

SB-2983-SD-1

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Submitted By	Organization	Testifier Position	Testify
William Caron	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and members of the committee,

I am writing in **support** of SB2983, a bill that establishes the offense of criminal destruction of a tree on state or county property, punishable as a misdemeanor. This straightforward measure provides law enforcement and prosecutors with a necessary tool to protect public trees that serve as living landmarks, cultural treasures, and critical components of Hawai‘i’s natural heritage.

Public Trees Are Community Assets Worthy of Legal Protection

Across Hawai‘i, trees on state and county property provide immeasurable value to our communities. They cool our neighborhoods, absorb stormwater, sequester carbon, and provide habitat for native birds and insects. Many public trees are decades or even centuries old, having witnessed generations of Hawaiian history. They are not replaceable overnight, yet under current law, the deliberate destruction of a public tree carries no specific criminal penalty commensurate with the harm caused.

When an individual intentionally damages or destroys a public tree—whether by cutting, poisoning, or other means—the loss belongs to the entire community. Taxpayers have invested in planting and maintaining these trees. Neighborhoods have enjoyed their shade and beauty. Future generations should inherit them intact. SB2983 recognizes that the destruction of a public tree is not a mere property crime against the government, but an offense against the public good.

Closing a Gap in Current Law

While existing statutes may address vandalism or criminal property damage in general terms, they do not specifically account for the unique value of mature trees or the particular methods used to destroy them. Tree poisoning, for example, may not involve the kind of visible damage that triggers general vandalism statutes, yet it is just as destructive—if not more so—than cutting down a tree.

SB2983 creates a clear, specific offense that sends a message: the deliberate destruction of a public tree is unacceptable and will be treated as a criminal matter. The misdemeanor penalty provides an appropriate level of consequence while allowing for enforcement without the evidentiary hurdles that might accompany more serious felony charges.

Protecting Cultural and Historic Trees

Many trees on public land in Hawai'i hold cultural and historical significance. From the coconut trees that sustained Native Hawaiians for centuries, to landmark banyans that anchor our town squares, these living resources connect us to our past. The Legislature has previously recognized the importance of protecting specific species and culturally significant plants. SB2983 extends that recognition by providing a general protection for all public trees, acknowledging that their value transcends mere aesthetics.

Deterrence and Accountability

The primary value of SB2983 lies in deterrence. When individuals know that deliberately destroying a public tree carries specific criminal consequences, they will think twice before acting. For those who do cause such destruction, the bill ensures accountability. Currently, without a specific statute, prosecutors may hesitate to bring charges or may be limited to seeking restitution through civil means. SB2983 provides a clear path for criminal prosecution when warranted.

Balanced and Targeted Approach

It is worth noting that SB2983 is narrowly targeted. It applies only to intentional destruction of trees on state or county property. It does not affect private property rights. It does not criminalize accidental damage or necessary tree removal by government agencies or their contractors. It simply ensures that when someone deliberately destroys a public tree, they face meaningful consequences.

Conclusion

Public trees are among our most valuable and visible community assets. They provide environmental, cultural, and aesthetic benefits that enrich the lives of all Hawai'i residents. When someone deliberately destroys a public tree, they harm the entire community. SB2983 provides a clear, enforceable penalty for such conduct, closing a gap in current law and affirming that our public trees deserve protection.

I urge this Committee to pass SB2983.

Mahalo for the opportunity to testify.