

133.310 Authority of officer to arrest without warrant. (1) A peace officer may arrest a person without a warrant if the officer has probable cause to believe that the person has committed any of the following:



- (a) A felony.
- (b) A Class A misdemeanor.
- (c) An unclassified offense for which the maximum penalty allowed by law is equal to or greater than the maximum penalty allowed for a Class A misdemeanor.
- (d) Reckless driving under ORS 811.140.
- (e) Driving while under the influence of intoxicants under ORS 813.010.
- (f) Failure to perform the duties of a driver under ORS 811.700 or 811.705.
- (g) Criminal driving while suspended or revoked or in violation of a hardship or probationary permit under ORS 811.182.
- (h) Fleeing or attempting to elude a police officer under ORS 811.540.
- (i) Any other offense in the officer's presence except traffic infractions as defined in ORS 153.505 and violations as defined in ORS 161.565.

(2) A peace officer may arrest a person without a warrant when the peace officer is notified by telegraph, telephone, radio or other mode of communication by another peace officer of any state that there exists a duly issued warrant for the arrest of a person within the other peace officer's jurisdiction.

(3) A peace officer shall arrest and take into custody a person without a warrant when the peace officer has probable cause to believe that:

(a) There exists an order issued pursuant to ORS 30.866, 107.095 (1)(c) or (d), 107.716, 107.718, 124.015, 124.020 or 163.738 restraining the person;

(b) A true copy of the order and proof of service on the person has been filed as required in ORS 107.720, 124.030 or 163.741; and

(c) The person to be arrested has violated the terms of that order.

FAMILY  
ISSUES +  
STALKING

CONTINUED  
ON FOLLOWING  
PAGE