

State	Circumstances	Statute
<p>Alabama http://codes.lp.findlaw.com/alcode/13A/6/7/13A-6-134 WARRANTLESS ARREST OF PRIMARY AGGRESSOR.</p>	<p>“If a law enforcement officer receives complaints of domestic violence from two or more opposing persons or if both parties have injuries the officer shall evaluate each complaint separately to determine who was the predominant aggressor. If the officer determines that one person was the predominant physical aggressor, the officer need not arrest the other person alleged to have committed domestic violence. “</p>	<p>ALA. CODE §13A-6-134(a) (2000).</p>
<p>Alaska http://codes.lp.findlaw.com/akstatutes/18/18.65./07./18.65.530 MANDATORY ARREST.</p>	<p>“If a peace officer receives complaints of domestic violence from more than one person arising from the same incident, the officer shall evaluate the conduct of each person to determine who was the principal physical aggressor. If the officer determines that one person was the principal physical aggressor, the other person or persons need not be arrested.”</p>	<p>ALASKA STAT. §18.65.530(b) (West 2012).</p>
<p>Arizona http://www.azleg.state.az.us/ars/13/03601.htm ARRESTS FOR DOMESTIC VIOLENCE.</p>	<p>“A peace officer, with or without a warrant, may arrest a person if the officer has probable cause to believe that domestic violence has been committed and the officer has probable cause to believe that the person to be arrested has committed the offense, whether the offense is a felony or a misdemeanor and whether the offense was committed within or without the presence of the peace officer. In cases of domestic violence involving the infliction of physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument, the peace officer shall arrest a person who is at least fifteen years of age, with or without a warrant, if the officer has probable cause to believe that the offense has been committed and the officer has probable cause to believe that the person to be arrested has committed the offense, whether the offense was committed within or without the presence of the peace officer, unless the officer has reasonable grounds to believe that the circumstances at the time are such that the victim will be protected from further injury.”</p>	<p>ARIZ. REV. STAT. ANN. §13-3601(b) (2013).</p>

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Arkansas http://law.justia.com/codes/arkansas/2010/title-16/subtitle-6/chapter-81/subchapter-1/16-81-113 ARRESTS FOR DOMESTIC ABUSE.	“[W]hen a law enforcement officer has probable cause to believe a person has committed acts which constitute...domestic abuse as defined in subdivision (b)(1) of this section against a family or household member, the officer may arrest the person without a warrant if the law enforcement officer has probable cause to believe the person has committed those acts within the preceding four (4) hours or within the preceding twelve (12) hours for cases involving physical injury...even if the incident did not take place in the presence of the law enforcement officer.”	ARK. CODE ANN. §16-81-113(a)(1)(A) (West 2007).
California http://codes.lp.findlaw.com/cacode/PEN/3/2/3/5/s836 ARRESTS FOR VIOLATION OF DOMESTIC VIOLENCE PROTECTION ORDER.	“When a peace officer is responding to a call alleging a violation of a domestic violence protective or restraining order...or of a domestic violence protective or restraining order issued by the court of another state, tribe, or territory and the peace officer has probable cause to believe that the person against whom the order is issued has notice of the order and has committed an act in violation of the order, the officer shall, consistent with subdivision (b) of Section 13701, make a lawful arrest of the person without a warrant and take that person into custody whether or not the violation occurred in the presence of the arresting officer.”	CAL. PENAL CODE §836(c)(1) (West 2007).
Colorado http://www.womenslaw.org/statutes_detail.php?statute_id=513#statute-top PEACE OFFICER DUTIES.	“When a peace officer determines that there is probable cause to believe that a crime or offense involving domestic violence, as defined in section 18-6-800.3(1), has been committed, the officer shall, without undue delay, arrest the person suspected of its commission pursuant to the provisions in subsection (2) of this section, if applicable, and charge the person with the appropriate crime or offense.”	COLO. REV. STAT. ANN. §18-6-803.6(1) (West 2001).
Connecticut http://www.cga.ct.gov/2011/pub/chap815e.htm#Sec46b-38b.htm ARRESTS FOR FAMILY VIOLENCE CRIME.	“Whenever a peace officer determines upon speedy information that a family violence crime has been committed within such officer's jurisdiction, such officer shall arrest the person or persons suspected of its commission and charge such person or persons with the appropriate crime.”	CONN. GEN. STAT. ANN. §46b-38b(a) (West 2013).
Delaware http://delcode.delaware.gov/title11/c019/sc01/index.shtml WARRANTLESS ARREST BASED ON REASONABLE GROUND TO BELIEVE.	“An arrest by a peace officer without a warrant for a misdemeanor is lawful whenever the officer has reasonable ground to believe that the person to be arrested has committed a misdemeanor: (4) Out of the officer's presence and within the State for any misdemeanor involving physical injury or the threat thereof or any misdemeanor involving illegal sexual contact or attempted sexual contact.”	DEL. CODE ANN. tit. 11, §1904(a)(4) (West 1999).

