
HOUSE 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
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33 WHEREAS, there is support in the agricultural community to
34 discourage agricultural theft; now, therefore,
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1 BE IT RESOLVED by the House of Representatives of the
2 Twenty-seventh Legislature of the State of Hawaii, Regular
3 Session of 2013, that the Department of Agriculture create and
4 oversee an Agricultural Theft Task Force; and

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6 BE IT FURTHER RESOLVED that, more specifically, the Task
7 Force is requested to design a proposed Agricultural Theft
8 Awareness and Prevention Program, to be submitted to the
9 Legislature; and

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11 BE IT FURTHER RESOLVED that, in designing such a Program,
12 the Task Force is requested to consider the feasibility and
13 likely effectiveness of potential components of the Program,
14 including, but not limited to:

- 15
16 (1) A system, on the Internet or through other means, that
17 facilitates speedy communication between owners and
18 workers of agricultural properties, law enforcement,
19 the Department of Agriculture, and other parties
20 regarding suspected agricultural theft;
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22 (2) The use of a standardized electronic agricultural
23 crime reporting form, with check boxes to facilitate
24 completion of the form;
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26 (3) Classes for owners and workers of agricultural
27 properties to learn about email, text, and messaging,
28 for the purpose of training those individuals to
29 instantly communicate concerns and other information
30 about alleged incidents of agricultural theft;
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32 (4) The provision of funding for increased patrols from
33 law enforcement;
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35 (5) The provision of navigational devices for law
36 enforcement, for the purpose of reducing the amount of
37 travel time involved in pursuing cases of agricultural
38 theft;
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40 (6) The training of law enforcement officers in the most
41 prevalent non-English languages used by owners and
42 workers of agricultural properties, for the purpose of
43 easing language barriers when alleged crimes are
44 reported;



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- (7) The training of owners and workers of agricultural properties to use English, for the purpose of easing language barriers when alleged crimes are reported;
- (8) The creation of public service announcements about the devastating impact of agriculture-related crimes on farmers and the criminal penalties for committing them; and
- (9) The procurement of the services of private entities to facilitate any implemented aspects of the program, except for those aspects that only law enforcement should implement; and

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

- (1) The Director of Agriculture, or that director's designee;
- (2) The Director of Public Safety, or that director's designee;
- (3) The Attorney General, or the Attorney General's designee;
- (4) The Director of Finance, or that director's designee;
- (5) The Chair of the Senate Committee on Agriculture;
- (6) The Chair of the Senate Committee on Public Safety, Intergovernmental, and Military Affairs;
- (7) The Chair of the House Committee on Agriculture;
- (8) The Chair of the House Committee on Public Safety; and
- (9) One representative of each of the Police Departments of the Counties of Kauai, Maui, and Hawaii, and the City and County of Honolulu; and

BE IT FURTHER RESOLVED that the Department of Agriculture is requested to submit a report to the Legislature no later than



1 twenty days prior to the convening of the Regular Session of
 2 2014, containing the Task Force's proposed Agricultural Theft
 3 Awareness and Prevention Program, including any proposed
 4 legislation; and

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

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 9 BE IT FURTHER RESOLVED that certified copies of this
 10 Resolution be transmitted to the Director of Agriculture; the
 11 Director of Public Safety; the Attorney General; the Director of
 12 Finance; and the Chiefs of Police of the counties within the
 13 State.
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OFFERED BY:

Jan P. McC...
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Allen C. ...

Nicole E. Fover

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J. ...

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F. ...

MAR 13 2013

