

DAVID Y. IGE
Governor

DOUGLAS S. CHIN
Lt. Governor



State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

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 HOUSE COMMITTEE ON FINANCE

**FEBRUARY 21, 2018
2:00 P.M.
CONFERENCE ROOM 308**

**HOUSE BILL NO. 1883 HD2
RELATING TO AGRICULTURE**

Chairperson Luke and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 1883 HD2, which establishes a two-year agricultural theft and vandalism pilot project to examine the effectiveness of prosecuting agricultural theft and agricultural vandalism in the county of Hawaii. The Department supports this bill provided it does not impact the Department's priorities listed in the Executive Budget.

The Department of Agriculture has entered into a one-year contract with the Hawaii County Prosecutor's Office for one investigator to conduct agricultural theft and agricultural vandalism investigations. This has been a valuable and productive project with the limited staff performing investigations and outreach with farmers, law enforcement, and farmers markets. We encourage the continuation of the joint efforts being done to pursue prosecution of agricultural related crimes.

Thank you for the opportunity to testify on this measure.



MITCHELL D. ROTH
PROSECUTING ATTORNEY

DALE A. ROSS
FIRST DEPUTY
PROSECUTING ATTORNEY



655 KĪLAUEA AVENUE
HILO, HAWAII 96720
PH: (808) 961-0466
FAX: (808) 961-8908
(808) 934-3403
(808) 934-3503

WEST HAWAII UNIT
81-980 HALEKĪ'I ST, SUITE 150
KEALAKEKUA, HAWAII 96750
PH: (808) 322-2552
FAX: (808) 322-6584

OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF HB 1883 HD2

A BILL FOR AN ACT RELATING TO AGRICULTURE

COMMITTEE ON FINANCE

Rep. Sylvia Luke, Chair

Rep. Ty J. K. Cullen, Vice Chair

Wednesday, February 21, 2018, 2:00 P.M.
State Capitol, Conference Room 308

Honorable Chair Luke, Vice-Chair Cullen, and Members of the Committee on Finance, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in **STRONG SUPPORT** of House Bill 1883 HD2.

This measure establishes a two-year agricultural theft and vandalism pilot project to examine the effectiveness of prosecuting agricultural theft and agricultural vandalism in the county of Hawaii and appropriation of funds.

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. We cannot allow this to happen here. At the time, 65% of all U.S. imported papayas came from Mexico.

An example of recent instances of agriculture vandalism/theft in Hawai'i County have included a total loss of papaya trees numbering into the thousands. These actions resulted in tremendous economic hardships for the farmers and their families. These actions have created an ever-growing a sense of uncertainty for Hawai'i County farmers that they might fall victim to vandals.

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 will provide an enforcement officer within the Hawai'i County 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.

If this project were allowed to go forward, 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.
4. Educating farmers, brokers and retailers about agriculture theft & vandalism prevention techniques.

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 issues. For all of the foregoing reasons, the Office of the Prosecuting Attorney, County of Hawai‘i **STRONGLY SUPPORTS** the passage of House Bill No. 1883 HD 2. Thank you for the opportunity to testify on this matter.



February 16, 2018

Representative Sylvia J. Luke, Chair
Representative Ty J.K. Cullen, Vice-Chair
House Committee on Finance

**Comments in Support of HB 1883, H.D. 2, Relating to Agriculture.
(Establishes a two-year Agricultural Theft and Vandalism Pilot Project to
examine the effectiveness of prosecuting agricultural theft and agricultural
vandalism in the County of Hawaii. Appropriates funds.)**

Wednesday, February 21, 2018, 2:00 p.m., in Conference Room 308

The Land Use Research Foundation of Hawaii (LURF) is a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. LURF's mission is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources, and public health and safety.

LURF appreciates the opportunity to provide comments **in support of HB 1883, H.D. 2.**

HB 1883, H.D. 2. This bill proposes to establish a two-year agricultural theft and vandalism pilot project to examine the effectiveness of prosecuting agricultural theft and vandalism cases, including theft and vandalism affecting individuals who are not full-time farmers or ranchers, in the county of Hawaii. The effort involves partnering between the Department of Agriculture (DOA) and the county of Hawaii to hire two enforcement officers within the prosecuting attorney's office or any other law enforcement agency to assess the implementation of the pilot project, including the project's effectiveness, and make recommendations for a statewide program to address agricultural theft and agricultural vandalism.

LURF's Position. LURF fully supports the intent of HB 1883, H.D. 2, which is to protect farmers and other individuals who have been the victims of agricultural theft and vandalism for years and have reportedly suffered losses totaling millions of dollars. LURF understands that it is reportedly difficult for law enforcement agencies to enforce the agricultural theft and vandalism laws currently in effect, and that farmers have, in the past, initiated contact with the police in attempts to work toward more effective enforcement efforts, but that such undertakings have proved unsuccessful.

The proposed pilot project will assist in, amongst other things, identifying best practices for prosecuting perpetrators of, and preventing agricultural theft and vandalism; and identifying areas where agricultural theft and vandalism are most prevalent.

The bill confirms the need for collaboration amongst diverse sectors of the community - business, government, and agricultural stakeholders - and the importance for them to work together cooperatively to prevent agricultural crimes and improve the overall economic viability of the State's agricultural industry.

LURF therefore **supports HB 1883, H.D. 2** as an effort to promote the importance of the issue raised by the bill, as well as the issues relating to the enforcement of agricultural theft and vandalism laws. LURF further respectfully requests that the proposed project allow the opportunity for input by all stakeholders, including, but not limited to farmers and ranchers, government and law enforcement agencies, and legal experts in order that all interested parties may arrive at a consensus regarding the pilot project and any future statewide program that may be developed as a result.

