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# A BILL FOR AN ACT

RELATED TO LAW ENFORCEMENT.

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

1 SECTION 1. Section 803-37, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§803-37 Power of officer serving. (a) The officer  
4 charged with the warrant, if a house, store, or other building  
5 is designated as the place to be searched, may enter it without  
6 demanding permission if the officer finds it open. If the doors  
7 are shut, the officer shall declare the officer's office and the  
8 officer's business and demand entrance. If the doors, gates, or  
9 other bars to the entrance are not immediately opened, the  
10 officer may break them. When entered, the officer may demand  
11 that any other part of the house, or any closet or other closed  
12 place in which the officer has reason to believe the property is  
13 concealed, may be opened for the officer's inspection, and if  
14 refused the officer may break them.

15 (b) If a resident is absent at the time of a warranted or  
16 warrantless search of a house, store, or other building, the  
17 officer shall post notice of the search that shall include the



1 report number, date, time, reason for entering, and callback  
2 numbers. Any entrances used by law enforcement shall be secured  
3 upon completion of a warranted or warrantless search.

4       (c) If an electronic device or storage media is designated  
5 as the item to be searched, the court may authorize the officer  
6 to obtain technical assistance from individuals or entities,  
7 located within or outside the State, in the examination of the  
8 item; provided that the officer shall submit a sworn statement  
9 to the judge or magistrate, certifying the reliability and  
10 qualifications of the individuals or entities and the reason  
11 their assistance is necessary; provided further that no  
12 individual or entity shall be compelled to provide technical  
13 assistance without their consent."

14       SECTION 2. New statutory material is underscored.

15       SECTION 3. This Act shall take effect upon its approval.



**Report Title:**

Law Enforcement; Warrants; Searches; Private Property

**Description:**

Requires law enforcement to post notice that a warranted or warrantless search has been conducted on a property if a resident was not present at the time of the search. (SD1)

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