

77-3a-103 Enforcement.

- (1) A peace or law enforcement officer shall, without a warrant, arrest a person if the peace or law enforcement officer has probable cause to believe that the person has violated an ex parte civil stalking injunction or civil stalking injunction issued pursuant to this chapter or has violated a permanent criminal stalking injunction issued pursuant to Section 76-5-106.5, whether or not the violation occurred in the presence of the officer.
- (2) A violation of an ex parte civil stalking injunction or of a civil stalking injunction issued pursuant to this chapter constitutes the criminal offense of stalking as defined in Section 76-5-106.5 and is also a violation of the civil stalking injunction. Violations may be enforced by a civil action initiated by the petitioner, a criminal action initiated by a prosecuting attorney, or both.

Enacted by Chapter 276, 2001 General Session