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<p>District of Columbia http://law.justia.com/codes/district-of-columbia/2012/division-ii/title-16/chapter-10/subchapter-iii/section-16-1031.html</p> <p>ARRESTS FOR COMMISSION OF INTRAFAMILY OFFENSE.</p>	<p>“A law enforcement officer shall arrest a person if the law enforcement officer has probable cause to believe that the person:</p> <p>(1) Committed an intrafamily offense that resulted in physical injury, including physical pain or illness, regardless of whether or not the intrafamily offense was committed in the presence of the law enforcement officer; or</p> <p>(2) Committed an intrafamily offense that caused or was intended to cause reasonable fear of imminent serious physical injury or death.”</p>	<p>D.C. CODE §16-1031(a) (2009).</p>
<p>Florida http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0900-0999/0901/Sections/0901.15.html</p> <p>WARRANTLESS ARREST FOR ACTS OF DOMESTIC VIOLENCE OR DATING VIOLENCE.</p>	<p>“A law enforcement officer may arrest a person without a warrant when:</p> <p>(7) There is probable cause to believe that the person has committed an act of domestic violence, as defined in s. 741.28, or dating violence, as provided in s. 784.046.”</p>	<p>FLA. STAT. ANN. §901.15(7) (2009).</p>
<p>Georgia http://law.justia.com/codes/georgia/2010/title-17/chapter-4/article-2/17-4-20-1</p> <p>ARRESTS IN INCIDENTS OF FAMILY VIOLENCE.</p>	<p>“Whenever a law enforcement officer responds to an incident in which an act of family violence, as defined in Code Section 19-13-1, has been committed, the officer shall not base the decision of whether to arrest and charge a person on the specific consent of the victim or on a request by the victim solely or on consideration of the relationship of the parties.”</p>	<p>GA. CODE ANN. §17-4-20.1(a) (West 1995).</p>
<p>Hawaii http://codes.lp.findlaw.com/histatutes/5/37/709/709-906</p> <p>ABUSE OF FAMILY OR HOUSEHOLD MEMBERS.</p>	<p>“Any police officer, with or without a warrant, may arrest a person if the officer has reasonable grounds to believe that the person is physically abusing, or has physically abused, a family or household member and that the person arrested is guilty thereof.”</p>	<p>HAW. REV. STAT. §709-906(2) (2013).</p>
<p>Idaho http://legislature.idaho.gov/idstat/Title39/T39CH63SECT39-6312.htm</p> <p>VIOLATION OF PROTECTION ORDER.</p>	<p>“A peace officer may arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order, if the person restrained had notice of the order.”</p>	<p>IDAHO CODE ANN. §39-6312(2) (West 1999).</p>

