

§215. Commitment to await requisition

If, from the examination by the judge or magistrate of the complaint, affidavits in support thereof, formal charging documents or judgments supplied by the demanding state or any other evidence, including reliable hearsay evidence that may be presented, it appears that the person held is the person charged with having committed the crime alleged and that there is probable cause to believe that the person committed the crime, and that the person is a fugitive from justice, the judge or magistrate shall continue the case and may commit the person to jail, by a warrant specifying the accusation, for any time not exceeding 60 days that enables the arrest of the accused to be made under a warrant of the Governor on a requisition of the executive authority of the state having jurisdiction of the offense. [RR 2023, c. 2, Pt. D, §21 (COR).]

The following shall be conclusive on the issue of probable cause: [PL 1977, c. 671, §13 (NEW).]

1. Indictment or information. An indictment or an information issued upon a waiver of indictment; or
[PL 1977, c. 671, §13 (NEW).]

2. Charging instrument or warrant. An information or other formal charging instrument or an arrest warrant when they are issued upon a determination of probable cause by a judicial officer in the demanding state.
[PL 1979, c. 274, §5-A (AMD).]

The examination shall take place within a reasonable time after arrest, not to exceed 30 days, if the person held has not been admitted to bail, as provided in section 216. [PL 1977, c. 671, §13 (NEW).]

SECTION HISTORY

PL 1977, c. 671, §13 (RPR). PL 1979, c. 274, §§5-A (AMD). RR 2023, c. 2, Pt. D, §21 (COR).

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