

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 14

Session of
1991

INTRODUCED BY CALTAGIRONE, LaGROTTA, SAURMAN, GIGLIOTTI, DALEY,
KOSINSKI, STABACK, LAUGHLIN, HALUSKA, GODSHALL, KRUSZEWSKI,
BELFANTI, ANGSTADT, BOYES, JOHNSON, M. N. WRIGHT, WOGAN,
HERMAN, SURRA AND KASUNIC, JANUARY 15, 1991

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 15, 1991

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for the arrest
3 and detention of persons wanted in other counties.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Chapter 91 of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subchapter to read:

8 CHAPTER 91

9 DETAINERS AND EXTRADITION

10 * * *

11 SUBCHAPTER C

12 INTER-COUNTY DETENTION

13 Sec.

14 9161. Arrest prior to requisition.

15 9162. Arrest without a warrant.

16 9163. Commitment to await requisition.

17 9164. Bail.

1 § 9161. Arrest prior to requisition.

2 Whenever any person within this Commonwealth shall be charged
3 on the oath of any credible person before any judge or issuing
4 authority of this Commonwealth with the commission of any crime
5 in any other county of this Commonwealth, with having fled from
6 justice or having been convicted of a crime in that county and
7 having escaped from confinement or having broken the terms of
8 his bail, probation or parole, or whenever complaint shall have
9 been made before any judge or issuing authority in this
10 Commonwealth, setting forth on the affidavit of any credible
11 person on information received by way of computer check or other
12 means of electronic communication, or upon affidavit of a
13 credible person from the charging county that a crime has been
14 committed in such other county and that the accused has been
15 charged in such county with the commission of the crime, and has
16 fled from justice or with having been convicted of a crime in
17 that county and having escaped from confinement or having broken
18 the terms of his bail, probation or parole, and is believed to
19 be elsewhere in this Commonwealth, the judge or issuing
20 authority shall issue a warrant directed to any peace officer
21 commanding him to apprehend the person named therein wherever he
22 may be found in this Commonwealth and to bring him before the
23 same or any other judge or issuing authority who or which may be
24 available in, or convenient of, access to the place where the
25 arrest may be made to answer the charge or complaint and
26 affidavit, and a certified copy of the sworn charge or complaint
27 and affidavit upon which the warrant is issued shall be attached
28 to the warrant.

29 § 9162. Arrest without a warrant.

30 The arrest of a person may be lawfully made by any peace

1 officer or a private person without a warrant upon reasonable
2 information that the accused stands charged in the courts of
3 another county of this Commonwealth with a crime punishable by
4 death or imprisonment for a term exceeding one year, but when so
5 arrested the accused must be taken before a judge or issuing
6 authority with all practicable speed, and complaint must be made
7 against him under oath setting forth the ground for the arrest
8 as in section 9161 (relating to arrest prior to requisition),
9 and thereafter his answer shall be heard as if he had been
10 arrested on a warrant.

11 § 9163. Commitment to await requisition.

12 If from the examination before the judge or issuing authority
13 it appears that the person held is the person charged with
14 having committed the crime alleged, and that he has fled from
15 justice, the judge or issuing authority must, by a warrant
16 reciting the accusation, commit him to the county jail for such
17 a time, not exceeding ten days, and specified in the warrant, as
18 will enable the arrest of the accused to be made under a warrant
19 of the charging county unless the accused gives bail as provided
20 in section 9164 (relating to bail), or until he shall be legally
21 discharged.

22 § 9164. Bail.

23 Unless the offense with which the prisoner is charged is
24 shown to be an offense punishable by death or life imprisonment
25 under the laws of this Commonwealth, a judge or issuing
26 authority in this Commonwealth may admit the person arrested to
27 bail by bond with sufficient sureties and in such sum as he
28 deems proper, conditioned for his appearance before him at a
29 time specified in such bond and for his surrender to be arrested
30 upon the warrant of the county in which the offense was

1 committed.

2 Section 2. This act shall take effect immediately.