

431.410 When issuance of summons is mandatory.

The issuance of a summons rather than an arrest warrant shall be mandatory for all offenses, except for violations of KRS 189.290, 189.393, 189.520, 189.580, 511.080 or 525.070, which are deemed violations as defined in KRS 532.020(4) and traffic infractions for which a fine only can be imposed unless the judicial officer finds that:

- (1) The defendant previously has failed to respond to a citation or summons for an offense; or
- (2) He has no ties to the community and there is a substantial likelihood that he will refuse to respond to a summons; or
- (3) The whereabouts of the defendant are unknown and the issuance of an arrest warrant is necessary in order to subject him to the jurisdiction of the court; or
- (4) Where arrest is necessary to prevent imminent bodily harm to the accused or to another; or
- (5) For any other good and compelling reason as determined by the judicial officer.

Effective: July 15, 1980

History: Amended 1980 Ky. Acts ch. 309, sec. 4, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 249, sec. 1, effective June 17, 1978. -- Created 1976 Ky. Acts ch. 373, sec. 2.