

Executive Order 2000-01

(January 12, 2000)

WHEREAS, the Governor of South Carolina is vested with the authority to determine pursuant to the United States Constitution, Article IV, §2, S.C. Code Ann §§17-9-10, et seq., and the common law, whether or not to extradite a fugitive from justice; and

WHEREAS, pursuant to such laws the Governor can determine procedures to be followed in extradition matters; and

WHEREAS, the State of Arkansas, pursuant to its statutory law, §16-94-206, Absence of fugitive from other state when crime committed, has adopted extradition provisions that would allow South Carolina to extradite persons in Arkansas that have committed an act in Arkansas that intentionally resulted in a crime in South Carolina; and

WHEREAS, the State of Arkansas has adopted a statutory provision, §5-1-104, Territorial Applicability, that subjects a person to Arkansas' criminal laws and jurisdiction that commits conduct outside of its State that constitutes an attempt, conspiracy to commit, or commission of an offense within its State.

NOW, THEREFORE, I, Jim Hodges, as Governor of South Carolina, direct by this Order that pursuant to the principles of comity and full faith and credit in the United States Constitution, the State of South Carolina for the reasons as stated above, does recognize that any person committing an act in this State, intentionally resulting in a crime in the State of Arkansas, whose executive authority is making the demand, shall be subject to the extradition laws of the State of South Carolina, and the Governor of this State may surrender, on demand of the executive authority, any person so charged.

This Order takes effect immediately.