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Illinois http://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=075000600K301 WARRANTLESS ARREST.	"Any law enforcement officer may make an arrest without warrant if the officer has probable cause to believe that the person has committed or is committing any crime, including but not limited to violation of an order of protection, under Section 12-3.4 or 12-30 of the Criminal Code of 1961 or the Criminal Code of 2012, even if the crime was not committed in the presence of the officer."	750 ILL. COMP. STAT. ANN. 60/301(a) (2013).
Indiana http://codes.lp.findlaw.com/incode/35/33/1/35-33-1-1 ARRESTS FOR DOMESTIC BATTERY.	"A law enforcement officer may arrest a person when the officer has: (5) probable cause to believe the person has committed a: (B) domestic battery under IC 35-42-2-1.3."	IND. CODE ANN. §39-33-1-1(5)(B) (West 2011).
Iowa http://coolice.legis.iowa.gov/Cool-ICE/default.asp?category=billinfo&service=IowaCode&input=236.12 ARRESTS FOR DOMESTIC ABUSE.	"A peace officer may, with or without a warrant, arrest a person...if, upon investigation, including a reasonable inquiry of the alleged victim and other witnesses, if any, the officer has probable cause to believe that a domestic abuse assault has been committed which did not result in any injury to the alleged victim. b. Except as otherwise provided in subsection 3, a peace officer shall, with or without a warrant, arrest a person...if, upon investigation, including a reasonable inquiry of the alleged victim and other witnesses, if any, the officer has probable cause to believe that a domestic abuse assault has been committed which resulted in the alleged victim's suffering a bodily injury."	IOWA. CODE ANN. §§236.12(2)(a), (b) (West 2012).
Kansas http://kansasstatutes.lesterama.org/Chapter_22/Article_23/22-2307.html DOMESTIC VIOLENCE POLICIES.	"[W]hen a law enforcement officer determines that there is probable cause to believe that a crime or offense involving domestic violence, as defined in K.S.A. 21-5111, and amendments thereto, has been committed, the officer shall, without undue delay, arrest the person for which the officer has probable cause to believe committed the crime or offense if such person's actions were not an act of defense of a person or property."	KAN. STAT. ANN. §22-2307(b)(1) (2011).
Kentucky http://www.lrc.ky.gov/Statutes/statute.aspx?id=40581 PEACE OFFICERS' DUTY TO ARREST.	"Any peace officer may arrest a person without warrant when the peace officer has probable cause to believe that the person has intentionally or wantonly caused physical injury to a family member or member of an unmarried couple."	KY. REV. STAT. ANN. §431.005(2)(a) (West 2012).

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<p>Louisiana http://law.justia.com/codes/louisiana/2011/rs/title46/rs46-2140 LAW ENFORCEMENT DUTIES.</p>	<p>“Whenever a law enforcement officer has reason to believe that a family or household member or dating partner has been abused, the officer shall immediately use all reasonable means to prevent further abuse, including: (1) Arresting the abusive party with a warrant or without a warrant pursuant to Code of Criminal Procedure Article 213, if probable cause exists to believe that a felony has been committed by that person, whether or not the offense occurred in the officer's presence. (2) Arresting the abusive party in case of any misdemeanor crime which endangers the physical safety of the abused person whether or not the offense occurred in the presence of the officer. If there is no cause to believe there is impending danger, arresting the abusive party is at the officer's discretion.”</p>	<p>LA. REV. STAT. ANN. §§2140(A)(1), (2) (2012).</p>
<p>Maine http://www.mainelegislature.org/legis/statutes/19-a/title19-Asec4012.html LAW ENFORCEMENT AGENCY RESPONSIBILITIES.</p>	<p>“When a law enforcement officer has probable cause to believe that there has been a criminal violation under section 4011 of a court-approved consent agreement or a protection order issued pursuant to this chapter or Title 15, chapter 12-A, or that a violation of Title 17-A, section 208 has occurred between members of the same family or household, that enforcement officer shall arrest and take into custody the alleged offender.”</p>	<p>ME. REV. STAT. ANN. tit. 19-A, §4012(5) (2012).</p>
<p>Maryland http://mgaleg.maryland.gov/webmga/frmStatutesText.aspx?pid=&tab=subject5&stab=&ys=2014RS&article=gfl&section=4-509&ext=html&session=2014RS ARRESTS FOR VIOLATION OF PROTECTION ORDER.</p>	<p>“An officer shall arrest with or without a warrant and take into custody a person who the officer has probable cause to believe is in violation of an interim, temporary, or final protective order in effect at the time of the violation.”</p>	<p>MD. CODE ANN., FAM. LAW §4-509(b) (West 2012).</p>
<p>Massachusetts https://malegislature.gov/Laws/GeneralLaws/PartII/TitleIII/Chapter209a/Section6 POWERS OF THE POLICE.</p>	<p>“Whenever any law officer has reason to believe that a family or household member has been abused or is in danger of being abused, such officer shall use all reasonable means to prevent further abuse. The officer shall take, but not be limited to the following action: (7) arrest any person a law officer witnesses or has probable cause to believe has violated a temporary or permanent vacate, restraining, or no-contact order or judgment...”</p>	<p>MASS. GEN. LAWS ch. 209A §6(7) (2010).</p>
<p>Michigan http://www.legislature.mi.gov/(S(rq3dxtq30agwmk452cymej55))/mileg.aspx?page=GetObject&objectname=mcl-764-15a ARRESTS FOR ASSAULT AND BATTERY WITHIN THE HOUSEHOLD.</p>	<p>“A peace officer may arrest an individual for [domestic assault] regardless of whether the peace officer has a warrant or whether the violation was committed in his or her presence if the peace officer has or receives positive information that another peace officer has reasonable cause to believe both of the following: (a) The violation occurred or is occurring. (b) The individual has had a child in common with the victim, resides or</p>	<p>MICH. COMP. LAWS ANN. §§764.15a(a), (b) (West 2002).</p>

