



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-EIGHTH LEGISLATURE, 2016**

ON THE FOLLOWING MEASURE:

H.B. NO. 1578, H.D. 2, RELATING TO THEFT.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY AND LABOR

DATE: Tuesday, April 5, 2016 **TIME:** 9:00 a.m.

LOCATION: State Capitol, Room 016

TESTIFIER(S): Douglas S. Chin, Attorney General, or
Lance M. Goto, Deputy Attorney General

Chair Keith-Agaran and Members of the Committee:

The Department of the Attorney General (the "Department") submits comments regarding the proposed offense of Theft of Urn.

The purpose of this bill is to prevent the theft of urns by establishing the offense of Theft of an Urn as a class C felony offense, and by requiring scrap dealers and persons selling to scrap dealers, when engaged in transactions involving urns, to follow the same requirements established for transactions involving copper and beer kegs.

On page 3, at lines 4-6, the bill establishes the offense of Theft of Urn as follows:

A person commits the offense of theft of urn if the person does any of the acts enumerated in section 708-830 with respect to an urn.

The definition of the offense as the commission of acts "with respect to an urn" is awkward and ambiguous.

The Department recommends that the offense be established using wording similar to the offenses of Theft of Copper, in violation of section 708-835.7, Hawaii Revised Statutes (HRS), and Theft of Beer Keg, in violation of section 708-835.8, HRS. The offense of Theft of Urn could be established as follows:

A person commits the offense of theft of urn if the person commits theft of an urn.

Thank you for the opportunity to testify.

April 2, 2016

TO: Senator Gilbert S. C. Keith-Agaran, Chair
Senator Maile S. L. Shimabukuro, Vice Chair

Committee on Judiciary and Labor
Tuesday, April 5, 2016, 9:00 am
State Capitol, Conference Room 016

FROM:

Lisa Wond

A handwritten signature in black ink, appearing to read 'Lisa Wond', with a long, sweeping horizontal line extending to the right.

SUBJECT: **H.B. 1578, H.D.2, RELATING TO THEFT**

I support H.B. 1578, H.D.2., establishing the theft of an urn as a Class C felony and requiring scrap dealers to follow the same regulations required for the purchase of copper or a beer keg.

My family has suffered and still suffers the heartbreak of having our family gravesite desecrated and the urns of my ancestors stolen for its metal value. Our stolen urns were recovered from the Reynolds Recycling plant at Sand Island, but we never recovered the ashes of my family members.

Representatives at the Honolulu Police Department confirm that the copper law is working, so I believe that applying the same requirements to urns would help to stop the theft of urns.

Although HPD quickly arrested two suspects, the thieves' reprehensible and unconscionable actions have gone unpunished. Any measure you enact that will help to prevent this crime is sincerely appreciated.

Thank you for your consideration and support of this bill.

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: Submitted testimony for HB1578 on Apr 5, 2016 09:00AM
Date: Saturday, April 02, 2016 9:25:09 AM
Attachments: [testimony- recyclers.docx](#)

HB1578

Submitted on: 4/2/2016

Testimony for JDL on Apr 5, 2016 09:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Tracy Aki	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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

March 19, 2016

To: Senator Gilber Keith-Agaran, Chair
Senator Maile Shimabukuro, Vice Chair

From: Tracy Aki

Subject: S.B. 3080, Relating to Theft

My name is Tracy Aki and I support S.B. 3080.

In June of 2015, thieves broke into the gravesite of my grandfather, grandmother, aunt, and and uncle and stole their urns. My cousin took matters in his own hands and foud out that the thieves had taken the urns to Reynolds Recycling. They received a mere \$31 for the urns.

The ashes had been dumped somewhere prior to them taking the urns to the recycling center. Now the ashes are gone forever. My family was very disturbed and upset that the remains of our loved ones were taken and discarded as if they were meaningless. My relatives now have nowhere to visit, to pay their respects to the deceased family members. It was CUSTOMARY for my relatives to visit the gravesite at certain times of the year. Now, there is nothing left at the grave.

This bill will keep recycling companies from paying customers for URNS. Please pass this bill so that other families in Hawaii won't need to go through the agony of what we went through. What the thieves did was despicable.