

SAN DIEGO POLICE DEPARTMENT PROCEDURE

DATE: 08/29/2014

NUMBER: 3.18 – INVESTIGATIONS

SUBJECT: EXTRADITION PROCEDURES

RELATED POLICY: 1.09

ORIGINATING DIVISION: INVESTIGATIONS II

NEW PROCEDURE:

PROCEDURAL CHANGE:

SUPERSEDES: DP 3.18 – 07/03/13

I. PURPOSE

This Department procedure establishes guidelines for the extradition of fugitives, from this jurisdiction, arrested in other states.

II. SCOPE

This procedure applies to all sworn members of the Department.

III. BACKGROUND

- A. The San Diego County Sheriff has the responsibility of coordinating all extradition proceedings. When a fugitive from this jurisdiction is arrested in another state, the arresting agency will notify the Sheriff's Office who will:
1. Contact the District Attorney (DA) for approval of the extradition.
 2. Secure necessary waivers from the suspect through the arresting agency. If the suspect refuses to waive, the Sheriff's Office will initiate formal proceedings for a Governor's Warrant of Extradition.
- B. The District Attorney will notify the designated Investigations II/Robbery sergeant of the extradition.

- C. Control of all Police Department extraditions shall be maintained by the designated Investigations II/Robbery sergeant.
 - 1. All extraditions will normally be a two-officer assignment.
 - 2. At least one of the two officers escorting a prisoner will be of the same gender as the prisoner.

IV. **PROCEDURES**

- A. Upon receiving notification that an extradition has been approved, the designated Investigations II/Robbery sergeant will notify the investigative unit responsible for initiating the complaint against the fugitive. The investigator assigned will be given the opportunity to handle the extradition. However, should the investigator decline or be unavailable, appropriate personnel will be selected from a database of qualified personnel, maintained within the Investigations II/Robbery Unit.
- B. Officers of the rank of Police Officer II or higher, not assigned to investigations, who wish to be considered for extradition trips, should submit a written request for such assignment through their commanding officer. Once approved, the request should be sent to the designated Investigations II/Robbery sergeant. The information from the request will be entered into the database.
- C. Personnel conducting the extradition cannot be married/domestic partners or in any type of dating relationship,
- D. All personnel must have the approval of their commanding officer prior to going on an extradition.
- E. Extraditions of less than 500 miles will be made in one day, without an overnight stay. Extraditions of over 500 miles will generally be made with one overnight stay. Extraditions of over 1,000 miles will be considered, on a case-by-case basis, for stays over two nights. Personnel shall be prepared to justify a third day on the travel expense voucher.
- F. Additional time required for follow-up investigation is not reimbursable under the extradition agreement. This time should be arranged in advance through the investigator's unit supervisor and will be at the Department's expense.
- G. All candidates must have completed the mandated two-hour training course, "Flying with Firearms," which is offered as a menu course, or have successfully completed the 1995 Regional Officer Training, which included "Flying with Firearms" training.

V. PREPARATION FOR THE TRIP

- A. Extradition officers shall immediately contact the Travel Coordinator (allow three days processing time) in Fiscal Operations who will:
1. Arrange all travel expenses, including airline reservations, lodging, and rental car;
 2. Arrange transportation at the lowest fare possible. Higher fare or extra charges must be presented in advance by the extradition officers with a full explanation of the circumstances making the higher fare or extra charges a necessity; and,
 3. Ensure that all travel expenses are authorized and computed.
- B. Extradition officers will:
1. Contact the clerical staff in Investigations II/Robbery to obtain a request form to enable Teletype personnel to contact the Transportation Security Administration (TSA). (See Department Procedure 1.09, Carrying Weapons on Airlines)
 2. At least 24 hours prior to traveling, take the TSA request form to the Teletype Unit so that a properly formatted message can be sent to the TSA, via NLETS, requesting a Unique Alphanumeric Identifier (UAI). The officer will wait in the Teletype Unit for the TSA to send a return teletype, via NLETS, that includes the UAI. The officer must have the UAI with her/him in order to get clearance from the TSA to board the plane. See Appendix A for sample teletype messages.
 3. Submit a completed, "Request For Leave Of Absence," form, checking the "Other" box and indicate "Out of Town Travel – Extradition" in the space provided.
 4. Obtain the warrant and warrant abstract, including the District Attorney's case number, is obtained from the Sheriff's Office, 9621 Ridgehaven Court, San Diego.
 5. Return the Sheriff's Teletype to the Travel Coordinator in Fiscal Operations. The Travel Coordinator will:
 - a. Prepare a Direct Payment Request;
 - b. Prepare the District Attorney's Authorization Warrant for travel advance; and,
 - c. Provide a car rental credit card.

