

1. The person battered the person's spouse or other individual with whom the person resides;
 2. There is evidence of physical injury; and
 3. Unless the person is immediately arrested:
 - A. The person may not be apprehended;
 - B. The person may cause injury to the person or damage to the property of one or more other persons; or
 - C. The person may tamper with, dispose of, or destroy evidence;
- and

(ii) A report to the police was made within 48 hours of the alleged incident.

(2) If the police officer has probable cause to believe that mutual battery occurred and arrest is necessary under this subsection, the officer shall consider whether one of the parties acted in self-defense when making the determination whether to arrest the person whom the officer believes to be the primary aggressor.

(e) A police officer may arrest a person without a warrant if the officer has probable cause to believe:

(1) That an offense listed in subsection (f) of this section has been committed;

(2) That the person has committed the offense; and

(3) That unless the person is immediately arrested:

(i) The person may not be apprehended;

(ii) The person may cause injury to the person or damage to the property of one or more other persons; or

(iii) The person may tamper with, dispose of, or destroy evidence.

(f) The offenses referred to in subsection (e) of this section are:

(1) Those offenses specified in the following sections of Article 27, as they may be amended from time to time:

(i) Section 8(a) (relating to malicious burning);

(ii) Section 36 (relating to carrying or wearing weapon);

(iii) Section 111 (relating to destroying, injuring, etc., property of another);

(iv) Section 156 (relating to giving a false alarm of a fire);