
SENATE BILL 5642

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

By Senators Rolfes, Torres, Lovelett, Nobles, and Pedersen

Read first time 01/31/23. Referred to Committee on Law & Justice.

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

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 10.31
5 RCW to read as follows:

6 (1) If this state seeks the extradition of an Indian from within
7 the jurisdiction of an Indian tribe in this state, this state shall
8 comply with any applicable requirements of tribal extradition law.

9 (2) An Indian tribe that permits extradition by this state of
10 Indians from a tribal jurisdiction may request the extradition of
11 Indians from state jurisdiction pursuant to this section.

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

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

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

19 (b) A criminal complaint or sworn statement made before a tribal
20 judge substantially charging the person demanded with the commission

1 of a crime under tribal law, with escape from confinement, or with a
2 violation of probation or parole.

3 (5) The provisions of this chapter relating to extradition from a
4 state that are not inconsistent with this section apply to
5 extradition by an Indian tribe under this section. The public officer
6 who receives the written demand under this section shall perform the
7 functions of the governor under this chapter.

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