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	has resided in the same household as the victim, has or has had a dating relationship with the victim, or is a spouse or former spouse of the victim.”	
Minnesota https://www.revisor.mn.gov/statutes/?id=629.341 WARRANTLESS ARREST FOR DOMESTIC VIOLENCE.	“[A] peace officer may arrest a person anywhere without a warrant, including at the person's residence, if the peace officer has probable cause to believe that within the preceding 24 hours the person has committed domestic abuse, as defined in section 518B.01, subdivision 2. The arrest may be made even though the assault did not take place in the presence of the peace officer.”	MINN. STAT. ANN. §629.341, sub. 1 (West 2013).
Mississippi http://billstatus.ls.state.ms.us/documents/2014/html/SB/2600-2699/SB2629CS.htm PROBABLE CAUSE ARRESTS FOR DOMESTIC VIOLENCE.	“Any law enforcement officer shall arrest a person with or without a warrant when he has probable cause to believe that the person has, within twenty-four (24) hours of such arrest, knowingly committed a misdemeanor or felony that is an act of domestic violence or knowingly violated provisions of an ex parte protective order, protective order after hearing or court-approved consent agreement...or a restraining order entered by a foreign court of competent jurisdiction to protect an applicant from domestic violence.”	2014 Miss. Laws WL No. 125 (S.B. 2629); Mar. 21, 2014 amendment to MISS. CODE ANN. §99-3-7(3)(a) (West 2013).
Missouri http://www.moga.mo.gov/statutes/c400-499/4550000085.htm ARRESTS FOR VIOLATION OF ORDER.	“When a law enforcement officer has probable cause to believe a party has committed a violation of law amounting to domestic violence, as defined in section 455.010, against a family or household member, the officer may arrest the offending party whether or not the violation occurred in the presence of the arresting officer.”	MO. ANN. STAT. §455.085(1) (West 2013).
Montana http://codes.lp.findlaw.com/mtcode/46/6/3/46-6-311 BASIS FOR WARRANTLESS ARREST.	“The summoning of a peace officer to a place of residence by a partner or family member constitutes an exigent circumstance for making an arrest. Arrest is the preferred response in partner or family member assault cases involving injury to the victim, use or threatened use of a weapon, violation of a restraining order, or other imminent danger to the victim.”	MONT. CODE ANN. §46-6-311(2)(a) (2005).
Nebraska http://nebraskalegislature.gov/laws/statutes.php?statute=29-439 ARREST OF PRIMARY AGGRESSOR IN DOMESTIC ASSAULT.	“If a peace officer receives complaints under section 28-323 from two or more opposing persons, the officer shall evaluate each complaint separately to determine who was the predominant aggressor. If the officer determines that one person was the predominant aggressor, the officer need not arrest the other person believed to have committed an offense.”	NEB. REV. STAT. §29-439(1) (2004).

