

A RESOLUTION TO REAFFIRM FEDERAL CONSTITUTIONAL PROVISIONS FOR THE RETURN OF FUGITIVES FROM JUSTICE TO THE STATES HAVING JURISDICTION OF CRIME COMMITTED.

The United States Constitution provides that full faith and credit shall be given in each State to the public acts, records, judicial proceedings of every other state, and it further provides for the trial of all crimes except cases of impeachment by a jury and that such trial shall be held in the State where the specific crime has been committed, and specifically that a person charged in any state with treason, felony or other crime, who shall flee from justice and be found in another state shall on demand of the executive authority of the State from which he fled, be delivered up, and be removed to the State having jurisdiction of the crime.

These Constitutional provisions which have been in effect since 1789 are now being violated in numerous instances, and such disregard of Constitutional provisions forms a definite threat to the successful punishment of crime, and to the power of the individual state to control crime within its own realm by depriving the offended state of its Constitutional function of prosecution and punishment, and tends to create a haven for criminals in states which show disrespect for the United States Constitution in the matter of delivery of fugitives from justice.

The Southern Governors' Conference therefore believes;

1. That there exists an urgent need for corrective action to forestall this dangerous threat to the judicial rights of the individual states.
2. That every state in the nation should respect and carry out the provisions of the United States Constitution relating to the delivery of fugitives from justice.
3. That the Council of State Governments be requested to make a thorough study of this problem with a view to the creation of means and methods for ending such disregard of Constitutional authority.
4. That a copy of this resolution be forwarded to the Governor and Attorney General of each State in the United States, and the Administrator of the Council of State Governments.