

IC 35-33-3

Chapter 3. Uniform Act on Fresh Pursuit

IC 35-33-3-1

Officer of another state in fresh pursuit; authority to arrest in this state

Sec. 1. Any member of a duly organized state, county or municipal peace unit of another state who enters this state in fresh pursuit, and continues within this state in such fresh pursuit of a person in order to arrest him on ground that he is believed to have committed a felony in the other state, shall have the same authority to arrest and hold such person in custody as has any law enforcement officer of this state to arrest and hold in custody a person on the ground that he is believed to have committed a felony in this state.
As added by Acts 1981, P.L.298, SEC.2.

IC 35-33-3-2

Hearing before judge; commitment for extradition or discharge

Sec. 2. If an arrest is made in this state by an officer of another state in accordance with the provisions of section 1 of this chapter, he shall, without unnecessary delay, take the person arrested before a judge of the county in which the arrest was made. The judge shall conduct a hearing for the purpose of determining the lawfulness of the arrest. If the judge determines that the arrest was lawful, he shall commit the person arrested to await for a reasonable time the issuance of an extradition warrant by the governor of this state. If the judge determines that the arrest was unlawful, he shall discharge the person arrested.

As added by Acts 1981, P.L.298, SEC.2.

IC 35-33-3-3

Lawfulness of arrest

Sec. 3. Section 1 of this chapter shall not be construed so as to make unlawful any arrest in this state which otherwise would be lawful.

As added by Acts 1981, P.L.298, SEC.2.

IC 35-33-3-4

"State" defined

Sec. 4. For the purpose of this chapter, the word "state" shall include the District of Columbia.

As added by Acts 1981, P.L.298, SEC.2.

IC 35-33-3-5

"Fresh pursuit" defined

Sec. 5. The term "fresh pursuit" as used in this chapter shall include fresh pursuit as defined by the common law, and also the pursuit of a person who has committed a felony or who reasonably is suspected of having committed a felony. It shall also include the pursuit of a person suspected of having committed a supposed

felony, though no felony actually has been committed, if there is reasonable ground for believing that a felony has been committed. Fresh pursuit shall not necessarily imply instant pursuit, but pursuit without unreasonable delay.

As added by Acts 1981, P.L.298, SEC.2.

IC 35-33-3-6

Certified copies of chapter to other states

Sec. 6. It shall be the duty of the secretary of state to certify a copy of this chapter to the executive department of each of the states of the United States.

As added by Acts 1981, P.L.298, SEC.2.

IC 35-33-3-7

Short title

Sec. 7. This chapter may be cited as the uniform act on fresh pursuit.

As added by Acts 1981, P.L.298, SEC.2.