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**SUBSTITUTE HOUSE BILL 1555**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** House Community Safety, Justice, & Reentry (originally sponsored by Representatives Lekanoff, Goodman, Pollet, Davis, and Doglio)

AN ACT Relating to extradition of persons to and from Indian jurisdiction; and adding a new section to chapter 10.31 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 10.31 RCW to read as follows:

(1) Any time that this state seeks the extradition of a person over whom the tribe has criminal jurisdiction from within the jurisdiction of an Indian tribe in this state, this state shall comply with all applicable requirements of tribal extradition law.

(2) An Indian tribe that permits extradition by this state of persons from within the tribe's jurisdiction may request the extradition of persons subject to a tribal court warrant from state jurisdiction pursuant to this section.

(3) An Indian tribe shall direct a demand for extradition to the county prosecuting attorney of the county in which the tribe is located, or where the person demanded is thought to be located, or to the attorney general.

(4) A written demand for extradition by an Indian tribe shall be recognized if the demand is accompanied by both:

(a) A copy of a warrant issued for the person; and

(b) A criminal complaint or sworn statement made before a tribal judge substantially charging the person demanded with the commission of a crime under tribal law, with escape from confinement, or with a violation of probation or parole.

(5) Unless agreed otherwise, an Indian tribe that requests extradition from any area under state jurisdiction must reimburse the reasonable costs of such extradition, and if any state jurisdiction requests extradition from an Indian tribe, it shall likewise reimburse the tribe for the reasonable costs of such extradition.

(6) This act is not intended to and does not diminish the authority of the state or local jurisdictions to enter into government-to-government agreements with Indian tribes, including mutual aid and other interlocal agreements, concerning the extradition of persons within their jurisdiction, does not diminish the validity or enforceability of any such agreements, and is not intended to and does not expand or diminish the authority of the state or local jurisdictions to arrest individuals over whom they have jurisdiction within Indian reservations.

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