

CHAPTER 194 - PERSONS LIABLE TO PUNISHMENT FOR CRIME

[SECTION 194.010](#) Persons capable of committing crimes.

[SECTION 194.020](#) Persons liable to punishment.

SECTION 194.010 Persons capable of committing crimes. All persons are liable to punishment except those belonging to the following classes:

1. Children under the age of 8 years.
2. Children between the ages of 8 years and 14 years, in the absence of clear proof that at the time of committing the act charged against them they knew its wrongfulness.
3. Persons who committed the act charged or made the omission charged in a state of insanity.
4. Persons who committed the act or made the omission charged under an ignorance or mistake of fact, which disproves any criminal intent, where a specific intent is required to constitute the offense.
5. Persons who committed the act charged without being conscious thereof.
6. Persons who committed the act or made the omission charged, through misfortune or by accident, when it appears that there was no evil design, intention or culpable negligence.
7. Persons, unless the crime is punishable with death, who committed the act or made the omission charged under threats or menaces sufficient to show that they had reasonable cause to believe, and did believe, their lives would be endangered if they refused, or that they would suffer great bodily harm.

SECTION 194.020 Persons liable to punishment. The following persons, except as provided in [SECTION 194.010](#), are liable to punishment:

1. A person who commits on the Reservation any crime, in whole or in part.
2. A person who commits out of the Reservation any act which, if committed within it, would be larceny, and is afterward found on the Reservation with any of the stolen property.
3. A person who, being out of the Reservation, counsels, causes, procures, aids or abets another to commit a crime on the Reservation.
4. A person who, being out of the Reservation, abducts or kidnaps, by force or fraud, any person, contrary to the laws of the place where the act is committed, and brings, sends or conveys such person into this Reservation.
5. A person who commits an act without the Reservation which affects persons or property within the Reservation, or the public health, morals or decency of the Tribe, which, if committed within the Reservation, would be a crime.