
A BILL FOR AN ACT

RELATING TO GRAFFITI.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that despite efforts to
2 eradicate graffiti, it is a visual blight on schools, bus stops,
3 freeway walls, road signs, buildings, and other public and
4 private property statewide. The state department of
5 transportation estimates that it spends approximately \$25,000 to
6 paint over one hundred fifty thousand square feet of graffiti
7 each year. Persons who have committed an act constituting
8 graffiti, as defined by section 46-1.5(24)(c), Hawaii Revised
9 Statutes, may be required to pay for the actual cost of having
10 the damaged property repaired or replaced, be ordered to perform
11 community service work in an amount commensurate with the costs
12 of the damage for which they are unable to pay, or be ordered to
13 perform community service.

14 The legislature also finds that offenders who commit acts
15 of graffiti and have been sentenced to community service should
16 be afforded an additional option to repay the community for
17 their crime. The purpose of this Act is to establish a program



1 that will coordinate graffiti eradication efforts by which
2 graffiti offenders may discharge a community service sentence.

3 SECTION 2. There is established within the judiciary the
4 graffiti eradication sentencing program. The program shall:

5 (1) Collaborate with the district courts, circuit courts,
6 police departments, intake service centers, law
7 enforcement, and community organizations to ensure the
8 success of the program;

9 (2) Prescribe a course of action that a graffiti offender
10 must undertake to discharge a community service
11 sentence;

12 (3) Coordinate the implementation, scheduling, and
13 monitoring of graffiti eradication activities for
14 graffiti offenders who have been sentenced to
15 community service; and

16 (4) Document the completion of graffiti eradication
17 activities for each graffiti offender participating in
18 the program.

19 The judiciary shall submit an annual report to the
20 legislature on graffiti eradication sentencing program including
21 any recommendations and proposed legislation, not later than
22 twenty days prior to the convening of each regular session.



1 SECTION 3. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$, or so much
 3 thereof as may be necessary for fiscal year 2007-2008, and the
 4 same sum, or so much thereof as may be necessary for fiscal year
 5 2008-2009, for the establishment and implementation of the
 6 graffiti eradication sentencing program.

7 The sums appropriated shall be expended by the judiciary
 8 for the purposes of this Act.

9 SECTION 4. This Act shall take effect on July 1, 2007.

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INTRODUCED BY:

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J. Niki Korumoto
~~*[Handwritten signature]*~~
Jyle B. Berg

JAN 24 2007



Report Title:

Graffiti; Community Service; Sentencing; Judiciary

Description:

Establishes the graffiti eradication sentencing program within the judiciary, to allow a person who has committed an act of graffiti to discharge a community service sentence through graffiti eradication activities.

