

## ILLINOIS STATE POLICE DIRECTIVE OPS-064, EXTRADITION

<b>RESCINDS:</b> OPS-064, 2012-033, revised 05-08-2012.	<b>REVISED:</b> 05-11-2015 <b>2015-039</b>
<b>RELATED DOCUMENTS:</b> None	<b>RELATED CALEA STANDARDS:</b> 74.1.3, 74.3.1, 61.1.2

### I. POLICY

The Illinois State Police (ISP) will assist and support the respective prosecutor in the extradition and prosecution of fugitives or wanted subjects.

### II. AUTHORITY

725 ILCS 225/, et seq., "Uniform Criminal Extradition Act"

### III. DEFINITIONS

III.A. County of offense/warrant - the location where the infraction of the law took place and where the authorization originated to extradite the wanted subjects or fugitives.

III.B. Extradition - the surrender of wanted subjects or fugitives, under the provisions of a statute or treaty, by one state to another for the purpose of criminal prosecution.

III.C. Fugitive - any person who has fled from justice and who is charged with treason, felony, or other crime in the state seeking extradition.

III.D. Wanted subject(s) - person(s) who may or may not know they are being sought and are charged with treason, felony, or other crime in the state seeking extradition.

### IV. PROCEDURES

IV.A. ISP officers will follow the Uniform Criminal Extradition Act in matters of extradition.

IV.B. When an ISP officer determines a fugitive or wanted subject who is wanted on an ISP case or warrant is located in another state, the officer will notify his/her supervisor.

IV.B.1. The officer or appropriate supervisor in the officer's chain-of-command will contact and provide the case agent or officer directly involved with the case all the known information about the warrant, fugitive, or wanted subject.

IV.B.2. The case agent/officer or supervisor will:

IV.B.2.a. Notify the appropriate Illinois state's attorney (county of offense/warrant), verify the warrant, and confirm the prosecutor's intent to extradite.

IV.B.2.b. Notify the appropriate law enforcement authority in the foreign jurisdiction advising them of all pertinent information.

IV.B.2.c. Ensure verification of the warrant so the foreign law enforcement agency may affect the arrest, if the wanted subject or fugitive is not in custody.

IV.B.2.d. Advise the appropriate state's attorney if the officer learns the wanted subject will not waive extradition so proper proceedings to complete the extradition may be initiated.

IV.B.2.e. Prepare a case/field report documenting the information known and action taken, sending copies to the appropriate file and/or originating authority.

IV.C. Transfer of custody and transportation of the arrested subject is normally handled by the respective Illinois county sheriff or the United States Marshals Service, when involving federal prosecution. The officer's chain-of-command and the appropriate state's attorney must approve alternate arrangements involving ISP officers.

IV.D. The state's attorney of the county of offense/warrant will handle extradition from foreign countries.

| Indicates new or revised items.

**-End of Directive-**