

***Criminal Procedure §2-202 Warrantless Arrests – In General***

- (a) *A police officer may arrest without a warrant a person who commits or attempts to commit a felony or misdemeanor in the presence or within the view of the police officer.*
- (b) *A police officer who has probable cause to believe that a felony or misdemeanor is being committed in the presence or within the view of the police officer may arrest without a warrant any person whom the police officer reasonably believes to have committed the crime.*
- (c) *A police officer without a warrant may arrest a person if the police officer has probable cause to believe that a felony has been committed or attempted and the person has committed or attempted to commit the felony whether or not in the presence or within the view of the police officer.*

***Criminal Procedure §2-203 Same – Commission of Specified Crimes***

- (a) *In general - A police officer without a warrant may arrest a person if the police officer has probable cause to believe:*
  - (1) that the person has committed a crime *listed in subsection (b) of the section*; and
  - (2) that unless the person is arrested immediately, the person:
    - (i) may not be apprehended;
    - (ii) may cause physical injury or property damage *to another*; or
    - (iii) may tamper with, dispose of, or destroy evidence
- (b) *Specified crimes – The crimes referred to in subsection (a)(1) of this section are:*
  - (1) *manslaughter by vehicle or vessel under Sec. 2-209 of the Criminal Law Article;*
  - (2) *malicious burning under Sec. 6-104 or Sec. 6-105 of the Criminal Law Article or an attempt to commit the crime;*
  - (3) *malicious mischief under Sec. 6-301 of the Criminal Law Article or an attempt to commit the crime;*
  - (4) *a theft crime where the value of the property or services stolen is less than \$500 under Sec. 7-104 or Sec. 7-105 of the Criminal Law Article or an attempt to commit the crime;*
  - (5) *the crime of giving or causing to be given a false alarm of fire under Sec. 9-604 of the Criminal Law Article;*
  - (6) *indecent exposure under Sec. 11-107 of the Criminal Law Article;*
  - (7) *a crime that relates to controlled dangerous substances under Title 5 of the Criminal Law Article or an attempt to commit the crime;*
  - (8) *the wearing, carrying, or transporting of a handgun under Sec. 4-203 or Sec. 4-204 of the Criminal Law Article;*
  - (9) *carrying or wearing a concealed weapon under Sec. 4-101 of the Criminal Law Article; and*
  - (10) *prostitution and related crimes under Title 11, Subtitle 3 of the Criminal Law Article.*

***Criminal Procedure §2-204 Same - For Domestic Abuse***

- (a) ***In general - A police officer without a warrant may arrest a person if:***
- (1) ***the police officer has probable cause to believe that:***
    - (i) ***the person battered the person's spouse or another person with whom the person resides;***
    - (ii) ***there is evidence of physical injury; and***
    - (iii) ***unless the person is arrested immediately, the person:***
      - (1) ***may not be apprehended;***
      - (2) ***may cause physical injury or property damage to another; or***
      - (3) ***may tamper with, dispose of, or destroy evidence; and***
  - (2) ***a report to the police was made within 48 hours of the alleged incident.***
- (b) ***Self-defense – If the police officer has probable cause to believe that mutual battery occurred and arrest is necessary under subsection (a) of this Section, the police officer shall consider whether one of the persons acted in self-defense when determining whether to arrest the person whom the police officer believes to be the primary aggressor.***

***Criminal Procedure §2-205 Same – For Stalking***

***A police officer without a warrant may arrest a person if:***

- (1) ***the police officer has probable cause to believe the person has engaged in stalking under Sec. 3-802 of the Criminal Law Article;***
- (2) ***there is credible evidence other than the statements of the alleged stalking victim to support the probable cause under item (1) of this section; and***
- (3) ***the police officer has reason to believe that the alleged stalking victim or another person is in danger of imminent bodily harm or death.***