

PROCEDURE MANUAL

05-08



MICHIGAN STATE POLICE

Extradition Procedures

Purpose: This manual provides guidance and procedures on the actions to be taken during the extradition of a prisoner.

Effective Date: April 19, 2022

Table of Contents

Extradition of Prisoners

Section 1: Extradition	1
1.1 Procedures	1
1.2 Transportation Via Commercial Carrier	2

Definitions:

Extradition: The removal of a person from a requested state or country to a requesting state or country for criminal prosecution or punishment.

Section 1: Extradition

1.1 Procedures

- a. Extradition Request Procedure
 - i. The prosecuting attorney of the county where the crime was committed shall apply to the Governor of Michigan for a Governor's requisition.
- b. Return of Subject to Michigan
 - i. When it is necessary for the department to become involved in an extradition, the request shall be forwarded to the district commander. The following information shall be included in all requests:
 1. Incident number and file class.
 2. Name and age of person to be extradited.
 3. Where subject is held.
 4. Whether the subject has waived extradition or is being returned on a Governor's Warrant.
 5. Name of enforcement members participating in the extradition.
 6. Name and department of other officer(s) involved.
 7. All costs, e.g., travel, lodging, meals; shall be paid by the county, authority of the sheriff and/or prosecuting attorney.
 8. Means of travel.
 9. Date and time of departure.
 10. Estimated time of return.
 11. Reason enforcement member is involved.

- ii. One enforcement member, normally the investigator, may be assigned in extraditions. An attempt shall be made to have the county fulfill its obligation by assigning an officer to accompany the enforcement member.
- iii. A second enforcement member may also be assigned if the local law enforcement agency refuses to send an officer. Requests to assign more than one enforcement member for extradition shall be accompanied by an explanation of why the duty cannot be shared by the county.
- iv. At least one of the enforcement members shall be the same sex as the subject.
- v. Extradition expenses are the responsibility and obligation of the county where the crime was committed. Normally the administrator is either the sheriff or prosecuting attorney of the county. The sheriff is responsible for handling extraditions.
 1. If a department vehicle or airplane is used, mileage or aircraft hourly costs shall be charged to the county. The Budget and Financial Services Division shall be contacted to determine the mileage rate to be charged. Extraditions using MSP aircraft shall contact the Aviation Unit for hourly aircraft rates and pilot costs.
 2. When extradition involves a short trip from border posts across the state line and only department enforcement members are involved, it may not be necessary to charge the county, because enforcement members can pick up the subject and return without incurring unusual expenses. Approval of the affected district or division commander shall be obtained prior to executing extradition proceedings.
- vi. The ADM-048, Out-of-State Travel Advance Request, may be completed and approved by the supervisor prior to the trip.

1.2 Transportation Via Commercial Carrier

- a. Air Travel by Commercial Air Carrier
 - i. If extradition involves transporting prisoners on a commercial airline, enforcement members shall check with the airline prior to booking to determine their current policy affecting transportation of prisoners. Enforcement members shall also familiarize themselves with applicable federal regulations on [carriage of weapons](#) and [transportation of prisoners](#). In the event of boarding denial, contact the airport Transportation Security Administration or the FAA for assistance.
 - ii. Members shall review directives on carrying firearms regarding Federal Aviation Administration (FAA) rules and regulations on "Flying While Armed".
- b. Public Conveyances Other Than Commercial Air Carriers
 - i. In cases involving extradition on a public conveyance other than a commercial airline, the enforcement member shall check with the transporting authority to determine their current policy affecting transportation of prisoners.
 - ii. Whenever possible, the enforcement member shall arrange with the transporting authority for early arrival and boarding of the conveyance in advance of other passengers.

- iii. The enforcement member and prisoner shall be seated in the most inconspicuous available location of the conveyance.
- iv. If the transporting authority permits, a prisoner shall be handcuffed in front.

Review Responsibility: Field Services Bureau

Accreditation Standards: CALEA