

# Supreme Court of Virginia- Office of the Executive Secretary

## Extradition Cost Reimbursement Guidelines



- I. PURPOSE: The following guidelines have been adopted to outline extradition cost reimbursement by the Supreme Court of Virginia.
- II. APPLICABILITY These guidelines apply to agents of state or local law enforcement agencies responsible for the return to Virginia of a person who is charged with a crime in the state but has fled to another state. It also provides for the release to the custody of another state of a defendant found in Virginia who is charged with an offense in the other state.
- III. AUTHORITY Code of Virginia § 19.2-112- Costs and Expenses of Extradition
- IV. DEFINITIONS:
- Traveler State or local law enforcement agent incurring expenses while traveling for the purpose of extraditions.
- V. RELATED DOCUMENTS AND LINKS
- Chart of Allowances
  - Code of Virginia § 19.2-85 et seq- Uniform Criminal Extradition Act
  - Form DA-02-041 Travel Expense Reimbursement Voucher
  - [GSA Per Diem Rates \(Lodging Rates Only\)](#)
  - CAPP Manual Topic No. 20335- State Travel Regulations
- VI. GUIDELINES:
- A. General Provisions
1. Code of Virginia § 19.2-112- Costs and Expenses of Extradition
    - a. The expenses incident to the extradition of any person under the four preceding sections may be paid out of the state treasury, on warrants of the Comptroller issued upon vouchers signed by the Governor, or such other person as may be designated by him for such purpose.
    - b. If the person extradited is found guilty, or if the person was extradited after illegally leaving the Commonwealth while on parole or on probation, the person extradited, and not the Commonwealth, shall be responsible for the costs and expenses of extradition. The state treasury shall continue to reimburse local jurisdictions for the costs and expenses of extradition. The fugitive shall pay the costs and expenses of his extradition into the state treasury.
  2. Extradition Approval Procedures

All extradition requests are reviewed by the Extradition Specialist in the Office of the Secretary of the Commonwealth to ensure that they are complete and comply with the requirements of the asylum state. Once the documents are complete, the Governor formally requests the extradition. If the extradition is granted, the Governor signs Travel Orders that authorizes law enforcement

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officers, designated by the local Commonwealth's Attorney, to retrieve the fugitive. A substitution for the officers named in the Travel Order may only be made when granted and documented by the Governor's Office. The Secretary of the Commonwealth must be contacted for any requested change and documentation outlining the changes must be submitted with the Travel Reimbursement Voucher.

### 3. General Guidelines

The Supreme Court of Virginia maintains the responsibility for establishing the policies and procedures used for reimbursing law enforcement agencies who incur extradition costs. Law enforcement officers are required to submit a Travel Expense Reimbursement Voucher to the Supreme Court of Virginia to receive reimbursement. The Fiscal Department provides the Extradition Specialist with the Extradition Cost Reimbursement Guidelines each year to be shared with law enforcement officers. The requirements were developed to ensure financial accountability of state funds and to standardize the reimbursement process.

The Office of the Executive Secretary will reimburse travelers for reasonable and necessary expenses while traveling on official business conducting an extradition. When possible, travelers should plan and estimate the cost of the trip including mileage, lodging, meals and incidentals, plane or rail tickets, etc. It is the responsibility of the traveler to reduce cost and find the most cost-beneficial means of travel. Travel costs are limited to only those expenses that are necessary for providing essential services to the Commonwealth.

All requests for payment of fees or for travel or other expenses should be submitted to Fiscal Services no later than thirty (30) days after the service or travel is completed. If the Travel Expense Reimbursement Voucher is over one year old, you must attach a letter of explanation as to why the voucher is being submitted late and vouchers over two years old will not be processed.

#### B. Allowed Expenses- (Itemized receipts are required for all expenses)

- Lodging, Meals, and Transportation in accordance with guidelines listed below
- Taxes, fees (e.g., baggage fees, travel agency fees) and surcharges
- Business Telephone Calls
- Internet Access, Hotel Business Center Charges, and Facsimiles
- Tolls and Parking

#### C. Disallowed Expenses

- Fees to upgrade from self-parking to valet parking
- Rental car fuel service charges
- Lost or stolen articles
- Alcoholic beverages
- Damage to personal vehicles, clothing, or other items
- Services to gain entry to a locked vehicle
- Movies charged to hotel bills
- All expenses related to the personal negligence of the traveler, such as fines
- Entertainment expenses
- Travel Insurance (Personal injury or loss, trip interruption / cancellation, etc.)

