

STATE OF HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Forestry and Wildlife
Honolulu, Hawai'i 96813

July 10, 2020

Chairperson and Members
Board of Land and Natural Resources
State of Hawai'i
Honolulu, Hawai'i

Land Board Members:

**SUBJECT: REQUEST FOR DELEGATION OF AUTHORITY TO THE
CHAIRPERSON TO APPROVE, SIGN, EXECUTE, AMEND, AND
EXTEND MEMORANDA OF AGREEMENTS WITH THE VARIOUS
CIRCUIT COURTS FOR COMMUNITY SERVICE AND
REMEDICATION, SUBJECT TO APPROVAL AS TO FORM BY THE
DEPARTMENT OF THE ATTORNEY GENERAL**

BACKGROUND:

The Department has a successful partnership with restitution units of the First Circuit Court to provide community service labor ranging from file organizing, truck washing, nursery work, baseyard facility maintenance and other work consistent with community service standards and desires to extend this partnership and expand it to other Circuit Courts throughout the state as available.

DISCUSSION:

This delegation would allow the Department the ability to continue partnering with the courts to provide labor for community service, as well as establish additional work sites throughout the state. Community service helps lightens the load on jails and probation departments and give defendants a chance to give back. In this type of alternative sentence, a judge orders a criminal offender to perform work in the community in exchange for a complete or partial reduction of fines and/or incarceration. Community service provides a mutually beneficial, meaningful and needed workforce as well as supporting the Environmental Court system and restorative justice practices in general.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

All work projects will comply with applicable provisions of HRS Chapter 343, and Title 11, Chapter 200, Hawaii Administrative Rules (HAR).

RECOMMENDATION:

That the Board of Land and Natural Resources delegate authority to the Chairperson to approve, sign, execute, amend, and extend memoranda of agreements with the various Circuit Courts in Hawaii for community service and restitution, subject to approval as to form by the Department of the Attorney General.

Respectfully submitted,

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David G. Smith, Administrator
Division of Forestry and Wildlife

APPROVED FOR SUBMITTAL:

Suzanne D. Case

Suzanne D. Case, Chairperson
Board of Land and Natural Resources