

Form Summary

Name of Form: Probable Cause Statement and Judicial Determination

Form Number: CR-215

Statutory Reference: §970.01, Wisconsin Statutes, 4th Amend.
U.S. Const.

Benchbook Reference: CR 7-3, CR 7-6

Purpose of Form: To have a written record of the 48 hour court review of an arrested person who is held in custody as required by *County of Riverside v. McLaughlin*.

Who Completes It: Arresting or other law enforcement officer.

Distribution of Form: Court, sheriff, facility, district attorney, arrested person or his/her attorney.

Accompanying Forms: Police report of arrest (not required if officer summarizes arrest on Form)

New Form/Modification: Modified; last update 05/20.

Modification: Combined A and B versions since this form is not eFiled.

Comments: The statement of the arresting or other law enforcement officer must be made under oath (*State v. Koch*, 175Wis2nd684,698,fn.8.) *Riverside* reviews can be conducted in person at the detention facility, by fax, or by telephone conference. The presence of the arrested person or his/her counsel is not required. No record beyond this form is required.

About this Form: This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.