

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

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

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

13 (b)(2) When a peace officer or other person arrests a defendant pursuant to a warrant
14 issued for reasons other than those described in paragraph (a)(1), and the defendant
15 cannot meet the release conditions required by the judge or magistrate issuing the
16 warrant, the court will set a bench warrant hearing within seven days of the arrest date.
17 If the defendant was arrested in the county where the warrant was issued, the court will
18 hold the bench warrant hearing within 14 days of the arrest date. If the defendant was
19 arrested outside the county where the warrant was issued, the court will hold the bench
20 warrant hearing within 30 days of the arrest date.

21 (b)(~~2~~3) If the time periods in ~~this subsection~~ paragraph (b) expire on a weekend or legal
22 holiday, the period expires at 5:00pm on the next business day.

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

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

28 (e) If the ~~arrested person~~ defendant meets the release conditions required by the arrest
29 warrant, the ~~person~~ defendant must be released and instructed to appear as required in
30 the issuing court.

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