

Cherokee Nation Code Annotated
Title 21: Crimes and Punishments
Part VII. Crimes Against Property
Chapter 68: Larceny
§ 1713. Receiving stolen property—Presumption

Cite as: 21 CNCA § 1713

A. Every person who buys or receives, in any manner, upon any consideration, any personal property of any value whatsoever that has been stolen, embezzled, obtained by false pretense or robbery, knowing or having reasonable cause to believe the same to have been stolen, embezzled, obtained by false pretense, or robbery, or who conceals, withholds, or aids in concealing or withholding such property from the owner, is guilty of a felony punishable by imprisonment for a term not to exceed three (3) years, or by a fine not to exceed Fifteen Thousand Dollars (\$15,000.00), or by both such imprisonment and fine. If the personal property that has been stolen, embezzled, obtained by false pretense or robbery has a value of less than One Thousand Dollars (\$1,000.00), the person shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment not to exceed one (1) year.

B. Every person who, without making reasonable inquiry, buys, receives, conceals, withholds, or aids in concealing or withholding any property which has been stolen, embezzled, obtained by false pretense or robbery, or otherwise feloniously obtained, under such circumstances as should cause such person to make reasonable inquiry to ascertain that the person from whom such property was bought or received had the legal right to sell or deliver it shall be presumed to have bought or received such property knowing it to have been so stolen or wrongfully obtained. This presumption may, however, be rebutted by proof.

Historical Data

LA 10-90, eff. November 13, 1990. Amended LA 07-21, eff. February 22, 2021.