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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE ESTABLISHMENT OF AN AGRICULTURAL THEFT TASK  
FORCE.

1           WHEREAS, theft of agricultural equipment, supplies, or  
2 products valued at more than \$20,000 is prosecutable as a Class  
3 B felony; theft of such items valued at more than \$100 and up to  
4 \$20,000 is prosecutable as a Class C felony; and theft of such  
5 items valued at \$100 or less is prosecutable as a misdemeanor;  
6 and  
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8           WHEREAS, theft of agricultural commodities generally known  
9 to be marketed for commercial purposes, or theft of more than  
10 twenty-five pounds of agricultural products, are also  
11 prosecutable as a Class C felony; and  
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13           WHEREAS, Act 125, Session Laws of Hawaii, 2012, among other  
14 matters, requires a person convicted of agricultural theft to  
15 make payment to the property owner for the cost of replanting  
16 the agricultural product or commodity, in addition to  
17 restitution for the value of the stolen agricultural product or  
18 commodity; and  
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20           WHEREAS, according to a KHON 2 News report, in spite of the  
21 above penalties, Hawaii's farmers continue to face the serious  
22 ongoing problem of agricultural theft; and  
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24           WHEREAS, law enforcement officials have noted a lack of the  
25 reporting of incidents due to victims' fears of retaliation,  
26 language barriers where English is spoken as a second language,  
27 and the difficulty in proving culpability; and  
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29           WHEREAS, law enforcement officers face challenges in  
30 pursuing suspects, given the difficulty of navigating the  
31 unmarked roads in rural areas where many farms are located; and  
32



1       WHEREAS, there is support in the agricultural community to  
2 discourage agricultural theft; now, therefore,  
3

4       BE IT RESOLVED by the House of Representatives of the  
5 Twenty-seventh Legislature of the State of Hawaii, Regular  
6 Session of 2013, the Senate concurring, that the Department of  
7 Agriculture create and oversee an Agricultural Theft Task Force;  
8 and  
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10       BE IT FURTHER RESOLVED that, more specifically, the Task  
11 Force is requested to design a proposed Agricultural Theft  
12 Awareness and Prevention Program, to be submitted to the  
13 Legislature; and  
14

15       BE IT FURTHER RESOLVED that, in designing such a Program,  
16 the Task Force is requested to consider the feasibility and  
17 likely effectiveness of potential components of the Program,  
18 including, but not limited to:  
19

- 20       (1) A system, on the Internet or through other means, that  
21 facilitates speedy communication between owners and  
22 workers of agricultural properties, law enforcement,  
23 the Department of Agriculture, and other parties  
24 regarding suspected agricultural theft;  
25
- 26       (2) The use of a standardized electronic agricultural  
27 crime reporting form, with check boxes to facilitate  
28 completion of the form;  
29
- 30       (3) Classes for owners and workers of agricultural  
31 properties to learn about email, text, and messaging,  
32 for the purpose of training those individuals to  
33 instantly communicate concerns and other information  
34 about alleged incidents of agricultural theft;  
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- 36       (4) The provision of funding for increased patrols from  
37 law enforcement;  
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- 39       (5) The provision of navigational devices for law  
40 enforcement, for the purpose of reducing the amount of  
41 travel time involved in pursuing cases of agricultural  
42 theft;  
43



- 1           (6) The training of law enforcement officers in the most  
2           prevalent non-English languages used by owners and  
3           workers of agricultural properties, for the purpose of  
4           easing language barriers when alleged crimes are  
5           reported;
- 6
- 7           (7) The training of owners and workers of agricultural  
8           properties to use English, for the purpose of easing  
9           language barriers when alleged crimes are reported;
- 10
- 11          (8) The creation of public service announcements about the  
12          devastating impact of agriculture-related crimes on  
13          farmers and the criminal penalties for committing  
14          them; and
- 15
- 16          (9) The procurement of the services of private entities to  
17          facilitate any implemented aspects of the program,  
18          except for those aspects that only law enforcement  
19          should implement; and
- 20

21           BE IT FURTHER RESOLVED that the Task Force Membership is  
22 requested to include at least the following:

- 23
- 24          (1) The Director of Agriculture, or that director's  
25          designee;
- 26
- 27          (2) The Director of Public Safety, or that director's  
28          designee;
- 29
- 30          (3) The Attorney General, or the Attorney General's  
31          designee;
- 32
- 33          (4) The Director of Finance, or that director's designee;
- 34
- 35          (5) The Chair of the Senate Committee on Agriculture;
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- 37          (6) The Chair of the Senate Committee on Public Safety,  
38          Intergovernmental, and Military Affairs;
- 39
- 40          (7) The Chair of the House Committee on Agriculture;
- 41
- 42          (8) The Chair of the House Committee on Public Safety; and
- 43



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1 (9) One representative of each of the Police Departments  
 2 of the Counties of Kauai, Maui, and Hawaii, and the  
 3 City and County of Honolulu; and  
 4

5 BE IT FURTHER RESOLVED that the Department of Agriculture  
 6 is requested to submit a report to the Legislature no later than  
 7 twenty days prior to the convening of the Regular Session of  
 8 2014, containing the Task Force's proposed Agricultural Theft  
 9 Awareness and Prevention Program, including any proposed  
 10 legislation; and  
 11

12 BE IT FURTHER RESOLVED that the task force is requested to  
 13 be dissolved on June 30, 2014; and  
 14

15 BE IT FURTHER RESOLVED that certified copies of this  
 16 Concurrent Resolution be transmitted to the Director of  
 17 Agriculture; the Director of Public Safety; the Attorney  
 18 General; the Director of Finance; and the Chiefs of Police of  
 19 the counties within the State.  
 20  
 21  
 22

OFFERED BY:

<p><u>[Signature]</u></p> <p><u>[Signature]</u></p> <p><u>[Signature]</u></p> <p><u>[Signature]</u></p>	<p><u>[Signature]</u></p> <p><u>[Signature]</u></p> <p><u>[Signature]</u></p> <p><u>[Signature]</u></p> <p><u>[Signature]</u></p> <p><u>[Signature]</u></p> <p><u>[Signature]</u></p> <p><u>[Signature]</u></p>
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