and give a written notice of the change and the new address, name, employment, school, e-mail or instant message address, vehicle information, no later than three (3) business days prior to the change taking. Within three (3) business days of receipt of the updated information, the Marshal Service shall notify the jurisdictions listed in 57 CNCA § 10(A), and shall update the information in the registration database, or

b. makes plans to travel outside of the United States shall report in person to the Cherokee Nation Marshal Service and give a written notice no later than twenty-one (21) business days prior to the beginning of the travel. Within three (3) business days of receipt of the updated information, the Marshal Service shall notify the jurisdictions listed in 57 CNCA § 10(A), and shall update the information in the registration database. The Marshal Service shall notify the United States Marshals Service within twenty-four (24) hours of receipt of information that an individual will be traveling outside of the United States.

2. If a new address of a residence, school or workplace is outside of Cherokee Nation Indian Country:

a. the Cherokee Nation Marshal Service shall, within three (3) business days, notify the new local law enforcement authority by teletype, electronic transmission, or letter of the change of address;

b. the offender shall notify the new local law enforcement authority of any previous registration; and

c. the new local law enforcement authority shall notify the most recent registering agency by electronic transmission, teletype or letter of the offender's registration of the new address in the new jurisdiction.

3. A sex offender who remains at an address after reporting his or her intent to vacate such address shall, within three (3) days after the date upon which the offender indicated he or she would or did vacate such residence, report in person to the Marshal Service for the purpose of reporting his or her address at such residence. An offender who makes a report as required under paragraph 1 but fails to make a report as required under this paragraph commits a crime.

Historical Data

LA 22-08, eff. October 15, 2008. Amended LA 08-12, eff. March 23, 2012.