

**13-3869. Extradition of persons to and from Indian jurisdiction.**

- A. If this state seeks the extradition of an Indian from within the jurisdiction of an Indian tribe in this state, this state shall comply with any applicable requirements of tribal extradition law.
- B. An Indian tribe that permits extradition by this state of Indians from a tribal jurisdiction may request the extradition of Indians from state jurisdiction pursuant to this section.
- C. An Indian tribe shall direct a demand for extradition to the county attorney of the county in which the person demanded is thought to be located, or if the location of the person is unknown, to the attorney general.
- D. A written demand for extradition by an Indian tribe shall be recognized if the demand is accompanied by both:
1. A copy of a warrant issued for the person.
  2. 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.
- E. The provisions of this article relating to extradition from a state that are not inconsistent with this section apply to extradition by an Indian tribe under this section. The public officer who receives the written demand under this section shall perform the functions of the governor under this article.

**1994**