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<p>Nevada http://www.leg.state.nv.us/NRS/NRS-171.html#NRS171Sec137 ARRESTS FOR SUSPECTED BATTERY CONSTITUTING DOMESTIC VIOLENCE.</p>	<p>“[W]hether or not a warrant has been issued, a peace officer shall, unless mitigating circumstances exist, arrest a person when the peace officer has probable cause to believe that the person to be arrested has, within the preceding 24 hours, committed a battery upon his or her spouse, former spouse, any other person to whom he or she is related by blood or marriage, a person with whom he or she is or was actually residing, a person with whom he or she has had or is having a dating relationship, a person with whom he or she has a child in common, the minor child of any of those persons or his or her minor child.”</p>	<p>NEV. REV. STAT. ANN. §171.137(1) (West 1999).</p>
<p>New Hampshire http://law.justia.com/codes/new-hampshire/2013/title-xii/chapter-173-b/section-173-b-9 ARRESTS FOR VIOLATION OF PROTECTION ORDER.</p>	<p>“When the defendant violates either a temporary or permanent protective order issued or enforced under this chapter, peace officers shall arrest the defendant and ensure that the defendant is detained until arraignment...”</p>	<p>N.H. REV. STAT. ANN. §173-B:9(I)(a) (2013).</p>
<p>New Jersey http://www.njcvlc.org/reference/njl/viewLaw.php?id=51 ARRESTS FOR DOMESTIC VIOLENCE.</p>	<p>“When a person claims to be a victim of domestic violence, and where a law enforcement officer responding to the incident finds probable cause to believe that domestic violence has occurred, the law enforcement officer shall arrest the person who is alleged to be the person who subjected the victim to domestic violence...”</p>	<p>N.J. STAT. ANN. §2C:25-21(a) (West 2004).</p>
<p>New Mexico http://law.justia.com/codes/new-mexico/2011/chapter31/article1/section31-1-7 ARRESTS FOR DOMESTIC DISTURBANCE.</p>	<p>“[A] peace officer may arrest a person and take that person into custody without a warrant when the officer is at the scene of a domestic disturbance and has probable cause to believe that the person has committed an assault or a battery upon a household member.”</p>	<p>N.M. STAT. ANN. §31-1-7(A) (West 1995).</p>
<p>New York http://codes.lp.findlaw.com/nycode/CPL/TWO/H/140/140.10 AUTHORIZATION OF WARRANTLESS ARREST BY POLICE OFFICER.</p>	<p>“4. Notwithstanding any other provisions of this section, a police officer shall arrest a person, and shall not attempt to reconcile the parties or mediate, where such officer has reasonable cause to believe that: (b)(ii) The respondent or defendant commits a family offense as defined in subdivision one of section eight hundred twelve of the family court act or subdivision one of section 530.11 of this chapter in violation of such order of protection or special order of conditions.”</p>	<p>N.Y. CRIM. PROC. LAW §140.10(4)(b)(ii) (McKinney 2013).</p>

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North Carolina http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByChapter/Chapter_50B.html ARRESTS FOR VIOLATION OF DOMESTIC VIOLENCE PROTECTION ORDER.	"A law enforcement officer shall arrest and take a person into custody, with or without a warrant or other process, if the officer has probable cause to believe that the person knowingly has violated a valid protective order excluding the person from the residence or household occupied by a victim of domestic violence or directing the person to refrain from doing any or all of the acts specified in G.S. 50B-3(a)(9)."	N.C. GEN. STAT. ANN. §50B-4.1(b) (West 2010).
North Dakota http://www.womenslaw.org/statutes_detail.php?statute_id=2225#statute-top WARRANTLESS ARREST.	"1. A law enforcement officer shall arrest a person without a warrant if the person has committed the offense of violating a protection order under section 14-07.1-06, whether or not the violation was committed in the presence of the officer. 2. A law enforcement officer may arrest a person without a warrant if the arrest is made within twelve hours from the time the officer determines there is probable cause to arrest for an assault of a family or household member as defined in section 14-07.1-01, whether or not the assault took place in the presence of the officer."	N.D. CENT. CODE §§14-07.1-11(1), (2) (West 1999).
Ohio http://codes.ohio.gov/orc/2935.032 DOMESTIC VIOLENCE ARREST POLICIES.	"Unless the officer has reasonable cause to believe that, during the incident, the offender who committed the felonious assault and one or more other persons committed offenses against each other, the officer shall arrest the offender who committed the felonious assault pursuant to section 2935.03 of the Revised Code and shall detain that offender pursuant to that section until a warrant can be obtained, and the arrest shall be for felonious assault."	OHIO REV. CODE ANN. §2935.032(A)(1)(a)(i) (West 1997).
Oklahoma http://oklegal.onenet.net/oklegal-cgi/get_statute?99/Title.22/22-196.html WARRANTLESS ARREST BY AN OFFICER.	"A peace officer may, without a warrant, arrest a person: 6. Anywhere, including a place of residence of the person, if the peace officer has probable cause to believe the person within the preceding seventy-two (72) hours has committed an act of domestic abuse as defined by Section 60.1 of this title, although the assault did not take place in the presence of the peace officer. 7. When a peace officer, in accordance with the provisions of Section 60.9 of this title, is acting on a violation of a protective order offense."	OKLA. STAT. ANN. tit. 22, §§196(6), (7) (West 2001).
Oregon http://www.oregonlaws.org/ors/133.055 ARRESTS FOR DOMESTIC DISTURBANCE.	"[W]hen a peace officer responds to an incident of domestic disturbance and has probable cause to believe that an assault has occurred between family or household members, as defined in ORS 107.705, or to believe that one such person has placed the other in fear of imminent serious physical injury, the officer shall arrest and take into custody the alleged assailant or potential assailant."	OR. REV. STAT. ANN. §133.055(2)(a) (West 2012).

