Franklin County
Office of Public Defense
"72-Hour Hold" Information

Client Information Publication

This publication is provided by the Franklin County Office of Public Defense as an informational resource and to provide answers to common questions.

Why am I here?

You are in jail because you were arrested by the police for a felony offense and the police did not have a **warrant of arrest** issued by the Superior Court. As long as the court finds that the arresting officer had **probable cause** to arrest you, the law allows you to be held for up to seventy-two (72) hours **after the time of your booking into jail** (often called a "72-hour hold") without formal charges being filed. Unless charges are formally filed by the end of the 72-hour period (not including holidays and weekends) *you must be released.*

What's next?

Charges Filed: If you are formally charged, you will appear before Superior Court at a **Preliminary Appearance** hearing where you will be told what you are charged with, bail will be set, and a public defender appointed to you (if you request one and are qualified).
No Charges Filed: If no charges are filed, then you will be released from jail at the end of the 72 hour period.

Can I bail out?

If the court ordered you held without bail, then you cannot post bail and be released. If bail was set, then you or someone else can post bail and you can be released pending charges. No matter what, if charges are filed, bail will be set at your **Preliminary Appearance** hearing.

NEED MORE HELP?

Please call the Office of Public Defense hotline at **(509) 543-2989**. We will do our best to help you.

PLEASE NOTE: *If you have current concerns about your **immigration status** you need to contact a **private immigration lawyer** and **NOT** the Office of Public Defense.*

This number is available: Mondays 10 am to 11 am, Wednesdays 1:00 pm to 2:00 pm and Thursdays 2:00 pm to 4:00 pm

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