

A Bill for an Act Relating to Law Enforcement.

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

SECTION 1. The Hawaii Revised Statutes is amended by adding a new section to be appropriately designated and to read as follows:

“Sec. - Officer of United States Customs Service or Immigration and Naturalization Service; arrest powers. An officer of the United States Customs Service and the Immigration and Naturalization Service may, without a warrant, arrest a person if:

- (1) The officer is on duty;
- (2) One or more of the following situations exists:
 - (A) The person commits an assault or other crime involving physical harm, defined and punishable under chapter 707, against the officer or against any other person in the presence of the officer;
 - (B) The person commits an offense against public order, defined and punishable under chapter 711, in the presence of the officer;
 - (C) The officer has probable cause to believe that a crime as defined in subparagraph (A) or (B) has been committed and has probable cause to believe that the person to be arrested has committed the crime;
 - (D) The officer has probable cause to believe that a felony has been committed and probable cause to believe that the person to be arrested has committed the felony; or
 - (E) The officer has received information by written, telegraphic, teletypic, telephonic, radio, or other authoritative source that a law enforcement officer holds a warrant for the person’s arrest; and
- (3) The Regional Commissioner of Customs or the Regional Commissioner of Immigration and Naturalization, as the case may be, for the district of Hawaii certifies to the State that the officer has received proper training within the agency to enable that officer to enforce or administer this section.”

SECTION 2. New statutory material is underscored.*

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

(Approved June 5, 1980.)

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