

**Rule 40. Release and Detention of Federal Defendants**

In any criminal case over which the United States District Court for the District of Columbia has jurisdiction, the Superior Court may release or detain the defendant in accordance with *18 U.S.C. § 3141 et seq.*

**COMMENT TO 2016 AMENDMENTS**

The federal rule deals with commitment and removal procedure between federal districts. This rule, in contrast, relates to the power of the Superior Court to release or detain persons charged with any offense over which the United States District Court for the District of Columbia has jurisdiction. See *18 U.S.C. § 3041*. It makes clear that the applicable bail law under current law is *18 U.S.C. § 3141 et seq.*