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LAND
STATE PARKS

**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committee on
JUDICIARY AND LABOR**

**Monday, February 6, 2017
9:30 AM
State Capitol, Conference Room 016**

**In consideration of
SENATE BILL 797
RELATING TO OFFENSES AGAINST PROPERTY RIGHTS**

Senate Bill 797 proposes to create the offense of criminal property damage to a public restroom if a person intentionally or knowingly damages a toilet, urinal, bathroom stall, mirror, or sink so as to render it unusable, or sets fire to a trash receptacle and defines public restroom and establishes penalties. **The Department of Land and Natural Resources (Department) supports this measure with comments.**

The Department agrees that criminal property damage is a problem and has concerns as to the time and cost to replace toilets, the affect to public health and safety if the restroom is closed for a period of time, as well as enforcement in relation to vandalism to restroom facilities in public parks.

The Department's expense to repair a single toilet is approximately \$500 per incident. On some of the neighbor islands, replacement parts are not readily available which would keep the restroom closed for extended periods of time, hence the concern with public health and safety. The Department appreciates that the bill proposes to address the concerns of vandalism, but would defer to law enforcement or the prosecutors as to the ability to enforce or prosecute a person who commits the offense intentionally or knowingly.

The Department's Division of State Parks does have administrative rules in place to cover criminal property damage (Section 13-146-32, Hawaii Administrative Rules).

Thank you for the opportunity to comment on this measure.

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: *Submitted testimony for SB797 on Feb 6, 2017 09:30AM*
Date: Friday, February 3, 2017 10:21:41 PM

SB797

Submitted on: 2/3/2017

Testimony for JDL on Feb 6, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Individual	Support	Yes

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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