

**EXTRADITION – ADULTS**

- AUTHORITY:** Section 1203 PC and Subsections, 1555.2PC, 1555.3PC and 1556 of the California Penal Code
- RESCINDS:** Procedure Manual Item 2-3-008, dated 02/25/21 (Recertified)
- FORMS:** Bench Warrant (F057-2003(A)AF)
- PURPOSE:** To establish guidelines for extradition in felony cases.

**I. GENERAL INFORMATION****A. Cases Which May Merit Extradition**

1. The probationer imposed physical abuse on the victim.
2. The probationer was convicted of dangerous or violent crimes.
3. There are significantly large outstanding losses to victims.
4. The probationer failed to serve initial custody time after being granted a stay.
5. A substantial penalty is being recommended, i.e., state prison.
6. Courtesy Supervision cases approved to reside outside of California.

**B. Cases Which May Not Merit Extradition**

1. The probationer is being processed in another state for an offense more serious than the local violation activity.
2. Because extradition is a costly, complicated process, it is seldom pursued in cases other than serious felonies.
3. Misdemeanor cases, (with the exception of Courtesy Supervision cases).

**II. PROCEDURE**

- A. The assigned DPO reviews case facts with the unit SPO.
- B. The unit SPO consults with the Division Director.
- C. If the Division Director agrees that extradition should be recommended:
  1. The assigned DPO reviews the case with the Deputy District Attorney responsible for extradition matters.

2. If the Deputy District Attorney approves extradition, the assigned DPO indicates the following information on the Superior Court Bench Warrant (F0502-2021):
  - a. Following "Extradition:" indicate "yes."
  - b. Following "Additional Information:" indicate the name of the Deputy District Attorney with whom the case file was discussed and the reasons in support of extradition.
3. The District Attorney's Office prepares a written application for the return of the probationer and presents it to the Governor.

**REFERENCES:**

Procedures:	2-3-002	Probation Violations-Adult
	2-3-016	Warrants of Arrest for Adults
	2-3-019	Preparing Probation Violation and Warrant Petitions-Adult
	2-3-024	Probable Cause Hearings and Retaking for Interstate Compact Adult Probationers

Policy:	E-6	Extradition
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**J. Shim**

**APPROVED BY:**