

### **71.303 Territorial Extend.**

(1)...

(2)...

(k) Disobedience of a Court Order, 71.502

### **71.705 Assault or Assault and Battery on a Law Enforcement Officer.**

(1) Offense. A person commits the offense of assault or assault and battery on a law enforcement officer, if:

(a) he commits an assault or assault and battery upon a law enforcement officer, as defined in \_\_\_\_\_; and

(b) he assaulted the law enforcement officer, while the officer was engaged in the execution of law enforcement duties; and

(c) he knew the officer was a law enforcement officer.

(2) Sentence. A person convicted of battery on a law enforcement officer may be sentenced to imprisonment for a period not to exceed one (1) year, or a fine not to exceed Five Thousand Dollars (\$5,000.00), or both.

### **71.708 Homicide.**

(1) Offense. A person commits the offense of criminal homicide, if:

(a) he intentionally causes the death of another person; or

(b) with the intent to cause bodily injury to a person, or to assault, threaten, menace, intimidate or endanger any person, he causes the death of that person or any other person; or

(c) acting alone or with one or more persons, he voluntarily commits or participates in the commission or attempt to commit arson, theft, burglary, kidnapping, assault or unlawful sexual behavior, and in the course of or in furtherance of the crime that is being committed or attempted, or in the immediate flight therefrom by anyone, the death of a person is caused; or

(d) he recklessly or by gross negligence causes the death of another person; or

(e) under circumstances manifesting indifference to the value of human life, he intentionally engages in conduct which creates significant risk of injury or death to a person, and thereby causes the death of another person; or

(f) he operates a motor vehicle in a reckless or grossly negligent manner, or while intoxicated, or while under the influence of alcohol, drugs or other intoxicant, and such conduct causes the death of another person.

(2) A person convicted of criminal homicide may be sentenced to imprisonment for a period of up to three (3) years, or a fine not to exceed Fifteen Thousand Dollars (\$15,000), or both.

### **71.709 Kidnapping.**

(1) Offense. A person commits the offense of kidnapping, if:

- (a) he forcibly or otherwise seizes and carries any person from one place to another without his consent and without legal justification or lawful authority; or
- (b) he entices, takes or decoys away any child under the age of eighteen (18) years not his own, with the intent to keep or conceal the child from the child's parent, guardian or lawful custodian; or
- (c) he intentionally confines, restrains or detains another without the other's consent; or
- (d) he is a natural, adoptive or foster parent of a child under the age of eighteen (18) years, but knowing or having reasonable cause to know that he has no privilege to do so, he takes or entices such child from the custody of another parent, guardian or lawful custodian.

(2) Sentence. A person convicted of kidnapping may be sentenced to imprisonment for a period of up to three (3) years, or a fine not to exceed Fifteen Thousand Dollars (\$15,000.00), or both.

### **71.802 Burglary.**

(1) Offense. A person commits the offense of burglary, if:

- (a) he knowingly enters, breaks into or remains unlawfully in a building, other structure or motor vehicle belonging to another with the intent to commit therein a crime against person or property, other than criminal trespass as defined in '71.902; or
- (b) he enters or breaks into any vault, safe, cash register, coin vending machine, product dispenser, money depository, safety deposit box, telephone coin box, vehicle, or other apparatus or equipment whether or not coin operated with the intent to take, use, or steal such object or facility or anything therein.

(2) A person convicted of burglary may be sentenced to imprisonment for a period of up to two (2) years, or a fine not to exceed Ten Thousand Dollars (\$10,000.00), or both.

### **71.805 Robbery.**

(1) Offense. A person commits the offense of robbery, if he takes anything of value from the person or presence of another by the use of force, threats, coercion or intimidation.

(2) Sentence.

- (a) A person convicted of robbery may be sentenced to imprisonment for a period of up to two (2) years, or a fine not to exceed Seven Thousand Five Hundred Dollars (\$7,500.00), or both.
- (b) The Tribal Court may require the offender to compensate the victim for the value of the stolen property in addition to, or in lieu of, the sentence provided in sub. (a).

