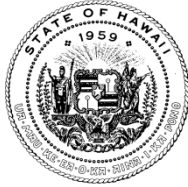


**SB2201**

NEIL ABERCROMBIE  
GOVERNOR



Testimony of  
GLENN M. OKIMOTO  
DIRECTOR

Deputy Directors  
FORD N. FUCHIGAMI  
RANDY GRUNE  
AUDREY HIDANO  
JADINE URASAKI

IN REPLY REFER TO:

**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

February 18, 2014  
10:00 a.m.  
State Capitol, Room 016

**S.B. 2201**  
**RELATING TO THEFT**

Senate Committee on Judiciary and Labor

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The Department of Transportation (DOT) **supports** SB 2201 to increase the penalty from a class C felony to a class A felony. Due to the recent theft of fiber optic cables, the DOT recommends that Section 2 of the bill be amended as follows:

“(2) Theft of copper or any type of wire or cable is a class C felony [-] ; provided that theft of copper, any type of wire or cable owned by the State or counties or located on State or county property is a class A felony.”

Thank you for the opportunity to provide testimony.

**Testimony of the Office of the Public Defender  
State of Hawaii  
to the Senate Committee on Judiciary and Labor**

**February 18, 2014**

**S.B. No. 2201: Relating to Theft**

Chair Hee and Members of the Committee:

We oppose the passage of S.B. No. 2201 which would raise the punishment of any theft of copper, regardless of dollar amount involved, to a Class A felony if the theft involves state or county property. A conviction would thus subject an offender to a 20 year indeterminate prison term. While we understand the public frustration that results when theft of copper affects public utilities such as street lighting, we do not believe that imposition of a draconian prison sentence on someone convicted of this offense will solve the problem. Nor will it prevent future thefts of copper wiring.

An offender under the current copper theft law is already guilty of a Class C felony which carries a maximum penalty of 5 years in prison. This is a far greater penalty than most theft cases. However, when an offender is taking copper wiring, that person is not consciously considering the penalty involved.

S.B. No. 2201 would make copper theft from government property equivalent to such offenses as Sexual Assault 1° and Manslaughter. We do not feel the offense should be on the same level as such crimes. Thank you for the opportunity to provide testimony on this bill.

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDL Testimony](#)  
**Cc:** [mendezj@hawaii.edu](mailto:mendezj@hawaii.edu)  
**Subject:** \*Submitted testimony for SB2201 on Feb 18, 2014 10:00AM\*  
**Date:** Friday, February 14, 2014 4:18:50 PM

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**SB2201**

Submitted on: 2/14/2014

Testimony for JDL on Feb 18, 2014 10:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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