FOURTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA
THIRD REGULAR SESSION, 1986

A BILL FOR AN ACT

To amend title 12 of the Code of the Federated States of Micronesia by amending section 218 relating to the release of arrested persons; by deleting subsection (6) in its entirety; by renumbering subsection (7); and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

Section 1. Section 218 of title 12 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 218. Rights of persons arrested. In any case of arrest, or arrest for examination, as provided in subsection (4) of section 211 of this chapter, it shall be unlawful to:

(1) deny to counsel, whether when such counsel is retained by the arrested person or a member of his family or is a Public Defender not yet appointed by the court, the right to see the arrested person once, at any reasonable time, for a reasonable period of time at the place of detention, and thereafter at reasonable intervals and for reasonable periods of time; or

(2) deny to the arrested person the right to see at reasonable intervals, and for reasonable periods of time at the place of his detention, counsel, or members of his family, or his employer, or a representative of his employer; or

(3) refuse or fail to make a reasonable effort to send a message by telephone, cable, wireless, messenger, or other expeditious means to any person mentioned in subsection (2) of this section, provided the arrested person so requests and such message can be sent without expense to the Government or the arrested person prepays any expense there may be to the Government; or

(4) fail either to release or charge such arrested person with a criminal offense within a reasonable time."
1. (5) fail to either release the accused or to bring him before a court, judge, or judicial officer for a bail hearing within a reasonable time; or

2. any person arrested shall be advised as follows:

   (a) that the individual has a right to remain silent;

   (b) that the police will, if the individual so requests, endeavor to call counsel to the place of detention and allow the individual to confer with counsel there before he is questioned further, and allow him to have counsel present
while he is questioned by the police if he so desires; and

(c) that the services of the Public Defender, when

in the vicinity, or of his local representative, are available

for these purposes without charge."

Section 2. This act shall become law upon approval by the

President of the Federated States of Micronesia or upon its becoming

law without such approval.

Date: 6/10/86

Introduced by: John R. Hagaleigam
(by request)