

TITLE III - CRIMINAL OFFENSE CODE

**Title III
Pages 1 - 108**

CHAPTER 1. GENERAL PROVISIONS

**Title III
Pages 1 - 11**

Sec. 101. Jurisdiction of the Chitimacha Tribe of Louisiana Over Persons Alleged to Have Committed Crimes And Offenses	Title III-Pg. 1
Sec. 101-A. Special Tribal Criminal Jurisdiction	Title III-Pg. 1-5
Sec. 102. Definitions	Title III-Pg. 6-8
Sec. 103. Criminal Offenses Based on Voluntary Conduct	Title III-Pg. 8
Sec. 104. Burden of Proof	Title III-Pg. 8
Sec. 105. Liability of Children and Minors	Title III-Pg. 8
Sec. 106. Ignorance or Mistake	Title III-Pg. 9
Sec. 107. Intoxication	Title III-Pg. 9
Sec. 108. Mental Disease or Defect	Title III-Pg. 9-10
Sec. 109. Self-defense	Title III-Pg. 10
Sec. 110. Defense of Others	Title III-Pg. 10
Sec. 111. Defense of Property	Title III-Pg. 10-11
Sec. 112. Use of Deadly Force	Title III-Pg. 11
Sec. 113. Duress	Title III-Pg. 1
Sec. 114. Entrapment	Title III-Pg. 11

CHAPTER 2. ANTICIPATORY CRIMES

**Title III
Pages 11-12**

Sec. 201. Attempts	Title III-Pg. 11-12
Sec. 202. Criminal Complicity and Solicitation	Title III-Pg. 12

CHAPTER 3. CRIMES AGAINST PERSONS

**Title III
Pages 12-33**

Subchapter A. Homicide

**Title III
Pages 12-13**

Sec. 301. Murder

Title III-Pg. 12

Sec. 302. Manslaughter

Title III-Pg. 13

Sec. 303. Negligent Homicide

Title III-Pg. 13

Sec. 304. Causing or Aiding Suicide

Title III-Pg. 13

Subchapter B. Kidnapping

**Title III
Pages 13-14**

Sec. 305. Kidnapping

Title III-Pg. 13-14

Subchapter C. Sexual Offenses

**Title III
Pages 14-21**

Sec. 306. Definitions

Title III-Pg. 14-15

Sec. 307. Rape

Title III-Pg. 15

Sec. 308. Sexual Assault

Title III-Pg. 16

Sec. 308A Sexual Battery

Title III-Pg.17-18

Sec. 309. Statutory Rape

Title III-Pg. 18

Sec. 310. Indecent Exposure

Title III-Pg. 18

Sec. 311. Prostitution and Patronizing a Prostitute

Title III-Pg. 18-19

Sec. 312. Bigamy

Title III-Pg. 19

Sec. 313. Indecent Behavior with a Juvenile

Title III-Pg. 19-20

Sec. 314. Solicitation of a Minor to Engage in
Sexual Activity

Title III-Pg. 20

Sec. 315. Sex Trafficking Coercive Sex Trafficking,
Aggravated Assault Sex Trafficking

Title III-Pg. 20-21

Subchapter D. Computer-Aided Sexual Offenses Involving Minors

**Title III
Pages 21-28**

Sec. 316. Definitions	Title III-Pg. 21-23
Sec. 317. Pornography Involving Juveniles	Title III-Pg. 23-26
Sec. 318. Computer-Aided Solicitation of a Minor	Title III-Pg. 26-28

Subchapter E. Assault and Related Offenses

**Title III
Pages 28-33**

Sec. 319. Assault Defined	Title III-Pg. 28
Sec. 320. Simple Assault	Title III-Pg. 28
Sec. 321. Aggravated Assault – Severe Bodily Harm	Title III-Pg. 29
Sec. 322. Aggravated Assault – Dangerous Weapon	Title III-Pg. 29
Sec. 323. Aggravated Assault – Great Bodily Harm	Title III-Pg. 29
Sec. 324. Strangulation	Title III-Pg. 29
Sec. 325. Aggravated Assault – Public Official	Title III-Pg. 29-30
Sec. 325A. Assault of Tribal Justice Personnel	Title III-Pg. 30

Subchapter F. Abusive Conduct

**Title III
Pages 30-33**

Sec. 326. Harassment and Stalking	Title III-Pg. 30-31
Sec. 327. Abuse of a Vulnerable Adult	Title III-Pg. 31-33

CHAPTER 4. CRIMES AGAINST PRIVATE PROPERTY

**Title III
Pages 33-39**

Subchapter A. Arson

**Title III
Page 33-34**

Sec. 401. Arson	Title III-Pg. 33-34
-----------------	---------------------

Subchapter B. Burglary and Related Offenses

**Title III
Page 34**

Sec. 402. Burglary	Title III-Pg. 34
Sec. 403. Criminal Trespass	Title III-Pg. 34

Subchapter C. Theft and Related Crimes

**Title III
Pages 34-38**

Sec. 404. Theft	Title III-Pg. 34-37
Sec. 405. Robbery	Title III-Pg. 37
Sec. 406. Criminal Mischief	Title III-Pg. 37-38
Sec. 407. Issuing Bad Checks	Title III-Pg. 38

Subchapter D. Forgery and Related Crimes

**Title III
Pages 38-39**

Sec. 408. Forgery	Title III-Pg. 38-39
Sec. 409. Obtaining Signature by False Pretense	Title III-Pg. 39

CHAPTER 5. CRIMES AGAINST THE PUBLIC ORDER

**Title III
Pages 39-67**

Subchapter A. Explosives and Weapons Offenses

**Title III
Pages 39-44**

Sec. 501. Carrying Concealed and Dangerous Weapon	Title III-Pg. 39-40
Sec. 502. Possession of Explosives	Title III-Pg. 40
Sec. 503. Use of Dangerous Weapons by Children	Title III-Pg. 40-41
Sec. 504. Unlawful Discharge of Firearms	Title III-Pg. 41-42
Sec. 505. Unlawful Possession of Firearms	Title III-Pg. 42
Sec. 506. Firearm-Free Zone	Title III-Pg. 43-44

**Subchapter B. Threats Made Against the Public
Order**

**Title III
Page 44-45**

Sec. 507. Terroristic Threats	Title III-Pg. 44-45
Sec. 508. Aiding Others in Terrorism	Title III-Pg. 45

Subchapter C. Drugs and Related Offenses

**Title III
Pages 45-52**

Sec. 509. Unlawful Production, Distribution, Intent to Distribute, Sale, Possession or Use of Drugs	Title III-Pg. 45-46
--	---------------------

Sec. 509-A. Unlawful Distribution, Sale, Possession and/or Use of Drug Paraphernalia Title III-Pg. 46-48

Sec. 509-B. Violation of Unlawful Production, Distribution, Intent to Distribute, Sale, Possession or Use of Drugs; Drug Free Zone Title III-Pg. 48-50

Sec. 509-C. Distribution to Persons Under Age Eighteen Title III-Pg. 51

Sec. 509-D. Additional Penalties May Be Imposed Title III-Pg. 51

Sec. 510. Falsification of Drug Tests Title III-Pg. 52

Subchapter D. Offenses Involving Governmental Processes

**Title III
Pages 52-58**

Sec. 511. Bribery Title III-Pg. 52-53

Sec. 512. Interfering with Election Title III-Pg. 53

Sec. 513. Prohibited Campaigning Title III-Pg. 53-54

Sec. 514. Hindering Law Enforcement Title III-Pg. 54

Sec. 515. Perjury Title III-Pg. 54-55

Sec. 516. Criminal Contempt Title III-Pg. 55

Sec. 517. Resisting a Law Enforcement Officer Title III-Pg. 55-56

Sec. 518. Resisting Arrest with Force or Violence Title III-Pg. 56

Sec. 519. Resisting Arrest with Bodily Injury Title III-Pg. 56-57

Sec. 520. Escape Title III-Pg. 57

Sec. 521 Obstruction of Justice Title III-Pg.57-58

Subchapter E. Disorderly Conduct and Related Offenses

**Title III
Pages 58-60**

Sec. 522. Disorderly Conduct Title III-Pg. 58-59

Sec. 522-A. Possession and/or Consumption of Alcohol in Designated Park/Recreational Areas Prohibited Title III-Pg. 59

Sec. 523. Mistreatment of Animals Title III-Pg. 59-60

Subchapter F. Gambling

**Title III
Pages 60-61**

Sec. 524. Illegal Gambling

Title III-Pg. 60-61

Subchapter G. Exploitation of Children

**Title III
Pages 61-66**

Sec. 525. Contributing to the Delinquency of a Minor

Title III-Pg. 61

Sec. 526. Failure to Support a Dependent Person

Title III-Pg. 62

Sec. 527. Failure to Send a Child to School

Title III-Pg. 62

Sec. 528. Unlawful Possession of Intoxicating Beverages by Minors

Title III-Pg. 62

Sec. 529. Unlawful Sale of Intoxicating Beverages to Minors

Title III-Pg. 63

Sec. 530. Unlawful Sale of Tobacco to Minors and Unlawful Possession of Tobacco by Minors

