

TITLE 6: CRIMES AND CRIMINAL PROCEDURE
DIVISION 1: CRIMES AGAINST THE PERSON

§ 1805. Vandalism

(a) It shall be unlawful for any person and/or persons to vandalize any public or private property.

(b) Any person and/or persons in violation of subsection (a) shall be punished as follows:

(1) First Offense: A fine of not less than \$250 but not more than \$1,000 and 40 hours of community service.

(2) Second Offense: A fine of not less than \$1,000 but not more than \$5,000 and 80 hours of community service.

(3) Third and any subsequent offense: A fine of not less than \$5,000 but not more than \$10,000 and 120 hours of community service after time served.

Source: PL 21-18, § 3 (Mar. 21, 2020).

Commission Comment: In addition to severability and savings clause provisions, PL 21-18 included the following Findings and Purpose section:

Section 1. Findings and Purpose. The Legislature finds that vandalism is a serious concern that negatively impacts our islands. Such acts occur not only within private residence, but also in public areas where everybody can easily lay eyes upon the results of these heinous acts. Such areas include our beaches, parks, and public and private establishments. These acts must be deterred for it destroys the pristine and tranquil outlook that the CNMI is well known for.

The Legislature further finds that when a person commits the act of vandalism, he/she will be charged with criminal mischief (6 CMC § 1803). However, pursuant to 6 CMC § 1803(b), the offender will be punished according the penalties stated for theft (6 CMC § 1601(b)). The Legislature finds that the crime of theft and the act of vandalism are irrelevant to one another. Therefore, it would be pertinent to establish a separate statute and penalty for vandalism to allow for it to be treated as its own crime separate from criminal mischief.

The purpose of this Act is to establish a separate statute and penalty for individuals committing the act of vandalism.