



STATE OF ALABAMA
Department of Finance
Office of the State Comptroller

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Deputy State Comptroller

MEMORANDUM

TO: All County Sheriffs

FROM: Thomas L. White, Jr.
State Comptroller 

DATE: August 4, 2014

RE: Travel Reimbursement for Removals/Extraditions

The State Comptroller's Office has received legal advice and guidance regarding payments to Sheriffs for prisoner removals and extraditions. Code of Alabama, Section 15-9-62 provides that:

“When the punishment of the crime shall be the confinement of the criminal in the penitentiary or death, the expenses incurred in bringing an accused back to the State of Alabama shall be paid out of the State Treasury, on the certificate of the Governor and warrant of the Comptroller. In all other cases, they shall be paid out of the county treasury in the county wherein the crime is alleged to have been committed....”

Several counties throughout the State have submitted claims to my office for transporting an accused person between counties or a prisoner from the penitentiary to a court proceeding. The only statute that directs the state to pay expenses to the Sheriff for defendant/accused transport is for inter-state transportation as the result of an extradition or waiver of extradition.

Effective September 1, 2014, the State Comptroller's Office will only reimburse those expenses for inter-state extractions pursuant to the Code of Alabama and the policies and procedures set out by the Department of Finance and the Governor's Office. Currently Title 15-9-62, of the Code of Alabama allows the following:

“the sheriff or other agent shall receive \$8.00 per day while going to and returning from the place where the prisoner is arrested or confined and actual necessary expenses, including expenses of transportation; if train or bus is used, actual cost of transportation shall be allowed, but if the trip is made in the personal car of the sheriff or other agent of the state there shall be allowed for transportation \$.10 for each mile traveled. There shall also be allowed the fees paid to the officers of the state on whose Governor the requisition is made.”

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The State will pay the Sheriff up to the maximum amount set by the Governor for meals for out of state travel, pursuant to the September 13, 2011 memo sent to your office. This memo can be found on my web-site at: www.comptroller.alabama.gov.

Enclosed is a new form for you to use when submitting your extradition claims. If you have any questions, please feel free to contact Pam Harris at (334) 242-4225 or Kim Butterbaugh (334) 242-7073.

TLWjr/ph

Enclosure