

STATE OF MONTANA

Office of the Governor

EXECUTIVE ORDER 5-75

Executive Order defining waiver procedure for return of fugitives to the State of Montana under the Uniform Criminal Extradition Act.

---

Because of the increased workload associated with the extradition process, a definition of the procedure is needed by which county authorities may be granted authority to return a fugitive to the State of Montana when such fugitive has signed a waiver of extradition under the Uniform Criminal Extradition Act, title 95, chapter 21, R.C.M. 1947.

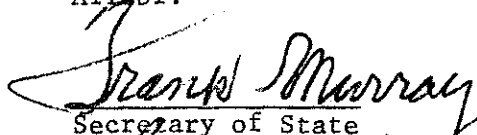
THEREFORE, I, THOMAS L. JUDGE, Governor of the State of Montana, do hereby direct the proper county authorities to fill out a special waiver permission request and submit it to my office. Upon approval of a special waiver permission request, an appointment of agent will then be issued for the return of the fugitive to the State of Montana. The appointment of agent form, a copy of the duly executed waiver of extradition and a certified return subscribed by the agent must be returned to my office upon the return of the fugitive to the State. Proof of all actual and necessary expenses incurred by the agent in returning the fugitive to the State must be submitted to and audited by the Board of Examiners before reimbursement can be obtained.

I also direct the county authorities in all extradition cases to complete an additional manually signed copy of the sheriff's return for submission to my office on each extradition case.

GIVEN under my hand and the Great SEAL of the State of Montana this 16th day of May in the year of our LORD, one Thousand Nine Hundred and Seventy-five.

  
THOMAS L. JUDGE, Governor of the  
State of Montana

ATTEST:

  
Secretary of State

By: , Chief Deputy

5168

Book K-53