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May 15, 2003

The Honorable Thomas Collins
Nevada State Assembly Representative
District 1
401 S. Carson Street
Carson City, NV 89701

Re: Information regarding extradition policy on gross misdemeanors

Dear Representative Collins:

I was contacted by the Honorable Judge Donald Mosley with questions regarding policies and procedures on extraditions for gross misdemeanors. He informed me that this information would help you with pending legislation involving criminal penalties regarding poaching.

I can inform you that there are no limitations under NRS 179.177 to 179.235 inclusive, commonly referred to as The Uniform Criminal Extraditions Act.

Any offender charged with a gross misdemeanor can be extradited just like an offender charged with a felony.

I have been informed that at the State level, a decision has been made that the State will not pay for the extradition of defendants charged with a gross misdemeanor or misdemeanor. This is not an issue of statutory authority but, of budgetary restrictions.

However, it is common practice for agencies to pay the fees for the extradition of defendants charged with those offenses out of their separate budgets. It is also common practice to demand extraditions fees be paid by a defendant upon his return to this jurisdiction. Therefore, the effect would be that the defendant would be required to pay his own fees.

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ASSEMBLY NATURAL RES., AGRICULTURE & MINING
DATE: 5/16 ROOM: 3161 EXHIBIT E
SUBMITTED BY: Assem. Collins

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The Honorable Thomas Collins

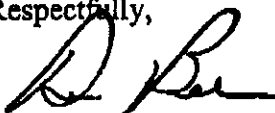
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As for entry into NCIC, I have been informed by the Las Vegas Metropolitan Police Department Certification Section, that there is no restriction on entering gross misdemeanor warrants into NCIC as long as the originating agency is willing to extradite the defendant when he/she is located.

This information will help you in your efforts to determine the appropriate course to take with regard to this new legislation.

Should you have questions or comments, please don't hesitate to contact me.

Respectfully,



DAVID B. BARKER
Chief Deputy District Attorney

DBB/jj