Thank you for the opportunity to present comments regarding this matter.



P.O. Box 253, Kunia, Hawai'i 96759
Phone: (808) 848-2074; Fax: (808) 848-1921
e-mail info@hfbf.org; www.hfbf.org

February 21, 2018

HEARING BEFORE THE
HOUSE COMMITTEE ON FINANCE

TESTIMONY ON HB 1883, HD2
RELATING TO AGRICULTURE

Room 308
2:00 PM

Aloha Chair Luke, Vice Chair Cullen, 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 interests of our diverse agricultural community.

The Hawaii Farm Bureau strongly supports HB 1883, HD2, which establishes a two-year agricultural theft and vandalism pilot project to examine the effectiveness of 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, 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 dedicated enforcement officers 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 provide testimony on this measure.

HB-1883-HD-2

Submitted on: 2/20/2018 1:40:48 PM

Testimony for FIN on 2/21/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	OCC Legislative Priorities Committee, Democratic Party of Hawai'i	Support	No

Comments:

**PRESENTATION OF THE
OAHU COUNTY COMMITTEE ON LEGISLATIVE PRIORITIES
DEMOCRATIC PARTY OF HAWAI'I
TO THE COMMITTEE ON FINANCE
THE HOUSE OF REPRESENTATIVES
TWENTY-NINTH LEGISLATURE
REGULAR SESSION OF 2018
Wednesday, February 21, 2018
2:00 p.m.**

Hawaii State Capitol, Conference Room 308

RE: Testimony in Support of HB 1883 HD2 RELATING TO AGRICULTURE

To the Honorable Sylvia Luke, Chair; the Honorable Ty J.K. Cullen, Vice-Chair, and Members of the Committee on Finance:

Good afternoon, my name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") Legislative Priorities Committee of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on House Bill No.1883 HD2 relating to Agricultural Theft and Vandalism Pilot Project and appropriation.

The OCC Legislative Priorities Committee is in favor of House Bill No.1883 HD21 and supports its passage.

House Bill No. 1883 HD2 is in alignment with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it establishes a two-year Agricultural Theft and Vandalism Pilot Project to examine the effectiveness of prosecuting agricultural theft and agricultural vandalism in the County of Hawaii and appropriates funds.

The DPH Platform states that "[a]griculture in our state must be preserved and its future strengthened. Sufficient prime agricultural lands must be maintained for the health, economic well-being and sustenance of the people. We believe in an integrated approach to agricultural innovation and sustainability." (Platform of the DPH, P. 2, Lines 76-78 (2016)).

As an island state, securing affordable food for all is a priority. We support healthy, sustainable, and 98 diversified local food production, and "Buy Local" strategies to assure greater food security and food safety. (Platform of the DPH, P. 2, Lines 97-99 (2016)).

Given that House Bill No.1883 HD2 establishes a two-year Agricultural Theft and Vandalism Pilot Project to examine the effectiveness of prosecuting agricultural theft and agricultural vandalism in the County of Hawaii and appropriates funds, it is the position of the OCC Legislative Priorities Committee to support this measure in order to perpetuate our important agricultural industry..

Thank you very much for your kind consideration.

Sincerely yours,

/s/ Melodie Aduja

Melodie Aduja, Chair, OCC Legislative Priorities Committee

Email: legislativepriorities@gmail.com, Tel.: (808) 258-8889



Email: communications@ulupono.com

HOUSE COMMITTEE ON FINANCE
Wednesday, February 21, 2018 — 2:00 p.m. — Room 308

Ulupono Initiative Strongly Supports HB 1883 HD 2, Relating to Agriculture

Dear Chair Luke, Vice Chair Cullen, and Members of the Committee:

My name is Kyle Datta and I am General Partner of Ulupono Initiative, a Hawai'i-based impact investment firm that strives to improve the quality of life for the people of Hawai'i by working toward solutions that create more locally produced food; increase affordable, clean, renewable energy; and better management of waste and fresh water. Ulupono believes that self-sufficiency is essential to our future prosperity and will help shape a future where economic progress and mission-focused impact can work hand in hand.

Ulupono strongly supports HB 1883 HD 2, which establishes a two-year agricultural theft and vandalism pilot project on Hawai'i Island, because it aligns with our goal of creating more locally produced food.

In our conversations with farmers and ranchers, one issue that keeps coming up is agricultural theft and how there is little enforcement and punishment for offenders. Agricultural lots are a prime target for thieves as there are many open entry points, farms are often located in rural and isolated areas, and punishments are minor relative to other crimes. For farmers that can afford to, they have to spend money on security infrastructure, monitoring, and manpower to defend their agricultural operations. Profit margins for agricultural operations are already tight and if a business loses revenue from theft or vandalism and has to invest heavily in security, this could push more local farmers and ranchers out of the agricultural sector. Ultimately, this underrated issue is one that hurts our ability to increase locally grown food in our state.

As Hawai'i's local food issues become more complex and challenging, organizations need additional resources and support to address and overcome them. We appreciate this committee's efforts to look at policies that support local food production.

We believe that by collaborating, we can help produce more local food and support an economically robust homegrown agriculture industry, which strengthens our community with fresh, healthy food. Thank you for this opportunity to testify.

Investing in a Sustainable Hawai'i



Respectfully,

Kyle Datta
General Partner