Title III-Pg. 63-64

Sec. 531. Unlawful Possession or Consumption of Alcohol on School Property

Title III-Pg. 64

Sec. 532. Child Abuse

Title III-Pg. 64

Sec. 533. Abandonment of a Child

Title III-Pg. 64-65

Sec. 534. Neglect of Child

Title III-Pg. 65

Sec. 535. Cruelty to Juveniles

Title III-Pg. 65

Sec. 536. Juvenile Sexting

Title III-Pg. 65-66

Subchapter H. Curfew Violations

**Title III
Page 66-67**

Sec. 537. Failure to Enforce Curfew

Title III-Pg. 66-67

Sec. 538. Non-Residents Curfew

Title III-Pg. 67

Subchapter I. Driving While Under the Influence

**Title III
Page 67**

Sec. 539. Driving While Under the Influence of Intoxicating Liquors or Drugs

Title III-Pg. 67

CHAPTER 6. DOMESTIC VIOLENCE

Title III
Pages 67-92

Subchapter A. General Provisions

Title III
Pages 67-71

Sec. 601. Purpose	Title III-Pg. 62
Sec. 602. General Jurisdiction	Title III-Pg. 62
Sec. 603. Severability	Title III-Pg. 65
Sec. 604. Non-waiver of Sovereign Immunity	Title III-Pg. 65
Sec. 605. Savings	Title III-Pg. 65
Sec. 605A. Liberal Construction	Title III-Pg. 69
Sec. 606. Definitions	Title III-Pg. 69-71

Subchapter B. Criminal Actions and Penalties

Title III
Pages 71-73

Sec. 607. Domestic Violence	Title III-Pg. 71-72
Sec. 608. Violation of No Contact Order	Title III-Pg. 72-73
Sec. 609. Violation of a Domestic Violence Protection Order	Title III-Pg. 73

Subchapter C. Powers and Duties of Law Enforcement

Title III
Pages 74-80

Sec. 610. Duties to Victims	Title III-Pg. 74
Sec. 611. Protecting Evidence	Title III-Pg. 74-75
Sec. 612. Mandatory Arrest	Title III-Pg. 75-77
Sec. 613. Emergency Criminal No Contact Order	Title III-Pg. 77-78
Sec. 614. Mandatory Arrest for Violations of Domestic Violence Protection Orders or No Contact Orders	Title III-Pg. 78-79
Sec. 615. Authority to Seize and Hold Weapons	Title III-Pg. 79
Sec. 616. Violations of Conditions of Release	Title III-Pg. 79

Sec. 617. Duty to Expedite Service of Protection Orders	Title III-Pg. 79
Sec. 618. Law Enforcement Records on Domestic Violence	Title III-Pg. 80
Sec. 619. Liability of Law Enforcement Officers	Title III-Pg. 80
Subchapter D. Tribal Court Procedures, Powers, and Duties	Title III Pages 81-83
Sec. 620. Pre-trial and Release Conditions	Title III-Pg. 81-82
Sec. 621. Mediation and Alternative Justice Prohibited	Title III-Pg. 82-83
Sec. 622. Clerk of Court Record Maintenance	Title III-Pg. 83
Subchapter E. Duties of the Prosecutor	Title III Pages 83-85
Sec. 623. Domestic Violence Identified in Charging Document	Title III-Pg. 83
Sec. 624. Duties of the Tribe to the Victim	Title III-Pg. 83-85
Subchapter F. Rights of Victims	Title III Pages 85
Sec. 625. Rights of Victims	Title III-Pg. 85
Subchapter G. Civil Domestic Violence Orders for Protection	Title III Pages 85-92
Sec. 626. Domestic Violence Protection Orders	Title III-Pg. 85-87
Sec. 627. Ex Parte Temporary Domestic Violence Protection Orders	Title III-Pg. 88-89
Sec. 628. Recognition and Enforcement of Foreign Protection Orders	Title III-Pg. 89-92

Subchapter H. Firearms

**Title III
Pages 92-93**

Sec. 629. Domestic Violence Offender in Possession
of a Firearm

Title III-Pg. 92-93

CHAPTER 7. HABITUAL OFFENDERS

**Title III
Pages 93-94**

Sec. 701. Habitual Offender Crime

Title III-Pg. 93-94

Sec. 702. Limitation

Title III-Pg. 94

CHAPTER 8. PENALTIES AND LIMITATIONS

**Title III
Pages 95-97**

Sec. 801. Penalties

Title III-Pg. 95

Sec. 802. Statutes of Limitations

Title III-Pg. 95-96

Sec. 803. Enhanced Sentencing

Title III-Pg. 96-97

CHAPTER 9. JUDICIAL AND PROSECUTORIAL IMMUNITY

**Title III
Page 97**

Sec. 901. Judicial Immunity

Title III-Pg. 97

Sec. 902. Prosecutorial Immunity

Title III-Pg. 97

CHAPTER 10. CHITIMACHA VICTIM'S RIGHTS CODE

**Title III
Pages 97-108**

Sec. 1001. Definitions

Title III-Pg. 97-100

Sec. 1002. Services and Information Available to
Victims and Witnesses

Title III-Pg. 100-103

Sec. 1003. Interviewing the Victim or Witness to a Crime

Title III-Pg. 103-104

Sec. 1004. Victim's Involvement and Rights During
Court Proceedings

Title III-Pg. 104-107

Sec. 1005. Designated Family Member

Title III-Pg. 107

Sec. 1006. Confidentiality	Title III-Pg. 108
Sec. 1007. Rights and Duties Relative Domestic Violence Victims Unaltered	Title III-Pg. 108
Sec. 1008. Limitation on Duties Imposed on the Tribe	Title III-Pg. 108