

STAND. COM. REP. NO.

1356

Honolulu, Hawaii

MAR 30 2007

RE: H.B. No. 987
H.D. 1
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 987, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO POLICE OFFICERS,"

begs leave to report as follows:

The purpose of this measure is to clarify the types of acts,
for which a police officer is being prosecuted or sued, that would
entitle the officer to be represented by legal counsel provided by
the county.

The bill provides for three actions that would be "acts done
in the performance of the officer's duty as a police officer" to
qualify for legal counsel. The three actions are:

- (1) Any action while in a duty status or while on duty;
- (2) Any action performed while off duty and effecting an
arrest or any other police duty; and
- (3) Any action performed while on special duty status.

Your Committee received testimony in support of the bill from
the State Organization of Police Officers. The Corporation
Counsel testified against the bill.

Your Committee amended the bill by:

1. Adding a fourth action of "under the color of law";

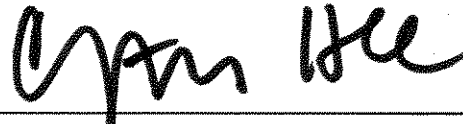
HB987 SD1 SSCR JDL .doc



2. Requiring a recommendation from the corporation counsel or county attorney within seven days of the Police Commission's request; and
3. Changing the effective date to "upon approval" from January 1, 2050.

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 H.B. No. 987, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 987, H.D. 1, 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,

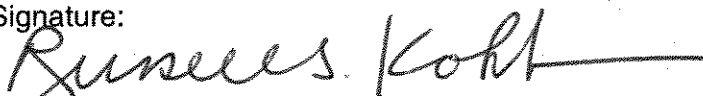


CLAYTON HEE, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* HB 987 HD1	Committee Referral: SDL	Date: 3/21/07		
<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)	/			
KOKUBUN, Russell S. (VC)	/			
INOUYE, Lorraine R.	/			
NISHIHARA, Clarence K.	/			
GABBARD, Mike	/			
TOTAL	5			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution:	Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	

*Only one measure per Record of Votes