

## 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, KASUNIC AND MIHALICH, JANUARY 15, 1991

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
FEBRUARY 11, 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:

## CHAPTER 91

## DETAINERS AND EXTRADITION

\* \* \*

## SUBCHAPTER C

## 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 9165. PAYMENT OF COSTS AND EXPENSES.

2 § 9161. Arrest prior to requisition.

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

30 § 9162. Arrest without a warrant.

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

12   § 9163. Commitment to await requisition.

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

23   § 9164. Bail.

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

1 upon the warrant of the county in which the offense was  
2 committed.

3 § 9165. PAYMENT OF COSTS AND EXPENSES. <—

4 ALL COSTS AND EXPENSES SHALL BE PAID OUT OF THE COUNTY  
5 TREASURY IN THE COUNTY WHEREIN CHARGES WERE FILED IN CONNECTION  
6 WITH THE ALLEGED CRIME.

7 Section 2. This act shall take effect immediately.