6. Return to the Investigations II/Robbery Unit and present the designated sergeant with a copy of your travel itinerary. Pick up the prisoner restraint equipment used for prisoner transportation.
7. Contact the holding agency and notify them of the time you will be taking custody of the prisoner. Verify you are in possession of all documents required for prisoner transfer and determine whether there are any monetary charges associated with the prisoner's detention.
8. Contact the investigators who charged the prisoner and obtain any instructions and interrogation information they desire. Obtain copies of the crime case and photographs of the subject. Inquire into the prisoner's background and escape risk.
9. Arrange for transportation of the officers and the prisoner by police unit upon return arrival.

VI. DATE OF DEPARTURE

- A. Extradition officers will be transported to the San Diego International Airport by a police unit.
 1. Arrive at least two hours prior to flight time. Upon arrival, officers shall contact the airline ticket agent and make the required federal disclosure of a firearm in their baggage.
- B. While in flight, the officers should become familiar with the case by reading the crime report, interrogation information, and all other relevant materials.

VII. ARRIVAL AT THE HOLDING AGENCY

- A. The officers will contact the holding agency and make arrangements to take custody of the prisoner. Ascertain if any court appearances are required and inquire into the prisoner's background with the holding agency. Determine any potential escape risk known to that agency.
- B. Some smaller jurisdictions may ask an officer to pay for the prisoner's board. Such payments are a reimbursable expense for which the officer shall obtain a receipt.
- C. Officers will immediately contact the designated Investigations II/Robbery sergeant, from the location of the extradition, if unforeseen problems are encountered and cannot be overcome.

VIII. RETURN FLIGHT

- A. Prior to departure, the extradition officers will make arrangements to be met by a police unit at the San Diego International Airport, Harbor Police Office for transportation to the Watch Commander's Office.
- B. Extradition officers are "on duty" while escorting prisoners. The consumption of alcoholic beverages is expressly prohibited.
- C. Extradition officers will contact the airline ticket agent and present their Unique Alphanumeric Identifier (UAI) for the return flight to San Diego.
- D. When a prisoner is to be escorted, the officers must give the airline representative the following information at least one hour prior to boarding:
 - 1. Identity of the prisoner;
 - 2. The flight on which a prisoner will be carried; and,
 - 3. Whether the prisoner is considered dangerous.
- E. The airline representative will require that the officers ensure the prisoner does not have access to any article that could be used as a deadly or dangerous weapon while aboard the aircraft.
- F. Normally only one dangerous prisoner will be allowed on an aircraft.
- G. Whether or not a prisoner is considered dangerous is within the discretion of the law enforcement agency that has custody.
- H. The airline representative will normally require the officers and prisoner to board first and get off last. They will be seated in the rearmost passenger seats, which are neither in a lounge area nor near an aircraft exit.
- I. A prisoner will be accompanied by, secured per DP 6.01, and under surveillance of at least one officer at all times. Necessary use of the restroom facilities by the prisoner will be allowed at the discretion of the escorting officers, keeping in mind that most airline facilities are only large enough for one person.
- J. Officers will sit between the prisoner and the aisle.
- K. Prisoners will not be served food or beverages, or provided with any eating utensils, unless authorized by the officers.
- L. Prisoners will not be served any alcoholic beverages.

IX. ARRIVAL AT SAN DIEGO

- A. Extradition officers will book the prisoner and prepare the arrest report.
- B. Notify the designated Investigations II/Robbery sergeant of their arrival and of any problems encountered. Return restraint equipment to the Robbery Unit in a timely manner.
- C. Immediately upon returning from the trip, call Fiscal Operations to schedule an appointment to reconcile paperwork. Reconciliation must be completed within three working days after the officer's return.
- D. Contact the investigating officer(s) and inform them of any statements the prisoner made regarding the case and prepare a report regarding any interrogation of the prisoner.
- E. If the trip is an informal extradition, a signed waiver must be obtained when picking up the prisoner. If the trip is a formal extradition, the State Agent's Appointment should be obtained. Either the waiver or State Agent's Appointment, as appropriate, should be returned to Fiscal Operations with all other paperwork.

