

**§406. Apprehension**

**1. Meaning.** Apprehension is the taking into custody of a person.  
[PL 1983, c. 460, §3 (NEW).]

**2. By military authority.** Any person authorized by law or regulations governing the military forces to apprehend persons subject to this Code or to trial thereunder may do so upon reasonable belief that an offense under this Code has been committed and that the persons apprehended committed it.  
[PL 1983, c. 460, §3 (NEW).]

**3. By civil authority.** Any civil officer having authority to apprehend offenders under the laws of this State may apprehend a deserter or a member of the military forces absent without leave and deliver the deserter or member into the custody of the appropriate component of the military force. Without limiting the authority granted in this subsection, upon written certification from the Adjutant General that a member is absent without leave from military duty, the civil officer, upon the Adjutant General's request, shall apprehend the member and deliver the member to duty in accordance with the request.  
[RR 2019, c. 1, Pt. B, §23 (COR).]

**SECTION HISTORY**

PL 1983, c. 460, §3 (NEW). PL 1983, c. 594, §21 (AMD). RR 2019, c. 1, Pt. B, §23 (COR).

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