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State of Utah

Commission on Criminal and Juvenile Justice

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Extradition Policy Manual

The Commission on Criminal and Juvenile Justice (CCJJ) on behalf of the Governor, coordinates the return of fugitives from other states to Utah. The state's extradition budget is a fixed amount - it does not provide unlimited financial resources to enable the extradition of every fugitive. The Extradition Coordinator must utilize the limited budget resources to maximize the benefits to public safety and the interests of justice. CCJJ will only pay for the extradition of adults with felony charges. CCJJ will not pay for juveniles or those with misdemeanor charges.

Extradition Priorities:

The decision to extradite is within the discretion of the state in which the crime was committed. CCJJ asks District and County attorneys to evaluate their decisions and balance the interests of justice with the costs of extradition. Please consider the following factors when making a request for extradition:

- The seriousness of the underlying offense
- The potential sentence for the fugitive (based on the Adult Sentencing and Release Guidelines)
- Uncompensated monetary loss to any victims
- The prior criminal record of the fugitive
- The cost of the return
- Whether the fugitive is already serving a substantial prison term in the asylum state
- Whether there is an Immigration and Customs Enforcement hold on the fugitive
- The number of previous extraditions of the offender
- The age of the underlying offense
- Other related costs such as medical care required by the fugitive
- The availability of shuttle transport
- The offense was particularly aggravated, and the fugitive will likely be incarcerated for a substantial length of time if he or she is returned.
- The local significance of the case

The requesting agency must complete the Extradition Request Form and submit it with the warrant and waiver to the Extradition Coordinator. CCJJ will do its best to accommodate extradition travel within the timeframes needed by the requesting agency or county. However, whenever possible the requesting agency or county should give the Extradition Coordinator a minimum of 3 business days' notice before travel needs to occur.

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The Extradition Coordinator is required to comply with State travel policies and make the travel arrangements with the State travel office. The state will fully cover the authorized travel costs of approved extraditions provided the agency uses the travel arrangements made by the Extradition Coordinator.

Transportation Methods

In order to maximize the limited extradition budget, CCJJ will, taking into consideration safety and security issues, make transportation arrangements at the lowest cost possible. The Extradition Coordinator will prioritize and utilize the following methods of transportation:

Agency Vehicle

When the fugitive is located within driving distance (8 hours or less) transportation by agency vehicle is the preference. The State will reimburse the transporting agency for gas used based on receipts for gas used, not a calculation of mileage. Per Diem, offender food, and hotel when applicable will also be reimbursed.

Commercial Plane

When it is not efficient or practical to drive, arrangements will be made for commercial flights. The Extradition Coordinator will make the flight arrangements through the State travel office.

*If there is a specific time or flight the agency is interested in - include this information in the extradition request.

Private Planes

The use of private planes will be considered on a case-by-case basis. Please contact the Extradition Coordinator for more information.

Private Transport Companies

For liability reasons, the State **will not** use or authorize the use of private transport companies.

Special Arrangements

Some states, such as Alaska, will make special arrangements to assist in the extradition of fugitives. For instance, when traveling to pick one of their own fugitives from another state, officers from Alaska are willing to transport a fugitive from another state as far as the airport where they will meet their connecting flight. They will then transfer custody of the fugitive to the demanding state at the airport. When working with these states, every effort should be made to work with authorities in asylum states to make such special arrangements.

Additional/Personal Travel

Due to time considerations and the efforts it requires to organize extraditions, additional travel outside of the time required for the extradition cannot be coordinated or paid for by the State. Agencies that would like to include additional travel outside of the extradition will coordinate this through their own agencies.

Reimbursable Travel Costs

The State will reimburse a requesting agency or county for the following costs related to extraditions:

- State per diem rates for meal costs: No food receipts are required. Per diem is based on the time they leave their home base to the time they arrive at the jail/prison.
- Offender Food/Misc. Items: CCJJ will reimburse the actual amount spent on food for the offender. Also, if any clothing needs to be purchased that is also reimbursable. Receipts required for both.

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- Lodging: Hotel reservations must be made by the Extradition Coordinator. CCJJ will not reimburse the requesting agency for hotel costs if the reservations are not made by the Extradition Coordinator. The Extradition Coordinator will make the reservation with a state credit card. However, the transporting officers must have a method to independently pay for the rooms at the time of the extradition. The requesting agency should ensure that the officers have a credit card or sufficient cash to pay for hotel costs. Hotel receipt required for reimbursement.
- Toll fees: Receipt required.
- Parking (airport and hotel): Receipt required.
- Rental cars- Must be reserved by the Extradition Coordinator. Agency is required to pay for the rental car and seek reimbursement upon return. When using a rental car, the agency is responsible for making sure the car has a full tank of gas when returned to the rental car agency. CCJJ will not reimburse an agency for gas charges applied by rental car agencies. Actual rental car receipt required for reimbursement, cannot reimburse using the rental agreement.
- Gasoline- The reimbursement request for gasoline must be accompanied by documenting receipts. CCJJ will not reimburse gasoline costs without a receipt. See the above requirements for gasoline reimbursement related to rental cars.

All costs must be approved by the Extradition Coordinator and consistent with this policy or they will not be reimbursed.

Medical Costs

Because the State, as the demanding authority, is liable for medical costs associated with the extradition of a fugitive, the requesting agency must ascertain a fugitive's medical condition. When seeking approval for an extradition the requesting agency must advise the Extradition Coordinator of any potential medical conditions or costs associated with a return.

Should the agency fail to inform the Extradition Coordinator of any suspected or documented medical conditions and/or costs, the agency will be responsible for all incurred medical costs. In the event that an unforeseen medical situation arises during the return of an individual, the agency shall advise the Extradition Coordinator as soon as possible. CCJJ will decide how to proceed with the extradition when such unforeseen incidents occur.

International Extraditions

An agency seeking an international extradition must consult with the Extradition Coordinator prior to contacting the US Department of Justice, Interpol, the Office of International Affairs, the FBI or the asylum country. In light of the diplomatic and political ramifications and the costs of international extraditions, the agency may not take formal action until the Governor has been advised and reviewed the case.

CCJJ reserves the ability to withhold reimbursement to agencies for travel costs made in violation of this policy. Failure to comply with this policy may result in a denial of any reimbursement claims and the requesting agency will be responsible for the costs of the extradition.

Please contact the Extradition Coordinator, Monica Taylor, at monicataylor@utah.gov if you have any questions regarding this policy.