

O.R.S. 133.440

Proceedings Following Arrest in fresh pursuit.

Oregon Revised Statutes; § 133.440

<http://www.oregonlaws.org/ors/133.440>

https://www.oregonlegislature.gov/bills_laws/ors/ors133.html

**If an arrest is made in this state
by an officer of another state in accordance with ORS 133.430,
the Officer Shall without unnecessary delay
Take the Person arrested Before a Magistrate
of the County in which the arrest was made,
who shall conduct a hearing for the purpose of determining the lawfulness of the arrest.**

If the magistrate determines that the arrest was lawful,
the magistrate 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 magistrate determines that the arrest was unlawful,
the magistrate shall discharge the person arrested.



133.430

Authority to make arrest in fresh pursuit.

- (1) Any member of a duly organized
state, county or municipal peace unit of another state of the United States
who enters this state in fresh pursuit,
and continues within this state in such fresh pursuit, of a person
in order to arrest the person on the ground that
the person is believed to have committed a felony in the other state
has the same authority to arrest and hold such person in custody
as has any member of any duly organized state, county or municipal peace unit of this state
to arrest and hold in custody a person on the ground that
the person is believed to have committed a felony in this state.
- (2) This section shall not be construed to make unlawful
any arrest in this state which otherwise would be lawful.