

1           **Rule 9A Procedures for persons arrested pursuant to an arrest warrant.**

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

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

8           (b)(1) When a peace officer or other person arrests a defendant pursuant to an arrest  
9           warrant and the arrested person cannot provide any condition or security required by the  
10          judge or magistrate issuing the arrest warrant, the person arrested must be presented to a  
11          magistrate within ~~24~~ 48 hours after arrest. The information provided to the magistrate  
12          must include the case number, and the results of any validated pretrial risk assessment.

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

15          (c) With the results of ~~the~~ a pretrial risk assessment, and having considered the factors  
16          that caused the court to issue an arrest warrant in the first place, the magistrate may  
17          modify the release conditions.

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

20          (e) If the arrested person meets the conditions, or provides the security required by the  
21          arrest warrant, the person must be released and instructed to appear as required in the  
22          issuing court.

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

24          Effective November 18, 2019