

ACT 105

S.B. NO. 2870-80

A Bill for an Act Relating to Arrests by Police Officers Without Warrant.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 803-5, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 803-5 By police officer without warrant. (a) A police officer or other officer of justice, may, without warrant, arrest and detain for examination such persons as may be found under such circumstances as justify probable cause to believe that they have committed:

(1) Any offense in the officer's presence; or

(2) Any felony or misdemeanor, whether in the officer's presence or otherwise.

(b) For purposes of this section, a police officer has probable cause to make an arrest when the facts and circumstances within the officer's knowledge and of which the officer has reasonably trustworthy information are sufficient in themselves to warrant a person of reasonable caution in the belief that a crime has been or is being committed."

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. *

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

(Approved May 22, 1980.)

*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.