629.341 ALLOWING PROBABLE CAUSE ARRESTS FOR DOMESTIC VIOLENCE; IMMUNITY FROM LIABILITY.

Subdivision 1. **Arrest; referral for prosecution.** (a) Notwithstanding section 629.34 or any other law or rule, 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 14 days, exclusive of the day probable cause was established, the person has committed nonfelony 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.

(b) If a peace officer has probable cause to believe that a person has committed any act that constitutes harassing or stalking any person in violation of section 609.749; domestic abuse as defined in section 518B.01, subdivision 2; violation of an order for protection as described in section 518B.01, subdivision 14; or violation of a domestic abuse no contact order as described in section 629.75 and the person was not arrested, the peace officer should seek a warrant from a judge for the person's arrest without undue delay. A warrant issued under this paragraph is not subject to the limitations described in section 629.31.

Subd. 2. **Immunity.** A peace officer acting in good faith and exercising due care in making an arrest pursuant to subdivision 1 is immune from civil liability that might result from the officer's action.

Subd. 3. **Notice of rights.** The peace officer shall orally notify the victim about shelter or other services available in the community and give the victim immediate written notice of the legal remedies and resources available. The written notice must include the following statement:

"IF YOU ARE A VICTIM OF DOMESTIC VIOLENCE, you can file a petition with the court for an order for protection and ask that the person responsible for the domestic violence:

(1) Be restrained from further acts of abuse;

(2) Leave your household;

(3) Stay away from your residence, school, business, or place of employment; and

(4) Pay temporary support to you and for the minor child if the person is legally obligated to do so.

In your petition, you can request a custody and parenting time order for a child in common with the person."

The notice must include the statewide domestic abuse help line and contact information for area organizations providing services to victims of domestic abuse as designated by the Office of Justice Programs in the Department of Public Safety.

Subd. 4. **Report required.** (a) Whenever a peace officer investigates an allegation that a person has committed a qualified domestic violence-related offense and the victim is a family or household member, the officer shall make a written police report of the alleged incident regardless of whether an arrest is made. The report must contain at least the following information: the name, address and telephone number of the victim, if provided by the victim, a statement as to whether an arrest occurred, the name of the arrested person, and a brief summary of the incident. Data that identify a victim who has made a request under section 13.82, subdivision 17, paragraph (d), and that are private data under that subdivision, shall be private in the report required by this section. A copy of this report must be provided upon request, at no cost, to the victim of domestic abuse, the victim's attorney, or organizations designated by the Office of Justice Programs in the Department of Public Safety that are providing services to victims of domestic abuse. The officer shall

submit the report to the officer's supervisor or other person to whom the employer's rules or policies require reports of similar allegations of criminal activity to be made.

(b) As used in this subdivision:

(1) "qualified domestic violence-related offense" has the meaning given in section 609.02, subdivision 16; and

(2) "family or household member" has the meaning given in section 518B.01, subdivision 2, paragraph (b).

Subd. 5. **Training.** The Board of Peace Officer Standards and Training shall provide a copy of this section to every law enforcement agency in this state on or before June 30, 1983.

Upon request of the Board of Peace Officer Standards and Training to the Bureau of Criminal Apprehension, at least one training course must include instruction about domestic abuse. A basic skills course required for initial licensure as a peace officer must, after January 1, 1985, include at least three hours of training in handling domestic violence cases.

History: *1978 c 724 s 2; 1979 c 204 s 1; 1981 c 273 s 13; 1983 c 226 s 1; 1984 c 655 art 1 s 79; 1985 c 265 art 10 s 1; 1986 c 444; 1993 c 326 art 2 s 29; 1995 c 226 art 7 s 18; 1998 c 371 s 18; 1999 c 227 s 22; 2000 c 444 art 2 s 48; 2004 c 290 s 37; 2009 c 59 art 2 s 3; 2013 c 125 art 1 s 101; 2014 c 177 s 2; 2023 c 52 art 5 s 74,75; 2025 c 35 art 6 s 5; 2026 c 97 art 7 s 6,7*