

A COUNCIL BILL AMENDING THE CHOCTAW NATION CRIMINAL CODE

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IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

JAMES DRY INTRODUCED THE FOLLOWING COUNCIL BILL

A COUNCIL BILL

TO AMEND the Choctaw Nation Criminal Code.

WHEREAS, in accordance with Article IX, Section 4 of the Constitution of the Choctaw Nation of Oklahoma, the Tribal Council (the "Council") shall enact legislation, rules, and regulations not inconsistent with the Constitution for the general good of the Choctaw Nation and for the administration and regulation of the affairs of the Choctaw Nation; and

WHEREAS, the Council has previously adopted the Choctaw Nation Criminal Code, which provides for crimes, punishments, and the procedures to be followed in criminal cases in the courts of the Choctaw Nation of Oklahoma; and

WHEREAS, the Nation, as a sovereign nation, possesses the right to define the procedures to be followed in its courts; and

WHEREAS, the Council finds it is in the best interest of the Nation to adopt the proposed amendments to the Choctaw Nation Criminal Code as listed below, to clarify who is liable for criminal acts within the Choctaw Nation of Oklahoma.

THEREFORE BE IT ENACTED, by the Tribal Council of the Choctaw Nation of Oklahoma, that this bill be cited as approval to amend Section 151 of the Choctaw Nation Criminal Code to read as follows:

SECTION 1. AMENDATORY Section 151 of the Choctaw Nation Criminal Code is amended, with additions by underline and deletions by ~~strikeout~~, to read as follows:

Section 151. Persons Liable to Punishment Within the Choctaw Nation of Oklahoma

The following persons are liable to punishment under the laws of the Choctaw Nation of Oklahoma:

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- A. All ~~Indian~~ persons who commit, in whole or in part, any crime within the Choctaw Nation of Oklahoma, ~~as defined by Article I, Section 2 of the Constitution of the Choctaw Nation of Oklahoma.~~
- B. All ~~Indian~~ persons who commit theft outside the territorial boundaries of the Choctaw Nation of Oklahoma, ~~as defined by Article I, Section 2 of the Constitution of the Choctaw Nation of Oklahoma,~~ and bring, or are found with the property stolen, within said boundaries of the Choctaw Nation of Oklahoma.
- C. All ~~Indian~~ persons who, being outside the territorial boundaries of the Choctaw Nation of Oklahoma, ~~as defined by Article I, Section 2 of the Constitution of the Choctaw Nation of Oklahoma,~~ abduct, kidnap, harass, stalk, or rape, by force or fraud, any ~~Indian~~ person contrary to the laws of the place where such act is committed, and bring, send, or convey such ~~Indian~~ person within the territorial boundaries of the Choctaw Nation of Oklahoma, ~~as defined by Article I, Section 2 of the Constitution of the Choctaw Nation of Oklahoma,~~ and are afterward found therein.
- D. All ~~Indian~~ persons who, being outside the territorial boundaries of the Choctaw Nation of Oklahoma, ~~as defined by Article I, Section 2 of the Constitution of the Choctaw Nation of Oklahoma,~~ cause or aid, advise or encourage, another ~~Indian~~ person, causing an injury to any ~~Indian~~ person, employee, property, or environment within said territorial boundaries of the Choctaw Nation of Oklahoma by means of any act or neglect which is declared criminal by this code, and who are afterward found within said territorial boundaries of the Choctaw Nation of Oklahoma.
- E. ~~While, with the exception of offenses governed by the federal Violence Against Women Act, as amended, a person who is not an Indian generally may not be convicted and sentenced under the criminal laws of the Choctaw Nation of Oklahoma, a~~Any person ~~who is not an Indian person~~ who violates any criminal law of the Choctaw Nation of Oklahoma shall be subject to the civil remedies and penalties of the Choctaw Nation of Oklahoma.
- F. The persons liable to punishment pursuant to this section shall include all Indian persons, whether or not any such person is a member of the Choctaw Nation of Oklahoma, and all non-Indian persons, insofar as such shall be consistent with the Constitution and laws of the United States and the Constitution of the Choctaw Nation of Oklahoma.

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G. The territorial boundaries of the Choctaw Nation of Oklahoma shall include the following:

1. All territory described by Article I, Section 2 of the Constitution of the Choctaw Nation of Oklahoma; and
2. All Indian country, regardless of whether the same is inside or outside the boundaries of the Choctaw Nation of Oklahoma as described in the Constitution, which is owned or controlled by, or held in trust for the Choctaw Nation of Oklahoma.
3. Any other territory subject to the jurisdiction of the Choctaw Nation of Oklahoma, consistent with the Constitution and laws of the United States.

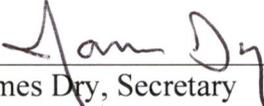
H. It is the intent of the Tribal Council that the jurisdiction of the Choctaw Nation of Oklahoma be exercised as broadly as possible, consistent with the Constitution and laws of the United States and the Constitution of the Choctaw Nation of Oklahoma. All provisions of any enactment are hereby amended to conform to the provisions of this section, including but not limited to Section 1.101 of CB-65-09, and Sections 1.101 and 1.103(a) of CB-60-16.

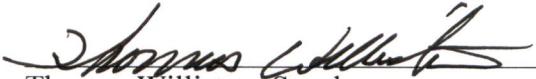
BE IT FURTHER ENACTED, by the Tribal Council of the Choctaw Nation of Oklahoma, that the amendments to the Choctaw Nation of Oklahoma Criminal Code contained herein are effective immediately.

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CERTIFICATION

I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that eleven (11) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on February 14, 2026. I further certify that the foregoing Council Bill CB- 27 -26 was adopted at such meeting by the affirmative vote of eleven (11) members, zero (0) negative votes, and zero (0) abstaining.


James Dry, Secretary
Choctaw Nation Tribal Council


Thomas Williston, Speaker
Choctaw Nation Tribal Council


Gary Batton, Chief
Choctaw Nation of Oklahoma

Date 02-17-26