X. EXPENSES

- A. If no travel advance is received prior to travel, extradition officers must have receipts for all out-of-pocket expenses that will be claimed for reimbursement, such as meals, lodging, and rental car.
- B. Hotel bills, airline receipts, and rental car receipts must be retained by extradition officers. No receipts are necessary for meals or airport limousine fares. Officers must obtain a receipt for taxi fares over \$5.00. If officers must purchase other transportation tickets, such as bus, rail, or extra airline, they must obtain a receipt unless the cost is under \$1.00.
- C. Official telephone calls, such as those to the local police department or sheriff's office at a destination location, are reimbursable. Only business calls to the San Diego Police Department regarding the extradition are reimbursable.
- D. The District Attorney's Office will reimburse officers up to \$23.25 per day for meals. Officers may also request reimbursement of an additional \$3.75 for each 24-hour period to cover the cost of any necessary toiletries.

XI. WAIST CHAINS

- A. The following procedure may be used to secure prisoners with waist chains.
1. Wrap the waist chain around the prisoner's waist, looping the small ring at the end through the large ring on the other end. The waist chain should be secured at the waist with the handcuffs positioned one at each of the prisoner. The length of the waist chain can be modified to fit the prisoner, and an additional lock is used to secure the waist adjustment. The prisoner should be already wearing the clothing they will be transported in prior to applying the waist chains.
 2. Determine the best length to lock the waist chain portion of the restraint. The waist chain comes with rings at different lengths so it can adjust to most waist sizes.
 3. Once the correct length is determined, lock the waist chain with a padlock using the rings on the chain to determine the correct adjustment. The padlock should be at the back of the prisoner. Test the lock to be sure it is secured. Check the chain adjustment to ensure it is secure but not too tight.
 4. Place the handcuffs around the prisoner's wrists at each side of their body. Test the handcuffs to be sure they are secure, double locked and not too tight.
 5. Make a final check to ensure the waist chain and handcuffs are adjusted and locked properly. Allow the prisoner to walk with the restraint. Remove the restraint after it is no longer needed.

Appendix A
(Sample Teletype)

Sample Agency Message to TSA

AM.PASO12345.VAFAM0199.*0008000001.TXT
LEOFA
NAM/SMITH, JOE.
AGY/BROWARD SHERIFF'S OFFICE.
BCN/BSO123456.
OFC/LOCAL.
NAO/WASHINGTON, GEORGE.
CRT/YES.
CPN/7031234989.
APN/2023456789.
EIT/PRISONER.
EIN/SMITH, JOHN.
NOA/AMERICAN AIRLINES.
FLN/AA1234.
DOF/122508.
DAP/DCA.
CAP/EWR.
FDA/BOS.

SAMPLE MESSAGE RETURNED TO LEO FOR DAY OF TRAVEL

AM.VAFAM0199.PASO12345.
TXT
FLYING ARMED LEO REQUEST APPROVED. YOUR UNIQUE ID CODE IS: WCD87947
NAME: JOE SMITH
AGENCY: BROWARD SHERIFF'S DEPARTMENT
AUTHORIZING OFFICIAL: GEORGE WASHINGTON
BADGE/CREDENTIAL: BSO123456
HAS DEPARTMENT LETTER: YES
COMPLETED TRAINING: YES
CELL PHONE: 7031234989
ESCORTED INDIVIDUAL TYPE: PRISONER
ESCORTED INDIVIDUAL: SMITH, JOHN
AIRLINE: AMERICAN AIRLINES
FLIGHT NUMBER: AA1234
FLIGHT DATE: 122508
DEPARTING AIRPORT: DCA
CONNECTING AIRPORT: EWR
FINAL DESTINATION AIRPORT: BOS
PRINT OUT THIS REPLY AND PRESENT IT AT THE AIRPORT'S LEO LANE.