

STAND. COM. REP. NO.

475

Honolulu, Hawaii

MAR 03 2011

RE: S.B. No. 1025
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 1025 entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

begs leave to report as follows:

The purpose and intent of this measure is to protect
firefighters and water safety officers engaged in the performance
of their duties by increasing the penalties for assault on them to
a class C felony.

Your Committee received testimony in support of this measure
from the Chair of the State Fire Council and Fire Chief of the
Honolulu Fire Department; the Hawai'i State Association of
Counties; the Department of the Prosecuting Attorney of the City
and County of Honolulu; the Department of Fire and Public Safety
of the County of Maui; and four individuals. Your Committee
received testimony in opposition to this measure from the Office
of the Public Defender.

Your Committee finds that the intent of this measure is to
protect firefighters and water safety officers from unnecessary
harm from members of the public. Similar to law enforcement
officers, emergency medical service personnel, nurses, and
physicians, firefighters and water safety officers may find
themselves in hostile and volatile situations, stemming from drug
use by or domestic violence between members of the public. These
volatile situations can erupt and place a firefighter or water
safety officer in danger, even while the person is trying to



continue to perform the person's public safety function. Your Committee intends that the increased penalties for assault on these public employees will constitute sufficient deterrent to enable these employees to perform their important public safety responsibilities without risking physical injury from the members of the public.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to allow for further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1025, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1025, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



CLAYTON HEE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB1025	Committee Referral: JDL	Date: 2/10/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les				✓
SLOM, Sam				✓
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes