

Title 4A– Criminal Code

Chapter 5 – Violations and Penalties

- 4A-05.010 Registration Violations and Penalties
- 4A-05.020 Hindrance of Sex Offender Registration

Enacted:

Swinomish Indian Code, Ord. 331 Adopting STC Title 4A – Registration of Sex Offenders, (4/1/14), BIA (4/14/14)

Repealed:

The portion of Ord. 224 which created STC Title 4, Chapter 14, (4/1/14), BIA (4/14/14)

4A-05.010 Registration Violations and Penalties.

- (A) Violation. Each violation of a provision of this Title by a registered sex offender constitutes a separate offense.
- (B) Penalties.
 - (1) If a registered sex offender violates a provision of this Title and is an enrolled member of the Swinomish Indian Tribal Community or is any other Indian in accordance with applicable federal law, he or she will be subject to a Class A criminal offense, the penalty for which is defined in STC 4-12.020(A).
 - (2) If a registered sex offender violates a provision of this Title and is not an enrolled member of the Swinomish Indian Tribal Community and is not any other Indian in accordance with applicable federal law, he or she will be subject to a civil violation, the penalty for which is a fine of up to \$5,000 and civil contempt.
 - (3) A violation of any provision of this Title by a registered sex offender may subject the registered sex offender to exclusion and expulsion from the Swinomish Reservation, pursuant to STC 3-05.

4A-05.020 Hindrance of Sex Offender Registration.

- (A) Violation. A person commits Hindrance of Sex Offender Registration if he or she:
 - (1) Knowingly harbors, knowingly attempts to harbor, or knowingly assists another person in harboring or attempting to harbor a registered sex offender who is in violation of this Title;
 - (2) Knowingly assists a registered sex offender in eluding a law enforcement agency that is seeking to find the registered sex offender to question or arrest the registered sex offender for noncompliance with the requirements of this Title; or

- (3) Provides information to law enforcement agency regarding a registered sex offender which the person knows to be false.

(B) Penalties.

- (1) If a person violates 4A-05.020(A) and is an enrolled member of the Swinomish Indian Tribal Community or is any other Indian in accordance with applicable federal law, he or she will be subject to a Class B criminal offense, the penalty for which is defined in STC 4-12.020(B).
- (1) If a person violates 4A-06.050(A) is not an enrolled member of the Swinomish Indian Tribal Community and is not any other Indian in accordance with applicable federal law, he or she will be subject to a civil violation, the penalty for which is a fine of up to \$5,000 and civil contempt.
- (2) A violation of any provision of 4A-06.050(A) may subject the person to exclusion and expulsion from the Swinomish Indian Reservation, pursuant to STC 3-05.