

The former specific reference to "the contents" of reports is deleted in light of the general reference to "the report".

Defined term: "Department" § 2-101

2-310. CONFINEMENT OF ARRESTEES.

(A) IN GENERAL.

UNLESS SUFFICIENT FACILITIES ARE NOT AVAILABLE, THE MANAGING OFFICIAL OF A CORRECTIONAL FACILITY SHALL RECEIVE AND CONFINED AN INDIVIDUAL ARRESTED BY A POLICE EMPLOYEE WITHOUT WARRANT OR ON WARRANT FROM A COUNTY.

(B) CUSTODY OF DEPARTMENT; RELEASE.

(1) AN INDIVIDUAL CONFINED UNDER SUBSECTION (A) OF THIS SECTION:

(I) IS DEEMED TO BE IN THE CUSTODY OF THE DEPARTMENT; AND

(II) SHALL REMAIN CONFINED UNTIL A COURT OF COMPETENT JURISDICTION ISSUES A WARRANT OR OTHER PROCESS, OR THE INDIVIDUAL IS RETURNED TO THE COUNTY.

(2) BEFORE THE ISSUANCE OF A WARRANT OR PROCESS, AN INDIVIDUAL CONFINED UNDER SUBSECTION (A) OF THIS SECTION MAY BE RELEASED ONLY TO AND ON WRITTEN ORDER OF A POLICE EMPLOYEE.

(C) PROMPT ARRAIGNMENT.

(1) THIS SECTION DOES NOT ABRIDGE THE RIGHT OF AN INDIVIDUAL TO BE TAKEN BEFORE A JUDICIAL OFFICER OF THE STATE PROMPTLY AFTER ARREST.

(2) THE MANAGING OFFICIAL OF A CORRECTIONAL FACILITY IN WHICH AN INDIVIDUAL IS CONFINED UNDER THIS SECTION, SHALL NOTIFY THE STATE'S ATTORNEY IMMEDIATELY IF THE INDIVIDUAL IS CONFINED FOR MORE THAN 12 HOURS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 88B, § 25.

Throughout this section, references to an "individual" are substituted for the former references to a "person" because only an individual, and not the other entities included in the defined term "person", can be confined in a correctional facility.

In subsections (a) and (b)(1)(ii) of this section, references to a "county" are substituted for the former references to "another county" and "such other county" because only one county is referred to in this section.

In subsections (a) and (c)(2) of this section, the references to a "managing official" of a "correctional facility" are substituted for the former references to a "person having charge of" a "jail or other place of detention" for