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<p>Pennsylvania http://law.onecle.com/pennsylvania/crimes-and-offenses/00.027.011.000.html PROBABLE CAUSE ARRESTS IN CASES OF DOMESTIC VIOLENCE.</p>	<p>“A police officer shall have the same right of arrest without a warrant as in a felony whenever he has probable cause to believe the defendant has [committed] involuntary manslaughter, simple assault, aggravated assault, recklessly endangering another person, [making] terroristic threats or stalking a family or household member although the offense did not take place in the presence of the police officer.”</p>	<p>18 PA. CONS. STAT. ANN. §2711(a) (West 2003).</p>
<p>Rhode Island http://webserver.rilin.state.ri.us/statutes/title12/12-29/12-29-3.HTM LAW ENFORCEMENT DUTIES.</p>	<p>“When a law enforcement officer responds to a domestic violence situation and has probable cause to believe that a crime has been committed, the officer shall exercise arrest powers pursuant to §§ 12-7-3 and 12-7-4; provided, that the officer shall arrest and take into custody the alleged perpetrator of the crime...”</p>	<p>R.I. GEN. LAWS §12-29-3(b)(1) (West 2000).</p>
<p>South Carolina http://www.scstatehouse.gov/code/t16c025.php WARRANTLESS ARREST.</p>	<p>“(A) A law enforcement officer may arrest, with or without a warrant, a person at the person’s place of residence or elsewhere if the officer has probable cause to believe that the person is committing or has freshly committed a misdemeanor or felony pursuant to the provisions of Section 16-25-20(A) or (D), 16-25-65, or 16-25-125, even if the act did not take place in the presence of the officer. (B) A law enforcement officer must arrest, with or without a warrant, a person at the person’s place of residence or elsewhere if physical manifestations of injury to the alleged victim are present and the officer has probable cause to believe that the person is committing or has freshly committed a misdemeanor or felony under the provisions of Section 16-25-20(A) or (D), or 16-25-65 even if the act did not take place in the presence of the officer.”</p>	<p>S.C. CODE ANN. §§16-25-70(A), (B) (2008).</p>
<p>South Dakota http://legis.sd.gov/statutes/DisplayStatute.aspx?Type=Statute&Statute=23A-3-2.1 CIRCUMSTANCES PERMITTING WARRANTLESS ARRESTS.</p>	<p>“[L]aw enforcement officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, any person, without a warrant, at any time that the opportunity presents itself, if the officer has probable cause to believe that: (1) An order has been issued under chapter 25-10 protecting the victim and the terms of the order prohibiting acts or threats of abuse or excluding the person from a residence have been violated; or (2) An order has been issued under chapter 22-19A protecting the victim and the terms of the order prohibiting acts of stalking or physical injury have been violated; or (3) The person is eighteen years or older and within the preceding forty-eight hours has assaulted: (a) That person’s spouse; (b) That person’s former spouse; (c) The mother or father of that person’s child; or (d) Any person eighteen years of age or older with whom that person</p>	<p>S.D. CODIFIED LAWS §23-3-2.1 (2006).</p>

