

DAVID Y. IGE  
Governor

SHAN S. TSUTSUI  
Lt. Governor



State of Hawaii  
**DEPARTMENT OF AGRICULTURE**  
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SCOTT E. ENRIGHT  
Chairperson, Board of Agriculture

PHYLLIS SHIMABUKURO-GEISER  
Deputy to the Chairperson

**TESTIMONY OF SCOTT E. ENRIGHT  
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEE ON AGRICULTURE**

February 4, 2016  
8:30 A.M.  
CONFERENCE ROOM 312

HOUSE BILL NO. 2674  
RELATING TO AGRICULTURAL THEFT

Chairperson Tsuji, and Members of the Committee:

Thank for the opportunity to testify on House Bill No. 2674. The bill is similar to House Bill 1996 and proposes to establish a two-year pilot project to investigate and prosecute agricultural theft and vandalism. The bill will dedicate an enforcement officer specifically to prosecuting agricultural theft and agricultural vandalism incidences in the county of Hawaii; identify best practices for prevention and provide recommendations for a statewide program to address agricultural theft and agricultural vandalism. The department supports this bill provided that it does not impact the priorities submitted in the department's executive budget and requests that the Attorney General's office be included in the discussion.

Agricultural theft and agricultural vandalism have been a constant problem for farmers on the island of Hawaii, increasing the cost of production and preventing farming operations to be successful. The vast farming land area on the island of Hawaii and limited law enforcement officers make it difficult to capture perpetrators.

The Investigations Division of the Attorney General's office is assisting the department with on-going investigations of alleged illegal activities. Therefore, we request that the Investigation Division of the Attorney General's office be included in the discussion.



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The department also requests that additional funding to the \$70,000 proposed in the bill will be necessary to fulfill the expectations of this two year pilot program.

Thank you for the opportunity to testify on this measure.



# Hawaii Floriculture and Nursery Association

Testimony for the Twenty Eighth Legislature, 2016  
State of Hawaii

COMMITTEE ON AGRICULTURE  
Rep. Clift Tsuji, Chair  
Rep. Richard Onishi, Vice Chair

THURSDAY FEBRUARY 04, 2016  
8:30 A.M.  
Conference Room 312  
State Capitol  
415 South Beretania Street

A bill for an act  
**HB2674** RELATING TO AGRICULTURE.

My name is Eric S. Tanouye and I am the President for the Hawaii Floriculture and Nursery Association. HFNA is a statewide umbrella organization with approximately 300 members. Our membership is made up with breeders, hybridizers, propagators, growers, shippers, wholesalers, retailers, educators, and the allied industry, which supports our efforts in agriculture.

The Hawaii Floriculture and Nursery Association (HFNA) **SUPPORTS** House **Bill 2674**.

Our industry has noticed an increase in theft targeting Agriculture and agree that steps do need to be taken to help ease the burden off farmers.

We find it unfortunate that farms are being viewed as an easy source of theft due to their size and open nature. My own farm of Green Point Nurseries has been a victim of theft, with vehicles and farm equipment and supplies being stolen. We feel the need to patrol our farms at night and worry that we will be unable to work the next day with tools and supplies gone missing, or that all of our hard work will go towards replacing the items that were stolen.

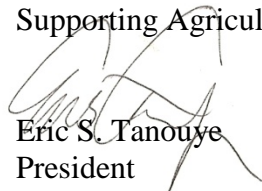
HFNA supports this bill that will help everyone understand this problem that is facing agriculture and hope that it will help farmers to continue to be farmers.

We thank you for your consideration of HB2674. If you have any questions at this time, I would be happy to discuss them and can be reached by phone at 808-959-3535 ext 22, cell 960-1433 and email [eric@greenpointnursery.com](mailto:eric@greenpointnursery.com).



# Hawaii Floriculture and Nursery Association

Supporting Agriculture and Hawaii,



Eric S. Tanouye  
President

Hawaii Floriculture and Nursery Association



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February 4, 2016

HEARING BEFORE THE  
HOUSE COMMITTEE ON AGRICULTURE

TESTIMONY ON HB 2674  
RELATING TO AGRICULTURAL THEFT

Room 312  
8:30 AM

Aloha Chair Tsuji, Vice Chair Onishi, and Members of the Committee:

I am Randy Cabral, President of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,900 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interest of our diverse agricultural community.

**HFB strongly supports HB 2674**, which would establish a two-year Agricultural Theft Pilot Project in the Department of Agriculture to focus on investigating and prosecuting agricultural theft and agricultural vandalism in the county of Hawaii.

Agricultural theft and vandalism are persistent problems facing agriculture. Weather, drought, pests, weeds, disease, activists, unstable markets, transportation and labor issues, and a changing climate all contribute to uncertainty for farmers and ranchers. Few businesses face such challenges, yet we are charged with producing food, fiber, fuel and flowers for the 99% of non-farmers. Add in the constant threat and impacts of trespass, theft and vandalism, and it's a wonder farms and ranches remain viable.

In working with our members, HDOA, and law enforcement, we have collectively concluded that a dedicated enforcement officer housed in the county prosecutor's office would be a giant step forward in minimizing agricultural crimes and enhancing public safety. Too often a farmer or rancher has sweated, worried, and worked to the bone to produce a crop, only to wake up one morning to find that an opportunistic criminal has helped himself to the harvest. Farmers and ranchers are fed up with this activity and frankly, deserve better. We understand that law enforcement resources are often prioritized for public health and safety. Is the health, safety and livelihood of a farmer and his family any less important? We think not.

