

Cherokee Nation Code Annotated

Title 57: Prisons and Reformatories

Chapter 1: Sex Offender Registration and Notification

§ 5.1. Tier I offenses

Cite as: 57 CNCA § 5.1

A. Sex offenses. A "Tier I" offense includes any sex offense, for which a person has been convicted, or an attempt or conspiracy to commit such an offense that is not a "Tier II" or "Tier III" offense.

B. Offenses involving minors. A "Tier I" offense also includes any offense for which a person has been convicted by any jurisdiction, local government, or qualifying foreign country pursuant to Section 2.02(C) that involves the false imprisonment of a minor, video voyeurism of a minor, or possession or receipt of child pornography.

C. Tribal offenses. Any sex offense covered by this act where punishment was limited to one (1) year in jail shall be considered a "Tier I" sex offense.

D. Certain federal offenses. Conviction for any of the following federal offenses or an attempt or conspiracy to commit such an offense shall be considered a conviction for a "Tier I" offense:

1. 18 U.S.C. § 1801 (video voyeurism of a minor);
2. 18 U.S.C. § 2252 (receipt or possession of child pornography);
3. 18 U.S.C. § 2252A (receipt or possession of child pornography);
4. 18 U.S.C. § 2252B (misleading domain names on the internet);
5. 18 U.S.C. § 2252C (misleading words or digital images on the internet);
6. 18 U.S.C. § 2422(a) (coercion to engage in prostitution);
7. 18 U.S.C. § 2423(b) (travel with the intent to engage in illicit conduct);
8. 18 U.S.C. § 2423(c) (engaging in illicit conduct in foreign places);
9. 18 U.S.C. § 2423(d) (arranging, inducing procuring or facilitating the travel in interstate commerce of an adult for the purpose of engaging in illicit conduct for financial gain);
10. 18 U.S.C. § 2424 (failure to file factual statement about an alien individual); or
11. 18 U.S.C. § 2425 (transmitting information about a minor to further criminal sexual conduct).

Certain military offenses. Any military offense specified by the Secretary of Defense under section 115(a)(8)(C)(i) of Public Law 105–119 (codified at 10 U.S.C. § 951 note) that is similar to those offenses outlined in Section 3.01 (A), (B), or (C) shall be considered a "Tier I" offense.

Historical Data

LA 08–12, eff. March 23, 2012.