### **\_\_\_\_\_ Resist or Hinder Police Officer in The Execution of His Duty**

In order to be convicted of this offence, the police must prove beyond a reasonable doubt that:

(1) Offense. A person commits the offense of resist or hinder police officer in the execution of his duty if:

- a) he resists by forcefully opposing a course of action which the police officer was undertaking; or

b) he hinders by obstructing or interfering with a police officer making his duty substantially more difficult to perform; and

(c) the police officer was engaged in the execution of his duty.

(2) Sentence. A person convicted of resist or hinder police officer in the execution of his duty may be sentenced to imprisonment for a period not to exceed six (6) months, or a fine not to exceed Two Thousand five hundred Dollars (\$2,500.00), or both.

#### **Abuse or Death of a Police Animal**

(1) Offense. A person commits the offense of abuse or death of a police animal if:

(a) he intentionally causes injury to an animal utilized by a law enforcement agency; or

(b) he intentionally causes substantial injury or death to an animal utilized by a law enforcement agency; and

(c) he knows, or has reason to know, that the animal is utilized by a law enforcement agency.

(2) Sentence.

(a) a person convicted of \_\_\_\_\_(1)(a) may be sentenced to imprisonment for a period not to exceed one (1) year, or a fine not to exceed Five Thousand Dollars (\$5,000.00), or both.

(b) a person convicted of \_\_\_\_\_(1)(b) may be sentenced to imprisonment for a period not to exceed one (2) years, or a fine not to exceed Ten Thousand Dollars (\$10,000.00), or both.

(c) a person convicted of \_\_\_\_\_(1)(a) or (b) may be ordered to pay restitution for the cost of purchasing and training a police animal if the animal harmed has to be retired from service.

#### **Harassment of a Police Animal**

(1) Offense. A person commits the offense of harassment of a police animal if said person intentionally harasses or interferes with an animal being used by law enforcement during the execution of law enforcement duties.

(2) Sentence. A person convicted of harassment of a police animal may be sentenced to imprisonment for a period not to exceed six (6) months, or a fine not to exceed Five Thousand Dollars (\$2,500.00), or both.

#### **71.1601 Furnishing of Marijuana.**

(1) Offense. A person commits the offense of furnishing of marijuana, if he knowingly furnishes, sells, or trades in any way marijuana or any portion of the plant cannabis sativa L. or any substance containing it, or hashish.

(2) Sentence. A person convicted of the offense of cultivation or furnishing marijuana may be sentenced to imprisonment for a period not to exceed six (6) months, or a fine not to exceed Two Thousand Dollars (\$2,000.00), or both.

#### **71.1603 Possession of Marijuana.**

(1) Offense. A person commits the offense of possession of marijuana, if he knowingly possesses, consumes, or uses, marijuana or any portion of the plant cannabis sativa L. or any substance containing it; or hashish.

(2) Sentence. A person convicted of the offense of possession of marijuana may be sentenced to imprisonment for a period not to exceed three (3) months, or a fine not to exceed One Thousand Dollars (\$1,000.00), or both.

#### **\_\_\_\_ Cultivation of Marijuana, 1st Degree.**

(1) Offense. A person commits cultivation of marijuana, 2<sup>nd</sup> offense when he grows or cultivates more than 20 of the cannabis sativa L. plants, or more than 5 kg of of the cannabis sativa L. plant.

(2) Sentence. A person convicted of the offense of cultivation of marijuana, 2<sup>nd</sup> degree may be sentenced to imprisonment for a period not to exceed one (1) year, or a fine not to exceed Two Thousand Dollars (\$5,000.00), or both.

#### **\_\_\_\_ Cultivation of Marijuana, 2<sup>nd</sup> Degree.**

(1) Offense. A person commits cultivation of marijuana, 2<sup>nd</sup> offense when he grows or cultivates less than 20 of the cannabis sativa L. plants, or less than 5 kg of of the cannabis sativa L. plant.

(2) Sentence. A person convicted of the offense of cultivation of marijuana, 2<sup>nd</sup> degree may be sentenced to imprisonment for a period not to exceed six (6) months, or a fine not to exceed Two Thousand Dollars (\$2,000.00), or both.