Thank you for the opportunity to comment on this measure.



# Hawaii Crop Improvement Association

*Growing the Future of Worldwide Agriculture in Hawaii*

In Strong support of HB 2674  
Relating to Agricultural Theft

## HOUSE COMMITTEE ON AGRICULTURE

Feb. 3, 2016. 8:30 a.m. Room 312

Aloha Chair Tsuji, Vice Chair Onishi and members of the Agriculture Committee.

My name is Bennette Misalucha, Executive Director of the Hawaii Crop Improvement Association (HCIA). HCIA is a Hawaii-based non-profit organization promoting agricultural bio tech to help farmers and communities succeed. Through education, collaboration, and advocacy, we work to ensure a safe and sustainable food supply, support responsible farming practices, and build a healthy state economy.

HCIA is in full support of the intent of HB2674.

We recognize that there are many challenges that confront today's farmers: weather, pests, soil conditions, among many. Unfortunately, for some, there is also the issue of agricultural theft and vandalism. It is a serious ongoing problem with reports of thefts of crops, machinery and tools, animals and the vandalism of property, fences and gates or equipment.

We have seen these instances particularly on the Big Island with papaya farms indiscriminately victimized. We assert that there needs to be additional focus on this crime since the perpetuation of these acts have increased the cost of production and stymied agriculture.

With the proposed pilot program, it definitely will be a step in the right direction of seeing justice appropriately served.

We humbly ask for the Committees' support of HB 2674.

Mahalo for your kind consideration.

### HCIA 2014-2016 Board of Directors

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**Hawaii Cattlemen's Council, Inc.**

**HOUSE COMMITTEE ON AGRICULTURE  
REPRESENTATIVE CLIFT TSUJI, CHAIR  
REPRESENTATIVE RICHARD H.K. ONISHI, VICE CHAIR**

DATE: Thursday, February 4, 2016  
TIME: 8:30 AM  
PLACE: Conference Room 312

**HB 2674 – RELATING TO AGRICULTURAL THEFT.**

Establishes a two-year Agricultural Theft Pilot Project in the Department of Agriculture to focus on investigating and prosecuting agricultural theft and agricultural vandalism in the county of Hawaii. Appropriates funds to the Department of Agriculture.

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

My name is Dale Sandlin, and I am Managing Director of the Hawaii Cattlemen's Council. The Hawaii Cattlemen's Council, Inc. (HCC) is the Statewide umbrella organization comprised of the five county level Cattlemen's Associations. Our 140+ member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of approximately 25% of the State's total land mass.

The Hawaii Cattlemen's Council **strongly supports** HB 2674 as this bill addresses agricultural theft and vandalism, issues felt in all agricultural industries in Hawaii.

This issue has become a major problem for ranchers across the state. Many ranchers feel the effects from the actions of trespassers. These include the cut fences, damage to infrastructure, vandalism and damage to farm infrastructure and theft of private property.

Ranchers often experience stretches of fence that have been cut or laid down. Up to 800 feet of fence in one stretch has been found destroyed by the actions of these trespassers. At times these pastures can contain cattle or other livestock and the trespassers actions produce an access point for the livestock to get out. This can lead to other unintended consequences including an animal loose on the roadway or onto a neighboring residential property and could lead to a threat to the animal's safety and that of the public safety.

Damages to infrastructure can also be very costly. Many ranchers utilize gravity flow water systems with flexible pipe to serve remote water troughs for their cattle. Some ranchers have discovered these flexible pipes broken by trespassers, causing great expense to fix these issues.

Our ranchers have also experienced theft of private property including gas cans, chains, spotlights, or anything that they can be easily removed. Ranchers and farmers have installed large and elaborate locking systems to secure their private property and protect themselves from theft and vandalism. Also, gates have been pulled down and boulders that were placed to prevent access have been removed hours after being installed.

The penalties for trespassing carry little penalty and are difficult to prove. This pilot program should help to address these issues.

We ask this committee pass this important measure and we appreciate the opportunity to provide this testimony.



**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 04, 2016 6:05 AM  
**To:** AGRtestimony  
**Cc:** gottlieb@hawaii.rr.com  
**Subject:** Submitted testimony for HB2674 on Feb 4, 2016 08:30AM

**HB2674**

Submitted on: 2/4/2016

Testimony for AGR on Feb 4, 2016 08:30AM in Conference Room 312

| <b>Submitted By</b> | <b>Organization</b>    | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|------------------------|---------------------------|---------------------------|
| Alan Gottlieb       | Ponoholo Ranch Limited | Support                   | No                        |

Comments: Ag Theft continues to be a huge problem for farmers and ranchers. Even when we do catch perpetrators, they are rarely prosecuted, and even when they are, rarely convicted. This bill will go a long way in helping us fight ag theft.

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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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 02, 2016 4:42 AM  
**To:** AGRtestimony  
**Cc:** starmer@hawaii.edu  
**Subject:** \*Submitted testimony for HB2674 on Feb 4, 2016 08:30AM\*

**HB2674**

Submitted on: 2/2/2016

Testimony for AGR on Feb 4, 2016 08:30AM in Conference Room 312

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Kaelan              | Individual          | Support                   | No                        |

Comments:

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