

Cherokee Nation Code Annotated

Title 21: Crimes and Punishments

Part VII. Crimes Against Property

Chapter 69: Malicious Mischief

§ 1740.2. Holding, concealing, destroying or taking mail from another person

Cite as: 21 CNCA § 1740.2

A. As used in this section:

1. "Mail" means a letter, postal card, package, bag or any other article or thing contained therein, or other sealed article addressed to a person, that:

a. is delivered by a common carrier or delivery service and not yet received by the addressee, or

b. has been left to be collected for delivery by a common carrier or delivery service; and

2. "Person" means an individual, partnership, corporation, limited liability company, association or other legal entity.

B. It shall be unlawful for any person to hold, conceal, destroy or take mail from the mailbox or premises of another person or from a delivery vehicle at any point throughout the delivery route without the effective consent of the addressee and with the intent to deprive the addressee of the mail.

C. Any person who violates the provisions of this section shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment for a term not to exceed one (1) year, or by a fine not to exceed Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

D. When three or more separate offenses under this section are committed within a sixty-day period, the person shall be guilty of a felony punishable by imprisonment for a term of not more than three (3) years, or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

E. Any person convicted pursuant to the provisions of this section shall also be ordered to pay restitution to the victim as provided in Section 991f of Title 22 of the Cherokee Nation Code Annotated.

Historical Data

LA 07-21, eff. February 22, 2021.