

Honolulu, Hawaii

Aj 1 , 2008

RE: S.B. No. 3182  
S.D. 1  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 3182, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EXTENDED SENTENCING,"

begs leave to report as follows:

The purpose of this bill is to protect good samaritans by subjecting to the extended sentencing laws a person who in the course of committing or attempting to commit a crime inflicts serious bodily injury to a good samaritan. This bill defines "good samaritan" to mean a person who, whether through justifiable use of force, contacting proper authorities, or other lawful means, renders or attempts to render emergency assistance or care in good faith and without compensation for the protection of another person from the commission or attempted commission by the defendant of any of the following crimes: murder, manslaughter, certain felony sexual offenses, robbery, felonious assault, burglary, or kidnapping.

The Honolulu Police Department supported this bill. The Department of the Prosecuting Attorney for the City and County of Honolulu supported this bill with amendments. The Attorney General supported the intent of this measure. The Office of the Public Defender opposed this bill.

Your Committee has amended this measure by:



- (1) Deleting the crime of burglary from the list of crimes under the definition of "good samaritan"; and
- (2) Changing its effective date to January 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3182, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3182, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

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

  
\_\_\_\_\_  
TOMMY WATERS, Chair



State of Hawaii  
House of Representatives  
The Twenty-fourth Legislature

**HSCR 1590-08**

**Record of Votes of the Committee on Judiciary**

<b>Bill/Resolution No.:</b> SB 3182, SD1 (SSCR2884)	<b>Committee Referral:</b> JUD	<b>Date:</b> 3-25-08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD)   <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. WATERS, Tommy (C)	/			
2. OSHIRO, Blake K. (VC)	/			
3. EVANS, Cindy	/			
4. GREEN, Josh, M.D.	/			
5. ITO, Ken	/			
6. LUKE, Sylvia	/			
7. McKELVEY, Angus L.K.	/			
8. MORITA, Hermina M.				/
9. SONSON, Alex M.	/			
10. SOUKI, Joseph M.	/			
11. TSUJI, Clift	/			
12. YAMANE, Ryan I.	/			
13. YAMASHITA, Kyle T.	/			
14. MARUMOTO, Barbara C.	/			
15. PINE, Kymberly Marcos	/ TW			/
16. THIELEN, Cynthia				
<b>TOTAL (16)</b>	14 TW	0	0	2
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. committee acronym(s)				
<b>Vice Chair's or designee's signature:</b> _____ Tony Waters				
<b>Distribution:</b> Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office				