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- Towing charges
- Personal items for prisoner (clothing, toiletries, etc.)

### D. Travel Planning and Authorization

If the anticipated mileage is greater than 500 miles round trip it may be presumed that air travel is the most efficient use of resources and a cost/benefit analysis will not be required. If the mileage is less than 500 miles round trip and air travel is used, a cost/benefit analysis must be completed and submitted with the travel reimbursement. All travel costs (including meals, lodging, parking, ground transportation, etc.) should be considered and reimbursement may be limited to the most cost-efficient option if there is not sufficient support for utilizing the more expensive travel method (flying vs driving).

### E. Voucher Preparation and Submission Guidelines

All travel expense reimbursement requests must be submitted by completing a Travel Expense Reimbursement Voucher (Form DA-02-041) and all required documentation must be submitted with the voucher. By signing the Travel Expense Reimbursement Voucher, the traveler is certifying the accuracy of all information, the legitimacy of the travel, and the appropriateness of the expenses. The signature of the traveler's supervisor certifies that he/she agrees that the travel was necessary, and the requested reimbursements are appropriate. When the safety of the officers or the prisoner is at stake, a detailed explanation must be attached for consideration of exceptions that clearly demonstrate the business necessity of the additional costs.

Travel Orders (obtained from the Secretary of the Commonwealth) must be attached to the Travel Reimbursement Voucher. The Locality's name and vendor ID (Tax ID) must be included in the vendor section of the voucher. Payment will be wired to the locality and will start with invoice number "EXTR" with the prisoner's name in the description field. Original signatures are required and forms with electronic signatures or signature stamps will be returned to the traveler.

Documentation such as Travel Orders, receipts (where applicable), and exception approvals must be included in the request for reimbursement. Itemized lodging receipts that reflect the traveler's name (or party who booked the room), hotel address, date(s) of stay, and a zero balance are required.

The hour of departure (from duty station) and the hour of arrival (back to duty station) must be indicated on each voucher. The prisoner's name must be indicated on each voucher. Indicate 'Extradition Expense – 19.2-112 Code of Virginia' in the bottom left-hand corner of the voucher. The traveler must sign the Travel Expense Reimbursement Voucher in the upper right-hand corner.

#### Documentation Requirements

- Signed Travel Order (obtained from the Secretary of the Commonwealth)
- Completed Form DA-02-041 Travel Expense Reimbursement Voucher
- Itemized receipts for all expenses (lodging, meals, automobile rental, airfare and/or other mode of transportation, etc.).
- If necessary, justification for unusual charges
- If necessary, cost/benefit analysis

Mail the completed travel voucher with Travel Order and required documentation to:

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Supreme Court of Virginia  
100 N 9th Street, Third Floor  
Richmond, VA 23219-2334

### F. Guidelines for Allowable Expenses

#### 1. Lodging

All lodging rates are governed by current U.S. General Services Administration (GSA) rates. The traveler must search for the travel destination using the search criteria on the website: <https://www.gsa.gov/travel/plan-book/per-diem-rates>. If a location is not listed in the GSA table, the standard rate applies. Home-sharing networks such as Airbnb, HomeAway, and VRBO are not acceptable for business travel.

Lodging guidelines for all travel destinations (in-state and out-of-state) are provided in the Lodging Rates section of the GSA website. The appropriate rate is determined by the physical location (county or city) of the hotel and not the mailing address. When overnight stays are required while on travel status, first preference shall be given to selecting lodging in the economy class. Check, request, and confirm government rates both at the time reservations are made and during check-in. Written justification must be included with the Travel Expense Reimbursement Voucher if the traveler stays more than one night.

Reimbursement for lodging is limited to actual expenses incurred up to the guideline amount, plus hotel taxes, fees, and surcharges. Travelers who do not plan with careful consideration to these guidelines will bear the additional expense personally. In such cases, taxes and surcharges will be prorated and reimbursed only for the appropriate rate.

