

House Research Act Summary

CHAPTER: 177

SESSION: 2014 Regular Session

TOPIC: Warrantless arrest; domestic violence cases

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Overview

This act increases the 24-hour time limit to 72 hours for warrantless arrests in misdemeanor and gross misdemeanor domestic abuse offenses, and provides when such arrests may be made.

Section

- 1** **Peace officers; warrantless arrests.** Adds statutory citations for probable cause warrantless arrest authority in domestic abuse cases. (Currently, these provisions are scattered throughout statute. This section places citations in one section of law.)

Clause (6) - Adds citations to clarify warrantless arrest authority for a nonfelony violation of a “restraining order or no contact order.” Provides citations to an order for protection violation (§ 518B.01, subd. 14); harassment restraining order violation (§ 609.748, subd. 6), and domestic abuse no contact order violation (§ 629.75). (This authority currently exists under each of these sections.) Provides language referencing “any other restraining order or no contact order” to include criminal no contact orders issued as a condition of release that do not fall under the DANCO definition.

Clause (8) - Provides a cross reference to authority found in section 629.341 (as amended in section 2).

- 2** **Arrest; domestic abuse.** Increases the 24-hour time limit to 72 hours for a probable cause warrantless arrest for nonfelony domestic abuse offenses.