6-03/140.00 Arraignment

Penal Code 825(a) requires defendants be arraigned without unnecessary delay, and in any event, within 48 hours after his/her arrest. No later than the second court day following their arrest, irrespective of the time of day or night of the arrest, inmates must be arraigned in accordance with the following guide.

Day of Arrest	Time of Arrest	Day and Time Due Out	
Monday	0001 to 2400	Wednesday	1600
Tuesday	0001 to 2400	Thursday	1600
Wednesday	0001 to 2400	Friday	1600
Thursday	0001 to 2400	Monday	1600
Friday	0001 to 2400	Monday	1600
Saturday	0001 to 2400	Tuesday	1600
Sunday	0001 to 2400	Tuesday	1600
Holiday*	0001 to 2400	Arraignment by end of 2nd court day	

*Time commences at 0001 of the day following the holiday, i.e. an inmate who is arrested on December 25, would be arraigned on the second court day following the holiday, therefore the arrestee would have to be arraigned no later than 1600 hours on December 27.

The time of arrest is no longer used to compute "Due-out" times. It is based upon judicial interpretation of Penal Code section 825(a) which requires every in-custody inmate, whatever time of day or night arrested, to be arraigned not later than some time when court is in session on the second court day (i.e., excluding Sundays and holidays) following the calendar day of arrest.

Note: no alternative arraignments schedules are allowed.