



State of Hawaii
DEPARTMENT OF AGRICULTURE
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LATE TESTIMONY

TESTIMONY OF RUSSELL KOKUBUN
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON AGRICULTURE

February 3, 2012
8:00 A.M.

HOUSE BILL NO. 1869
RELATING TO AGRICULTURE

Chairperson Tsuji and Members of the Committee:

Thank you for the opportunity to provide testimony on HB 1869. This bill amends the Hawaii Penal Code, Chapter 708, Hawaii Revised Statutes, establishing agricultural theft as a class B felony. The department supports the intent of this bill but defers to the counties' prosecutor offices.

The reported losses, as documented by a statewide survey of farmers conducted by the Department of Agriculture, USDA, and the Hawaii Farm Bureau, totaled millions of dollars. The proposed amendment allows for stronger criminal penalties relating to agricultural theft. While the Department agrees that agricultural theft must be prevented, we feel that House Bill 1948 may be a more appropriate vehicle to address this issue

Thank you for the opportunity to testify on this measure.





Hawaii Farm Bureau

call **F E D E R A T I O N**

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Phone: (808) 848-2074 • Neighbor-Islands: (800) 482-1272
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LATE TESTIMONY

FEBRUARY 3, 2012

HEARING BEFORE THE
HOUSE COMMITTEE ON AGRICULTURE
RELATING TO AGRICULTURE

Room 312
8:00 AM

Chair Tsuji, Vice Chair Hashem, and Members of the Committee:

I am Janet Ashman, representing the Hawaii Farm Bureau Federation (HFBF). Organized since 1948, the HFBF is comprised of 1,800 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interests of our diverse agricultural community.

HFBF **supports** HB 1869, which would elevate certain agricultural crimes from theft in the second degree to theft in the first degree.

As you know, Hawaii farmers are struggling to make a living despite high land costs, high labor costs, high shipping costs, competition from the mainland and foreign countries, and a myriad of other factors such as disease and pests that make farming a risky venture. Everyone supports local farmers and ranchers because we'd rather have fresh food and we don't want to be entirely dependent on imported food in case of an emergency that blocks food shipments to Hawaii.

Unfortunately, theft from farms has become rampant in the islands. There is no way that a farmer can guard every inch of his property every minute of the day and night. No farmer can afford to hire security guards to do this and he shouldn't have to. Our police departments are trying to help but they don't have the staffing to be everywhere at all times either. When a thief is caught (and this is not common), the case against him should be taken very seriously and the penalties should be severe.

This bill proposes to make it a more serious offense to steal from farmers. We hope that this will serve as a deterrent to would-be thieves. The bill is one of several measures this session that could help prevent agricultural theft and thereby help our farmers stay in business.

Thank you for your support of Hawaii's farmers and ranchers.



COMMITTEE ON AGRICULTURE

Rep. Clift Tsuji, Chair
Rep. Mark J. Hashem, Vice Chair

COMMITTEE ON ECONOMIC REVITALIZATION & BUSINESS

Rep. Angus L.K. McKelvey, Chair
Rep. Isaac W. Choy, Vice Chair

DATE: Friday, February 03, 2012
TIME: 8:00am
PLACE: Conference Room 312
State Capitol
415 South Beretania Street

Re: Testimony in support of HB1869 RELATING TO AGRICULTURE

Aloha Chairs Tsuji and McKelvey, Vice Chairs Hashem and Choy, and Committee Members,

The Hawaii Aquaculture and Aquaponics Association (HAAA), representing Hawaii's aquaculture and aquaponics industry statewide, testifies in support of HB1869 RELATING TO AGRICULTURE which makes agricultural theft a class B felony.

Agricultural and aquacultural theft has become an increasing threat to the continuing economic viability of farming and ranching in Hawaii. From Big Island orange groves, papaya fields, and cattle ranches to Oahu prawn and fish farms, farms and ranches are facing increasing instances of theft. The losses are often more than just immediate financial loss. If trees are cut down for easy access to steal the crops, or if valuable breeding stocks are stolen, then the farmer or rancher may be negatively impacted for many years until new stocks are grown and reach maturity.

At present it is the farmer and rancher that bears the brunt of the theft, and the perpetrator, if apprehended, typically gets off with minimal personal or financial impact, and is soon back to steal again. For the agricultural thief, the reward currently far outweighs the minimal risk of penalty, even when caught. This must change if agriculture in Hawaii is to ever flourish. Increasing penalties for agriculture theft to a class B felony is a step in the right direction. Hopefully enforcement, prosecution, and appropriate sentencing will follow.

Thank you for the opportunity to testify.



Ronald P. Weidenbach, HAAA President