

**804.11 Arrest of material witness.**

1. When a law enforcement officer has probable cause to believe that a person is a necessary and material witness to a felony and that such person might be unavailable for service of a subpoena, the officer may arrest such person as a material witness with or without an arrest warrant.

2. At the time of the arrest, the law enforcement officer shall inform the person of:

a. The officer's identity as a law enforcement officer.

b. The reason for the arrest which is that the person is believed to be a material witness to an identified felony and that the person might be unavailable for service of a subpoena.

[C51, §2876 – 2879; R60, §4601 – 4604; C73, §4248 – 4251; C97, §5232 – 5235; C24, 27, 31, 35, 39, §13547 – 13550; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §761.21 – 761.24; C79, 81, §804.11]

[2013 Acts, ch 90, §239](#)

Referred to in [§804.23](#)

Fees to material witnesses, §815.6