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	resides or has formerly resided; and the officer believes: (a) An aggravated assault has occurred; (b) An assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (c) An attempt by physical menace has been made to put another in fear of imminent serious bodily harm."	
Tennessee http://www.state.tn.us/tccy/tncchild/36/36-3-619.htm ARRESTS FOR DOMESTIC ABUSE.	"If a law enforcement officer has probable cause to believe that a person has committed a crime involving domestic abuse, whether the crime is a misdemeanor or felony, or was committed within or without the presence of the officer, the preferred response of the officer is arrest."	TENN. CODE. ANN. §36-3-619(a) (West 1996).
Texas http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.14.htm AUTHORITY OF PEACE OFFICERS.	"Any peace officer may arrest, without warrant: 2) persons who the peace officer has probable cause to believe have committed an assault resulting in bodily injury to another person and the peace officer has probable cause to believe that there is danger of further bodily injury to that person; (3) persons who the peace officer has probable cause to believe have committed an offense defined by Section 25.07, Penal Code (violation of Protective Order), or by Section 38.112, Penal Code (violation of Protective Order issued on basis of sexual assault), if the offense is not committed in the presence of the peace officer; (4) persons who the peace officer has probable cause to believe have committed an offense involving family violence."	TEX. REV. CIV. STAT. ANN. art. 14.03, §§§214(a)(2), (3), (4) (Vernon 2005).
Utah http://le.utah.gov/code/TITLE77/htm/77_36_000202.htm POWERS AND DUTIES OF LAW ENFORCEMENT OFFICERS TO ARREST.	"[W]hen a peace officer responds to a domestic violence call and has probable cause to believe that an act of domestic violence has been committed, the peace officer shall arrest without a warrant or shall issue a citation to any person that the peace officer has probable cause to believe has committed an act of domestic violence."	UTAH CODE ANN. §77-36-2.2(2)(a) (West 2013).

Domestic Violence Arrest Policies

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State	Circumstances	Statute
Vermont http://www.lexisnexis.com/hottopics/vtstatutesconstctrules/ WARRANTLESS ARRESTS.	“The officer may arrest the person without a warrant if the officer has probable cause to believe: (8) The person who has committed a misdemeanor which involves an assault against a family member.”	VT. CRIM. PROC. R. 3(8) (West 2010).
Virginia http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+19.2-81.3 AUTHORIZED WARRANTLESS ARRESTS IN CASES OF ASSAULT AND BATTERY AGAINST A FAMILY OR HOUSEHOLD MEMBER.	“A law-enforcement officer having probable cause to believe that a violation of § 18.2-57.2 or 16.1-253.2 has occurred shall arrest and take into custody the person he has probable cause to believe, based on the totality of the circumstances, was the predominant physical aggressor unless there are special circumstances which would dictate a course of action other than an arrest.”	VA. CODE ANN. §19.2-81.3(B) (West 2012).
Washington http://apps.leg.wa.gov/rcw/default.aspx?cite=10.31.100 WARRANTLESS ARRESTS.	“A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that: (a) An order has been issued of which the person has knowledge under RCW 26.44.063, or chapter 7.92, 7.90, 9A.46, 10.99, 26.09, 26.10, 26.26, 26.50, or 74.34 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence, or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location or, in the case of an order issued under RCW 26.44.063, imposing any other restrictions or conditions upon the person; or (c) The person is sixteen years or older and within the preceding four hours has assaulted a family or household member as defined in RCW 10.99.020 and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death.”	2014 Wash. Legis. Serv. Ch. 5 (S.H.B. 2057); 2014 amendment to WASH. REV. CODE ANN. §§10.31.100(2)(a), (c) (West 2013).
West Virginia http://www.legis.state.wv.us/wvcode/ChapterEntire.cfm?chap=48&art=27&section=1002 ARREST IN DOMESTIC VIOLENCE MATTERS.	“[I]f a person is alleged to have committed a violation of the provisions of subsection (a) or (b), section twenty-eight, article two, chapter sixty-one of this code against a family or household member, in addition to any other authority to arrest granted by this code, a law-enforcement officer has authority to arrest that person without first obtaining a warrant if: (1) The law-enforcement officer has observed credible corroborative evidence that an offense has occurred; and either:	W. VA. CODE §§48-27-1002(a)(1), (2), (3) (2010).

