
A BILL FOR AN ACT

RELATING TO ASSAULT AGAINST LAW ENFORCEMENT OFFICERS.

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

1 SECTION 1. The legislature finds that nationwide data
2 demonstrate an increase in the number of law enforcement
3 officers killed and assaulted. Local police officers are facing
4 serious dangers in their daily work. Furthermore, recruitment
5 and retention of law enforcement officers is a significant and
6 growing concern across our state and nation. The frequency of
7 assaults against law enforcement officers discourages applicants
8 from joining the force and makes it difficult to retain senior
9 officers.

10 Accordingly, the purpose of this Act is to establish
11 appropriate sanctions, distinguish penalties based on the level
12 of the bodily injury sustained by the officer, and deter future
13 crimes for the offense of assault against a law enforcement
14 officer in the first degree by:

15 (1) Including recklessly causing serious or substantial
16 bodily injury to a law enforcement officer engaged in
17 the performance of duty as the offense of assault



1 against a law enforcement officer in the first degree;
2 and

3 (2) Increasing penalties for the offense of assault
4 against a law enforcement officer in the first degree.

5 SECTION 2. Section 707-712.5, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§707-712.5 Assault against a law enforcement officer in**
8 **the first degree.** (1) A person commits the offense of assault
9 against a law enforcement officer in the first degree if the
10 person:

11 (a) Intentionally or knowingly causes bodily injury to a
12 law enforcement officer who is engaged in the
13 performance of duty; [~~or~~]

14 (b) Recklessly or negligently causes, with a dangerous
15 instrument, bodily injury to a law enforcement officer
16 who is engaged in the performance of duty[~~+~~]; or

17 (c) Recklessly causes serious or substantial bodily injury
18 to a law enforcement officer who is engaged in the
19 performance of duty.



1 (2) Assault of a law enforcement officer in the first
2 degree is a class C felony. The court shall, at a minimum,
3 sentence the person who has been convicted of this offense to:

4 (a) An indeterminate term of imprisonment of five years,
5 pursuant to section 706-660; or

6 (b) Five years probation, with conditions to include a
7 term of imprisonment of not less than [~~thirty days~~]
8 six months without possibility of suspension of
9 sentence[-]; provided that a person convicted under
10 subsection (1)(c) shall be subject to a term of
11 imprisonment of not less than one year without
12 possibility of suspension of sentence."

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. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 5. This Act shall take effect on March 22, 2075.



S.B. NO. 2518
S.D. 1

Report Title:

Hawaii Law Enforcement Coalition Package; Law Enforcement Officers; Assault; Penalties

Description:

Includes recklessly causing serious or substantial bodily injury to a law enforcement officer engaged in the performance of duty as the offense of assault against a law enforcement officer in the first degree. Increases penalties for the offense of assault against a law enforcement officer in the first degree. Effective 3/22/2075. (SD1)

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