

35.035 Apprehension.

- (1) Apprehension is the taking of a person into custody.
- (2) Any person authorized by this code or by 10 U.S.C. Chapter 47, or by regulations issued under either, to apprehend persons subject to this code, any marshal of a court-martial appointed pursuant to the provisions of this code, and any peace officer or civil officer having authority to apprehend offenders under the laws of the United States or of a state, may do so upon probable cause that an offense has been committed and that the person apprehended committed it.
- (3) Commissioned officers, warrant officers, petty officers, and noncommissioned officers have authority to quell quarrels, frays, and disorders among persons subject to this code and to apprehend persons subject to this code who take part therein.
- (4) If an offender is apprehended outside the state, the offender's return to the jurisdiction must be in accordance with normal extradition procedures or by reciprocal agreement.
- (5) No person authorized by this section to apprehend persons subject to this code or the place where the offender is confined, restrained, held, or otherwise housed may require payment of any fee or charge for receiving, apprehending, confining, restraining, holding, or otherwise housing a person except as otherwise provided by law.

Effective: June 25, 2013

History: Amended 2013 Ky. Acts ch. 32, sec. 12, effective June 25, 2013. -- Amended 1986 Ky. Acts ch. 239, sec. 2, effective July 15, 1986. -- Created 1954 Ky. Acts ch. 99, sec. 6, effective July 1, 1954.