

1 **Rule 9A Procedures for persons arrested pursuant to an arrest warrant.**

2 (a)(1) For purposes of this rule an “arrest warrant” means a warrant issued by a judge pursuant to
3 Rule 6(c), or after a defendant’s failure to appear at an initial appearance or arraignment after
4 having been summoned.

5 (a)(2) An “arrest warrant” does not include a warrant issued for failing to appear for a subsequent
6 court proceeding or for reasons other than those described in subsection (a)(1).

7 (b)(1) When a peace officer or other person arrests a defendant pursuant to an arrest warrant and
8 the arrested person cannot ~~provide any condition or security required~~ meet the release conditions
9 required by the judge or magistrate issuing the arrest warrant, the person arrested must be
10 presented to a magistrate within 48 hours after arrest. The information provided to the magistrate
11 must include the case number, and the results of any validated pretrial risk assessment.

12 (b)(2) If the time periods in this subsection (b) expire on a weekend or legal holiday, the period
13 expires at 5:00pm on the next business day.

14 (c) With the results of a pretrial risk assessment, and having considered the factors that caused
15 the court to issue an arrest warrant in the first place, the magistrate may modify the release
16 conditions.

17 (d) Any defendant who remains in custody after the review process must be seen by the court
18 issuing the arrest warrant no later than the third day after the arrest.

19 (e) If the arrested person meets the release conditions, ~~or provides the security~~ required by the
20 arrest warrant, the person must be released and instructed to appear as required in the issuing
21 court.

22 (f) Any posted security must be forwarded to the court issuing the arrest warrant.

23 | Effective ~~November 18, 2019~~ October 1, 2020