

JAN 17 2014

A BILL FOR AN ACT

RELATING TO UNSWORN FALSIFICATION TO A LAW ENFORCEMENT OFFICER.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that Hawaii's penal code
2 does not adequately address situations in which a person
3 deliberately provides a false statement or document to a law
4 enforcement officer during an investigation, intending to
5 mislead, divert, or hinder the investigation. These types of
6 statements and documents frequently cause delays in an
7 investigation by diverting attention and resources from actual
8 leads in the investigation to an individual having nothing to do
9 with the crime, allowing the suspect to flee.

10 The purpose of this Act is to establish the offense of
11 unsworn falsification to a law enforcement officer during an
12 official investigation.

13 SECTION 2. Chapter 710, Hawaii Revised Statutes, is
14 amended by adding a new section to be appropriately designated
15 and to read as follows:

16 "§710- Unsworn falsification to a law enforcement

17 officer. (1) A person commits the offense of unsworn

18 falsification to a law enforcement officer if the person



1 intentionally or knowingly makes a written or verbal statement
2 to a law enforcement officer during the course of an
3 investigation that the person does not believe to be true and
4 that:

- 5 (a) Is a materially false, fictitious, or fraudulent
6 statement or representation; or
- 7 (b) Makes or uses any false document knowing it contains a
8 false, fictitious, or fraudulent statement or entry,
9 which may later be used at an official proceeding.

10 (2) Unsworn falsification to a law enforcement officer is
11 the same grade of offense that is being investigated, but no
12 less than a misdemeanor."

13 SECTION 3. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun before its effective date.

16 SECTION 4. New statutory material is underscored.

17 SECTION 5. This Act shall take effect upon its approval.

18

INTRODUCED BY: Will Eyras



Report Title:

Penal Code; Unsworn Falsification to a Law Enforcement Officer

Description:

Creates the offense of unsworn falsification to a law enforcement officer and a penalty of not less than a misdemeanor.

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