

CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION
EXTRADITION CODE

Section 1. Tribal-State Extradition Agreement

The Confederated Tribes of the Umatilla Indian Reservation shall authorize extradition of Indians from the Umatilla Indian Reservation in accordance with the terms of the Tribal-State Extradition Agreement (which is attached and incorporated by reference hereto) and any subsequent amendments and as further set forth herein.

Section 2. State Warrant for Arrest of Indian Located on the Umatilla Indian Reservation

A. Any warrant for the arrest of an Indian who is located within the boundaries of the Umatilla Indian Reservation which is issued by a court of the State of Oregon or any of its political subdivisions shall be presented to the Chief of the Umatilla Tribal Police or his authorized representative prior to being executed.

B. Upon presentation, the Chief of the Umatilla Tribal Police shall authorize execution of the warrant by officers of the Tribal Police alone or in the company of officers of the presenting agency.

C. Upon execution of the warrant, the person arrested shall be held pending a hearing the Umatilla Tribal Court on the validity of the warrant.

Section 3. Extradition Hearing

A. The Umatilla Tribal Court shall hold a hearing on the validity of a warrant for extradition within 72 hours from the time of the arrest.

B. At the hearing the Court shall advise the person arrested of his rights and ask the person if he is willing to waive extradition. If extradition is waived the Court shall inform the person of his right to habeas corpus and issue an order releasing the person to the requesting jurisdiction.

C. If the person being held does not waive extradition the Court shall proceed with the extradition hearing by determining whether:

(1) A certified, exemplified copy of the warrant has been transmitted from the requesting jurisdiction; and

(2) The person named in the warrant is in fact the person being held for extradition.

D. If the Court determines that the warrant is valid and that the person identified in the warrant is the person being held for extradition, the Court shall issue an order releasing the person to the requesting jurisdiction.

E. If the Court determines that the Warrant is not valid, or that the person being held is not the person identified in the warrant, the Court shall issue an order releasing the person from custody.

Section 4. Warrant from State Other Than Oregon

Any warrant for the arrest of an Indian who is within the boundaries of the Umatilla Indian Reservation which is issued by a Court of a State other than Oregon shall be executed as if it were a warrant from the State of Oregon.