

**PEACE OFFICER AUTHORITY**

1999 GENERAL SESSION

STATE OF UTAH

**Sponsor: Mike Dmitrich**

AN ACT RELATING TO THE CODE OF CRIMINAL PROCEDURE; ALLOWING PEACE OFFICERS TO ARREST PERSONS SUSPECTED OF CLASS A MISDEMEANORS IN THE SAME MANNER AS THOSE SUSPECTED OF COMMITTING FELONIES.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**77-7-2**, as last amended by Chapter 161, Laws of Utah 1986

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **77-7-2** is amended to read:

**77-7-2. Arrest by peace officers.**

A peace officer may make an arrest under authority of a warrant or may, without warrant, arrest a person:

(1) for any public offense committed or attempted in the presence of any peace officer; "presence" includes all of the physical senses or any device that enhances the acuity, sensitivity, or range of any physical sense, or records the observations of any of the physical senses;

(2) when he has reasonable cause to believe a felony or a class A misdemeanor has been committed and has reasonable cause to believe that the person arrested has committed it;

(3) when he has reasonable cause to believe the person has committed a public offense, and there is reasonable cause for believing the person may:

- (a) flee or conceal himself to avoid arrest;
- (b) destroy or conceal evidence of the commission of the offense; or
- (c) injure another person or damage property belonging to another person.