

1 S.87

2 Representative LaLonde of South Burlington moves that the House propose
3 to the Senate that that the bill be amended in Sec. 3, 13 V.S.A. § 4967, by
4 inserting subsections (d)–(f) to read as follows:

5 (d)(1) When a person who is alleged to have broken the terms of the
6 person’s probation, parole, bail, or any other release from a demanding state is
7 brought to a correctional facility for detention, the arresting law enforcement
8 officer shall provide the supervising officer of the correctional facility with a
9 written statement alleging that:

10 (A) the person has broken the terms of the person’s probation, parole,
11 bail, or any other release from a demanding state;

12 (B) the demanding state has issued an extraditable arrest warrant for
13 the person; and

14 (C) the person has signed a waiver of extradition.

15 (2) The written statement from the law enforcement officer shall be a
16 sufficient warrant for detaining the person.

17 (3) The Department of Corrections shall have the authority to hold the
18 person pending the delivery of the person to the demanding state subject to the
19 provisions of subsection (c) of this section.

20 (e) If the person is not delivered to the demanding state within 14 days
21 from date the Department of Corrections takes custody of the person pursuant

1 to subsection (d) of this section, the Department shall notify the arresting
2 agency to file a fugitive from justice complaint and the person shall appear
3 before the next available judge pursuant to section 4953 of this title.

4 (f) If at any time, the Department of Corrections discovers an error in the
5 pre-signed waiver of extradition, the Department shall notify the arresting
6 agency to file a fugitive from justice complaint and the person shall appear
7 before the next available judge pursuant to section 4953 of this title. If the
8 person does not appear in front of a judge within the next business day, the
9 Department of Corrections shall immediately release the person.