

---

## A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1        SECTION 1. The legislature finds that there is a need to  
2 hold accountable persons who have assisted offenders after the  
3 commission of serious crimes. Often, these individuals are  
4 subject to limited sanctions for hindering prosecution in the  
5 first degree, a class C felony offense.

6        The legislature further finds that, under existing law,  
7 accomplice liability, which subjects a person to the same level  
8 of penalty as the percipient actor, does not apply to actions or  
9 assistance provided after the offense is committed. Thus, for  
10 example, an individual who assists a mass murderer by providing  
11 the offender shelter, food, or transportation after the  
12 commission of the offense would only be subject to a maximum  
13 penalty of a five-year prison term. A person who provided  
14 similar assistance to a person who killed or attempted to kill a  
15 police officer would also be limited to a maximum penalty of a  
16 five-year prison term.



1       The legislature believes that establishing a structure for  
2 more appropriate penalties, which takes into consideration the  
3 scope of the offenses and acts in question, will promote greater  
4 respect for the law, ensure offenders receive an appropriate  
5 sentence that reflects the seriousness of the offense, provide  
6 adequate deterrence for future criminal activity, and better  
7 protect the public.

8       Accordingly, the purpose of this Act is to establish  
9 appropriate sanctions for offenders who render assistance and  
10 hinder the apprehension, prosecution, conviction, or punishment  
11 of another offender.

12       SECTION 2. Section 710-1029, Hawaii Revised Statutes, is  
13 amended by amending subsection (2) to read as follows:

14       "(2) Hindering prosecution in the first degree is [a class  
15 ~~felony.~~] an offense one class or grade, as the case may be,  
16 lower than the offense committed by the other person; provided  
17 that when the offense committed by the other person is murder in  
18 any degree, hindering prosecution is a class A felony."

19       SECTION 3. This Act does not affect rights and duties that  
20 matured, penalties that were incurred, and proceedings that were  
21 begun before its effective date.



1 SECTION 4. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

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

4

INTRODUCED BY:

Nadine K. Nutter

By Request

JAN 23 2026



# H.B. NO. 2074

**Report Title:**

Hawaii Law Enforcement Coalition Package; Public Safety; Hindering Prosecution; Accomplice Liability; Sanctions; Penalties

**Description:**

Establishes a gradient penalty structure for the offense of hindering prosecution in the first degree, based on the level of offense hindered.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