Prepared by the American Bar Association Commission on Domestic & Sexual Violence. <http://www.ambar.org/cdsv>

We are always grateful to receive corrections and updates at abanet.qualtrics.com/SE/?SID=SV_dmdKzq0DWEhqzVG

The law is constantly changing! Please independently confirm the data you find here.

State	Circumstances	Statute
	<p>(2) The law-enforcement officer has received, from the victim or a witness, an oral or written allegation of facts constituting a violation of section twenty-eight, article two, chapter sixty-one of this code; or</p> <p>(3) The law-enforcement officer has observed credible evidence that the accused committed the offense."</p>	
<p>Wisconsin http://docs.legis.wisconsin.gov/statutes/statutes/968/075 ARRESTS FOR DOMESTIC ABUSE INCIDENTS.</p>	<p>"[A] law enforcement officer shall arrest and take a person into custody if:</p> <ol style="list-style-type: none"> 1. The officer has reasonable grounds to believe that the person is committing or has committed domestic abuse and that the person's actions constitute the commission of a crime; and 2. Any of the following apply: <ol style="list-style-type: none"> a. The officer has a reasonable basis for believing that continued domestic abuse against the alleged victim is likely. b. There is evidence of physical injury to the alleged victim. c. The person is the predominant aggressor." 	<p>Wis. STAT. ANN. §§968.075(2)(1), (2) (West 2012).</p>
<p>Wyoming http://law.justia.com/codes/wyoming/2011/title7/chapter20/section7-20-102 WARRANTLESS ARRESTS.</p>	<p>"In addition to arrests specified in W.S. 7-2-102, any peace officer who has probable cause to believe that a violation of W.S. 6-2-501(a), (b), (e) through (g), 6-2-502(a) or 6-2-504(a) or (b) has taken place within the preceding twenty-four (24) hours or is taking place and that the person who committed or is committing the violation is a household member as defined by W.S. 35-21-102(a)(iv), may arrest the violator without a warrant for that violation, regardless of whether the violation was committed in the presence of the peace officer."</p>	<p>2014 Wyoming Laws Ch. 13 (H.B. 6); 2014 amendment to WYO. STAT. ANN. §7-20-102(a) (West 2010).</p>
<p>American Samoa http://www.asbar.org/index.php?option=com_content&view=category&id=187&Itemid=172 MANDATORY ARREST FOR CRIMES INVOLVING DOMESTIC OR FAMILY VIOLENCE.</p>	<p>"A law enforcement officer shall, without a warrant, arrest and charge a person with the appropriate crime if the officer has probable cause to believe that the person has committed a crime involving domestic or family violence, whether the offense is a felony or a misdemeanor [sic], or was committed in or outside the presence of the officer."</p>	<p>AM. SAMOA CODE ANN. §47.0603(a) (2004).</p>

State	Circumstances	Statute
<p>Northern Mariana Islands http://www.cnmilaw.org/pdf/public_laws/12/pl12-19.pdf ARREST FOR VIOLATION OF PROTECTION ORDER.</p>	<p>“A peace officer may arrest, without warrant, and take into custody any person whom the peace officer has probable cause to believe has violated an order issued pursuant to this Chapter, provided the existence of the order has been verified by the officer.”</p>	<p>2000 N. MAR. I. PUB. L. 12-19 §216(b).</p>
<p>Puerto Rico https://a.next.westlaw.com/Document/15DF45A10490311E18024FEFE7CFA98B6/View/FullText.html?originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default) ARRESTS.</p>	<p>“[E]very law enforcement officer shall make an arrest, even though there is no order to such effect, if he has grounds to believe that the person to be arrested has committed, even though not in his/her presence, or that is committing in his/her presence, a violation to the criminal provisions of this chapter.”</p>	<p>P.R. LAWS ANN. tit. 8, §638 (West 1989).</p>
<p>Virgin Islands http://www.lexisnexis.com/hottopics/vicode/ ARREST POWERS.</p>	<p>“A police officer, or other peace officer, shall make an arrest without a warrant if the officer has probable cause to believe that a misdemeanor or felony involving domestic violence, as defined by section 91 of this chapter, has been committed by the suspect in violation of a court order or any criminal statute of this Territory.”</p>	<p>V.I. CODE ANN. tit. 16, §94(a) (West 1990)</p>