

6-04/020.30 Arrest

The sheriff should not arrest the person, assuming that release on a promise to appear is not authorized, unless the arrestee can be brought before the issuing court or nearest magistrate within twelve hours of the arrest. If not timely produced in court, the person must be released from custody. 1993 (b) (7) CCP

1993 CCP (cited in part)

(b) The warrant shall contain . . . :

(7) A command to bring the person to be arrested before the issuing court, or the nearest court if in session, for the setting of bail in the amount of the warrant or to release on the person's own recognizance. Any person so arrested shall be released from custody if he or she cannot be brought before the court within 12 hours of arrest, and the person shall not be arrested if the court will not be in session during the 12-hour period following the arrest.