Lodging Exceptions- Chief Justice, Executive Secretary, or Fiscal Director approval is required to exceed the GSA rate.

#### 2. Meals

Meals are reimbursed for travelers who stay overnight or when the mileage is greater than 100 miles each way. Meals are reimbursed on an actual basis up to the following rates and reimbursements require itemized receipts that include the name and address of the restaurant, as well as the date, and time. Rolling over or combining meal allowances is not permitted. The allowed amounts include taxes and gratuities:

	<b>Breakfast</b>	<b>Lunch</b>	<b>Dinner</b>
<b>In-State/Out of State</b>	\$13.00	\$15.00	\$26.00

To be reimbursed for breakfast expenses, the traveler must, out of business necessity, leave home before 6:30 a.m. To be reimbursed for lunch expenses, the traveler must, out of business necessity, leave their official station before 11:00 a.m. or return to their official station after 2:00 p.m. To be

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reimbursed for dinner expenses, the traveler must, out of business necessity, be unable to return home before 7:30 p.m.

If a traveler is authorized to stay overnight but chooses not to do so, they may be reimbursed for each allowable meal claimed. Any meals provided by hotels must be listed on the voucher and may not be claimed on the reimbursement. If a meal is offered but does not meet the traveler's medical or dietary restrictions, they may notate "dietary or medical restrictions" on their reimbursement request and claim that meal.

### 3. Transportation

Current Mileage Rate as of 1/1/2024- 67 cents/mile

Mileage rates are approved by the Executive Secretary and published by the Fiscal Director at the beginning of each calendar year or when there are changes published by the Internal Revenue Service. Prior to the start of any trip where the expected means of travel is a personal vehicle, the traveler should calculate the anticipated round-trip mileage.

Roundtrip mileage for business travel is calculated based on the shortest practical route to and from the destination from their base point. The cost for roundtrip mileage by a traveler between his/her residence and the office/building/court(s) where the traveler performs his/her duties on a routine basis is considered a personal expense and is not reimbursable.

Airfare and Rail- Travelers shall acquire airfare tickets on their own or via a travel agent. Rail tickets must be purchased by the traveler and are reimbursable through the Travel Expense Reimbursement Voucher. Generally, airline and rail travel cannot exceed the rates charged for tourist or coach class accommodations and any add-ons such as seat or class upgrades will not be reimbursed.

### 4. Vehicle Rentals

Rental vehicles are used only when necessary and the traveler must select the most economical vendor and type of vehicle available. Check, request, and confirm government rates both at the time reservations are made and during check-in. Luxury/specialty vehicle use is generally not allowed and must be justified on a separate statement with the Travel Expense Reimbursement Voucher. When rental vehicles are used, travelers will be reimbursed for actual expenses rather than mileage rates; therefore, final receipts for the car rental and an accurate accounting of gas purchases must be submitted with the travel voucher in lieu of mileage. Gas receipts should be entered individually on the travel voucher under the "Other Expenses" column.

Travelers must ensure that the rental vehicle is refueled before returning the vehicle to the rental contractor. Extradition guidelines allow for reimbursement of Liability Damage Waiver (LDW) and Collision Damage Waiver (CDW) if the traveler is a non-state employee. Travelers are responsible for operating the rental cars in a safe and responsible manner.

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### Questions:

- Questions regarding the reimbursement process and eligible expenses should be addressed to Mrs. Mary Gilbert (Accounts Payable Administrator for the Supreme Court of Virginia).
  - By Mail – See Address Above
  - By Phone - (804) 225-3346
  - By Email – [mgilbert@vacourts.gov](mailto:mgilbert@vacourts.gov)
  
- Questions regarding the travel orders from the Secretary of the Commonwealth should be addressed to Christopher Frink (Director of Extraditions for the Secretary of the Commonwealth).
  - By Phone – (804) 692-0116
  - By Email – [Chris.Frink@governor.virginia.gov](mailto:Chris.Frink@governor.virginia.gov)

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## **Policy Change History**

Revision Date	Author	Description
1/1/2023	Wenzig/Shaver	Policy revised and published
7/1/2023	Wenzig/Shaver	Cost/benefit analysis requirements updated; Travel order documentation requirements updated
1/1/2024	Wenzig/Shaver	Mileage rates updated