

Honolulu, Hawaii

MAR 02 2007

RE: S.B. No. 676
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
S.B. No. 676 entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE,"

begs leave to report as follows:

The purpose of this measure is to mandates certain penalties, including graffiti eradication, for persons convicted of aggravated criminal property damage. Holds persons legally accountable for a minor liable for aggravated criminal property damage committed by the minor.

Testimony in support of this measure was received from Department of Transportation, McCully - Moiliili Neighborhood Board #8 and a private citizen. Opposing testimony was received from the Office of the Public Defender.

Your committee finds that incidences of graffiti is escalating and permeating throughout our neighborhoods. This measure is an attempt to deal with repeat offenders and to hold them or their parents, in the case of minors, financially and physically responsible for their actions including eradicating their graffiti.


The measure was amended by deleting the proposed fines because the present fines for aggravated criminal property is a misdemeanor which carries higher fines up to \$2,000 and/or imprisonment for one year.



Your Committee also considered the proposed language in Senate Bill 1694. However, after consultation with a Major of the Honolulu Police Department, people committing the crime of graffiti are presently being charged under the present criminal property crimes so the proposed language is not needed.

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. 676, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 676, 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.:*	Committee Referral:	Date:
SB076	JDL	2/19/07
<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)		✓
INOUE, Lorraine R.		✓
NISHIHARA, Clarence K.	✓	
GABBARD, Mike	✓	
TOTAL	3	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:		
		
Distribution:	Original	Yellow
	File with Committee Report	Clerk's Office
		Pink
		Drafting Agency

*Only one measure per Record of Votes