

**DISTRICT OF COLUMBIA**  
**OFFICIAL CODE**

**TITLE 23.**  
**CRIMINAL PROCEDURE.**

**CHAPTER 9.**  
**FRESH PURSUIT.**

**2001 Edition**

# DISTRICT OF COLUMBIA OFFICIAL CODE

## CHAPTER 9. FRESH PURSUIT.

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## **CHAPTER 9. FRESH PURSUIT.**

### **§ 23-901. ARRESTS IN THE DISTRICT OF COLUMBIA BY OFFICERS OF OTHER STATES.**

Any member of a duly organized peace unit of any State (or county or municipality thereof) of the United States who enters the District of Columbia in fresh pursuit and continues within the District of Columbia in fresh pursuit of a person in order to arrest him on the ground that he is believed to have committed a felony in such State shall have the same authority to arrest and hold that person in custody as has any member of any duly organized peace unit of the District of Columbia to arrest and hold in custody a person on the ground that he is believed to have committed a felony in the District of Columbia. This section shall not be construed so as to make unlawful any arrest in the District of Columbia which would otherwise be lawful.

(July 29, 1970, 84 Stat. 634, Pub. L. 91-358, title II, § 210(a); June 3, 1997, D.C. Law 11-275, § 14(e), 44 DCR 1408; ; May 22, 1998, D.C. Law 12-114, § 3(b), 45 DCR 486.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 23-901.

1973 Ed., § 23-901.

### **§ 23-902. HEARING; COMMITMENT; DISCHARGE.**

If an arrest is made in the District of Columbia by an officer of another State in accordance with the provisions of section 23-901, he shall without unnecessary delay take the person arrested before a judge of the Superior Court of the District of Columbia, who 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 order the release or detention of the person arrested, pursuant to section 23-702, to await for a reasonable time a requisition from the Governor of the State demanding the extradition of the person arrested. If the judge determines that the arrest was unlawful he shall order the person discharged.

(July 29, 1970, 84 Stat. 634, Pub. L. 91-358, title II, § 210(a).)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 23-902.

1973 Ed., § 23-902.

### **§ 23-903. "FRESH PURSUIT" DEFINED.**

For purposes of this chapter, the term "fresh pursuit" shall include fresh pursuit as defined by the common law, also the pursuit of a person who has committed a felony or one who the pursuing officer has reasonable grounds to believe has committed a felony. It shall also include the pursuit of a person who the pursuing officer has reasonable grounds to believe has committed a felony, although no felony has actually been committed, if there is reasonable ground for believing that a felony has been committed. Such term shall not necessarily imply an instant pursuit, but pursuit without unreasonable delay.

(July 29, 1970, 84 Stat. 634, Pub. L. 91-358, title II, § 210(a); Apr. 30, 1988, D.C. Law 7-104, § 7(f), 35 DCR 147.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 23-903.

1973 Ed., § 23-903.

*Legislative History of Laws*

Law 7-104, the "Technical Amendments Act of 1987," was introduced in Council and assigned Bill No. 7-346, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on November 24, 1987 and December 8, 1987, respectively. Signed by the Mayor on December 22, 1987, it was assigned Act No. 7-124 and transmitted to both Houses of Congress for its review.