

9-111. NONCOMPLIANCE WITH DELIVERY PROCEDURES.

(A) IN GENERAL.

AN OFFICER MAY NOT DELIVER TO THE AGENT FOR EXTRADITION OF THE DEMANDING STATE A PERSON IN THE OFFICER'S CUSTODY UNDER THE GOVERNOR'S WARRANT IN WILLFUL DISOBEDIENCE TO § 9-110 OF THIS TITLE.

(B) PENALTY.

A PERSON WHO VIOLATES SUBSECTION (A) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH.

(C) VENUE.

THE TRIAL OF A CASE BROUGHT FOR A VIOLATION OF THIS SECTION SHALL BE CONDUCTED IN THE CIRCUIT COURT OF THE COUNTY IN WHICH THE VIOLATION WAS COMMITTED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 2-211.

This section is revised in the standard language used to express a prohibition and a penalty.

The Criminal Procedure Article Review Committee notes, for consideration of the General Assembly, that subsection (c) of this section does not give jurisdiction to the District Court. Considering that the misdemeanor created by this section carries relatively small penalties, the General Assembly may wish to amend subsection (c) to allow cases to be brought in the District Court.

Defined terms: "County" § 1-101

"Person" § 1-101

"State" § 9-101

9-112. CONFINEMENT IN CORRECTIONAL FACILITY WHEN NECESSARY.

(A) TEMPORARY CUSTODY OF PRISONER ARRESTED IN THIS STATE.

(1) THE OFFICER OR PERSON EXECUTING THE GOVERNOR'S WARRANT OF ARREST OR THE AGENT OF THE DEMANDING STATE TO WHOM THE PRISONER MAY HAVE BEEN DELIVERED MAY, WHEN NECESSARY, CONFINE THE PRISONER IN THE CORRECTIONAL FACILITY OF ANY COUNTY OR MUNICIPAL CORPORATION THROUGH WHICH THE OFFICER, PERSON, OR AGENT MAY PASS.

(2) THE MANAGING OFFICIAL OF THE CORRECTIONAL FACILITY MUST RECEIVE AND SAFELY KEEP THE PRISONER UNTIL THE OFFICER, PERSON, OR AGENT HAVING CHARGE OF THE PRISONER IS READY TO PROCEED.

(3) THE OFFICER, PERSON, OR AGENT IS CHARGEABLE WITH THE EXPENSE OF KEEPING THE PRISONER.