
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 existing
2 penal code does not adequately address situations in which a
3 person provides a statement to a law enforcement officer during
4 an investigation that contains false information intended to
5 mislead, divert, or hinder the investigation. These types of
6 statements may delay an investigation and could enable the
7 suspect or suspects to flee by diverting resources to avenues
8 that do not further the investigation and persons having nothing
9 to do with the crime.

10 Accordingly, the purpose of this Act is to establish the
11 offense of unsworn falsification to a law enforcement officer
12 during an 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



1 falsification to a law enforcement officer if, during the course
2 of an investigation, the person intentionally or knowingly:

3 (a) Makes an unsworn written or verbal statement to a law
4 enforcement officer that is a materially false,
5 fictitious, or fraudulent statement or representation;
6 or

7 (b) Makes or uses any unsworn false document containing
8 any materially false, fictitious, or fraudulent
9 statement or entry,

10 which may later be used in an official proceeding.

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

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

17 SECTION 4. New statutory material is underscored.

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

19

INTRODUCED BY:



JAN 17 2014



H.B. NO. 1804

Report Title:

False Statements and Documents; Law Enforcement; Investigation

Description:

Establishes the offense of Unsworn Falsification to a Law Enforcement Officer prohibiting a person from intentionally or knowingly making a false statement, or making or using a false document, to an officer during the course of an investigation that is materially false, fictitious, or fraudulent.

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