

JAN 23 2026

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 Statutory material to be repealed is bracketed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.

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INTRODUCED BY:



By Request



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.

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