

DAVID Y. IGE
Governor

SHAN S. TSUTSUI
Lt. Governor



SCOTT E. ENRIGHT
Chairperson, Board of Agriculture

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Deputy to the Chairperson

State of Hawaii
DEPARTMENT OF AGRICULTURE
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**TESTIMONY OF SCOTT E. ENRIGHT
CHAIRPERSON, BOARD OF AGRICULTURE**

BEFORE THE SENATE COMMITTEE ON AGRICULTURE

February 5, 2015
8:30 A.M.

**HOUSE BILL NO. 823
RELATING TO AGRICULTURAL THEFT**

Chairperson Tsuji, and Members of the Committee:

Thank for the opportunity to testify on House Bill No. 823 relating to agricultural theft. The bill proposes to establish a two-year pilot project to investigate the effectiveness of an enforcement officer dedicated specifically on 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, and requests that the Attorney General's office should also be part of 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 Hawaii island and limited law enforcement officers make it difficult to capture perpetrators.

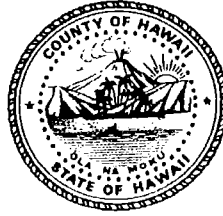
The department has been working with the Investigations Division of the Attorney General's office on on-going investigations of alleged illegal activities. Therefore, we request that the Attorney General's office be included in the discussion.

Thank you for the opportunity to testify on this measure.



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OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF HOUSE BILL 823

A BILL FOR AN ACT RELATING TO AGRICULTURE

COMMITTEE ON AGRICULTURE

Rep. Clift Tsuji, Chair
Rep. Richard H.K. Onishi, Vice Chair

Thursday, February 5, 2015, 8:30 a.m.
State Capitol, Conference Room 312

Honorable Chair Tsuji, Vice-Chair Onishi, and Members of the Committee Agriculture, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in support of House Bill No. 823.

This measure establishes a two-year agricultural theft pilot project to investigate the effectiveness of a dedicated enforcement officer focused specifically on prosecuting agricultural theft and agricultural vandalism in the county of Hawai'i.

Agricultural theft and vandalism in the county of Hawai'i is not only an impediment to running a successful and profitable farming operation, but can also prove harmful to consumers. In 2011, the Food and Drug Administration (FDA) halted the importation of all Mexican-sourced papayas into the United States. The FDA found salmonella in about 16% of imported papayas from Mexico and the finding of this human pathogen in papayas caused the FDA to stop the importation of a food-source from the entire country of Mexico. At the time, 65% of all U.S. imported papayas came from Mexico.

Hawai'i county is the breadbasket of the State. Having the ability to identify and track the sources of agricultural products from field to table is crucial in the event a contamination is found to exist. This pilot project would provide an enforcement officer within the county of Hawai'i with the ability to focus on investigating and prosecuting these agricultural issues, as our over-tasked police department does not have the ability to provide a permanent officer to investigate agricultural crimes.

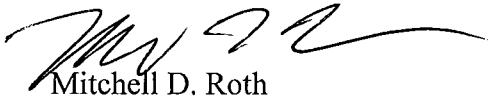
We would have the ability to:

1. Protect our agricultural industry – the economic engine of Hawai‘i county;
2. Ensure our products do not go the way of the Mexican papaya; and
3. Allow our farmers and growers to continue to be world-wide competitors with Hawai‘i-grown products.

This pilot project has the capability to increase the safety and sustainability of our farming and agricultural industry by allowing farmers to focus less on the security of their crops and more on high-quality products and safe farming techniques. By having a committed investigator when crime, vandalism, or contamination of our agricultural products occur, we will be able to act swiftly and decisively to tackle the issue.

The Office of the Prosecuting Attorney, County of Hawai‘i supports the passage of House Bill No. 823. Thank you for the opportunity to testify on this matter.

Respectfully,

A handwritten signature in black ink, appearing to read 'M. Roth', with a long horizontal flourish extending to the right.

Mitchell D. Roth
Prosecuting Attorney
County of Hawai‘i



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February 5, 2015

HEARING BEFORE THE
HOUSE COMMITTEE ON AGRICULTURE

TESTIMONY ON HB 823
RELATING TO AGRICULTURAL THEFT

Room 312
8:30 AM

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

I am Christopher Manfredi, President of the Hawaii Farm Bureau Federation (HFB). Organized since 1948, the HFBF is comprised of 1,932 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interests of our diverse agricultural community.

HFB supports HB 823 that would establish a two-year agricultural theft pilot project to work with the county of Hawaii to hire an enforcement officer within the county of Hawaii to focus on investigating and prosecuting agricultural theft.

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, fibre, 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 passing HB823.

onishi3 - Timothy

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 02, 2015 8:02 PM
To: AGRtestimony
Cc: gottlieb@hawaii.rr.com
Subject: *Submitted testimony for HB823 on Feb 5, 2015 08:30AM*

HB823

Submitted on: 2/2/2015

Testimony for AGR on Feb 5, 2015 08:30AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Gottlieb	Hawaii Cattlemen's Council	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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Hawaii Crop Improvement Association

Growing the Future of Worldwide Agriculture in Hawaii

TESTIMONY FROM BENNETTE MISALUCHA, EXECUTIVE DIRECTOR

In Strong support of HB 823
Relating to Agricultural Theft

HOUSE COMMITTEE ON AGRICULTURE

February 5, 2015, 8:30 AM in House conference room 312

Aloha Chair Tsuji and members of the Committee,

My name is Bennette Misalucha, Executive Director of the Hawaii Crop Improvement Association and we are in direct support of the intent of HB 823.

We recognize that there are many challenges that confront today's farmers: weather, pests, soil conditions and the like. Unfortunately, for some, there is also the threat of agricultural theft and vandalism.

We have seen these instances particularly on the Big Island with papaya farms indiscriminately victimized. There needs to be additional focus on this crime since the perpetuation of these acts have increased the cost of production and stymied agriculture. This bill will definitely be a step in the right direction of seeing justice appropriately served.

We humbly ask for the Committee's support of HB 823.

Mahalo for your kind consideration.

HCIA 2014-2016 Board of Directors

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onishi3 - Timothy

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 05, 2015 1:36 AM
To: AGRtestimony
Cc: darakawa@lurf.org
Subject: Submitted testimony for HB823 on Feb 5, 2015 08:30AM

HB823

Submitted on: 2/5/2015

Testimony for AGR on Feb 5, 2015 08:30AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
David Z. Arakawa	Land Use Research Foundation of Hawaii	Support	No

Comments: The Land Use Research Foundation of Hawaii is in strong support of HB 823, which establishes a two-year agricultural theft pilot project to investigate the effectiveness of a dedicated enforcement officer focused specifically on prosecuting agricultural theft and agricultural vandalism in the County of Hawaii.

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