2026 Victim related legislative updates for law enforcement

The 2026 legislative changes tighten expectations, expand duties and directly affect how cases are handled in real time. Knowing these updates ensures your daily decisions stay compliant and aligned with current law.

Notification

If requested by an HRO petitioner, the sheriff, law enforcement officer or designee must make reasonable efforts to notify the petitioner before or immediately after service that the respondent will be or has been served with the order (Amending 609.748)

Domestic abuse

- Law enforcement must collect detailed domestic abuse response data and report it to the BCA. Effective Jan. 1, 2028. (Adding section 626.5537)
- Domestic abuse – clarifies when written report required in domestic abuse cases (Amending 629.341, subd. 4)
    - Requires a written report when a peace office investigates an allegation that a person has committed a qualified domestic violence-related offense and the victim is a family or household member, regardless of whether an arrest is made.
- Domestic abuse – arrest authority; circumstances in issuance of citation and release (Amending 629.341, subd. 1 and 4; 629.72, subd 1a)
    - Warrantless misdemeanor arrest authority in domestic abuse cases extended from 72 hours to 14 days.
    - In cases where the officer has probable cause in a harassment, stalking, domestic abuse, OFP/DANCO violation, the officer shall seek a warrant without undue delay.
    - Persons arrested for violation or OFP or DANCO subject to section 518B.01 and 629.75. Citations in lieu of continued detention permitted in harassment, stalking or domestic abuse, unless person poses a threat to the alleged victim or other family member.

- Domestic abuse – bail hearings; information to the court and findings by judge (Amending 629.72)
    - Individual arrested for violating an OFP / DANCO must be held in custody for at least 36 hours unless released earlier by a judicial officer
    - Individual arrested for harassment, stalking, or domestic abuse must be issued a citation in lieu of continued detention UNLESS it reasonably appears that release of the person (specific factors listed in the statute)
        - If someone is arrested for harassment / stalking / domestic abuse / violation of an OFP or DANCO and they are not issued a citation in lieu of detention, they must be brought before a judge without unnecessary delay
    - Adds requirement in cases where person was arrested for an OFP or DANCO violation that the prosecutor must describe the allegations in the underlying petition or criminal case.
    - Places more specificity on what must be included in the judge's findings that are required in cases of domestic abuse, harassment or stalking, violation of an OFP, or violation of DANCO related to whether the release of the person poses a threat and the substantial likelihood that the person will fail to appear at subsequent proceedings.
- Domestic abuse – prosecution plans (Amending 611A.0311)
    - For purposes of the prosecution plan, the definition of a "domestic abuse case" is expanded to include violation of HRO and DANCO and crimes of harassment or stalking when committed against a family or household member.

Additional resources

For additional information visit the OJP website at: https://dps.mn.gov/divisions/ojp/for-professionals