

DAVID Y. IGE
Governor

DOUGLAS S. CHIN
Lt. Governor



SCOTT E. ENRIGHT
Chairperson, Board of Agriculture

PHYLLIS SHIMABUKURO-GEISER
Deputy to the Chairperson

State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512
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**TESTIMONY OF SCOTT E. ENRIGHT
CHAIRPERSON, BOARD OF AGRICULTURE**

BEFORE THE SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

**FEBRUARY 9, 2018
1:15 P.M.
CONFERENCE ROOM 224**

**SENATE BILL NO. 2111
RELATING TO AGRICULTURE**

Chairperson Gabbard and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 2111, 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.

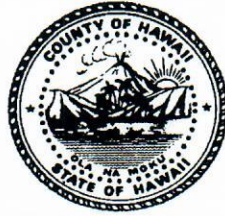
The Department of Agriculture has entered into a one-year contract with the Hawaii County Prosecutor's Office for one investigator to conduct agricultural theft and agricultural vandalism investigations. This has been a valuable and productive project with the limited staff performing investigations 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.



Eileen O'Hara
Council Member
Council District 4

Chair: Environmental
Management Committee



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Vice Chair: Planning Committee and
Agriculture, Water & Energy
Sustainability Committee

County of Hawaii
Hawaii County Council

25 Aupuni Street, Suite 1402 • Hilo, Hawai'i 96720

Senator Mike Gabbard
Chair, Senate Committee on Agriculture and Environment
Hawai'i State Senate

February 2, 2018

Re: In Support of Senate Bill 2111, from Hawai'i County Council District 4
To be heard by AEN on 02-09-18 1:15PM in conference room 224

Aloha Chair Gabbard and Committee Members:

I'm writing to express my support of Senate Bill 2111, 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 has become a serious problem on the Big Island, not only for large scale farms and ranches, but also for smaller, part-time or even household operations that also produce their own crops and livestock. Though the Big Island should be contributing a significant portion of our agricultural output, food production is crippled by theft, vandalism, and a lack of support from an understaffed police force. Depending solely on our Hawai'i Police Department has not been an effective strategy in combating this problem.

The loss in food production has also negatively impacted the income of agriculturalists and subsistence farmers. The widespread affect these crimes have on the state are harmful and discouraging. I strongly support the intent of this bill and hope you do as well, so that we can develop appropriate strategies to combat this problem. Please contact me if you have any questions about my support or knowledge of the subject.

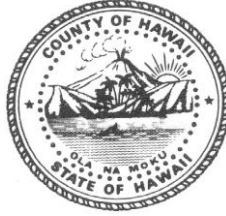
Sincerely,

A handwritten signature in black ink, appearing to read "Eileen O'Hara".

Eileen O'Hara
Council Member
Council District 4

MITCHELL D. ROTH
PROSECUTING ATTORNEY

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FIRST DEPUTY
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OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF SENATE BILL 2111

A BILL FOR AN ACT RELATING TO AGRICULTURE

COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Sen. Mike Gabbard, Chair
Sen. Gil Riviere, Vice Chair

Friday, February 9, 2018, 1:15 P.M.
State Capitol, Conference Room 224

Honorable Chair Gabbard, Vice-Chair Riviere, and Members of the Committee on Agriculture and Environment, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in **STRONG SUPPORT** of Senate Bill No. 2111.

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.

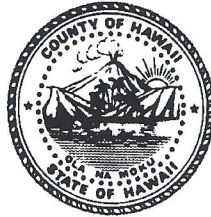
Hawai'i County is the breadbasket of the State. Having the ability to identify and track the sources of agricultural products from field to table is crucial in the event a contamination is found to exist. This pilot project will provide an enforcement officer within the Hawai'i County with the ability 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 Senate Bill No. 2111. Thank you for the opportunity to testify on this matter.

VALERIE T. POINDEXTER
Council Chairwoman & Presiding Officer
Council District 1



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HAWAI'I COUNTY COUNCIL

County of Hawai'i
Hawai'i County Building
25 Aupuni Street, Suite 1402
Hilo, Hawai'i 96720

February 8, 2018

Senate Committee on Agriculture and Environment
Mike Gabbard, Chair
Gil Riviere, Vice Chair

Email: sengabbard@Capitol.hawaii.gov
Email: senriviere@Capitol.hawaii.gov

Subject: Testimony Supporting SB2111, Relating to Agriculture
Hearing: February 9, 2018, 1:15 p.m., Room 224

Dear Senators:

On behalf of myself and the constituents of Council District 1 in Hāmākua, County of Hawai'i, I would like to express our support of SB2111.

This bill 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 Hawai'i and appropriates funds.

I strongly urge the enactment of SB2111. Thank you for your time and consideration.

Sincerely,

Valerie T. Poindexter
Hawai'i County Council Chairwoman
District 1, Hāmākua



Email: communications@ulupono.com

SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT
Friday, February 9, 2018 — 1:15 p.m. — Room 224

Ulupono Initiative Strongly Supports SB 2111, Relating to Agriculture

Dear Chair Gabbard, Vice Chair Riviere, 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 SB 2111, 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

HAWAII COFFEE COMPANY™

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Written Testimony of
Daniel Dinell
President, Hawaii Coffee Company
before the
Senate Committee on Agriculture & Environment
Friday, February 9, 2018; 1:15 p.m.
State Capitol, Conference Room 224

RE: SB2111 RELATING TO AGRICULTURE.

Chair Gabbard and members of the Senate Committee on Agriculture & Environment:

Hawaii Coffee Company (HCC) **supports** SB 2111, 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 and appropriates funds.

HCC has been in the coffee roasting business since 2000 and today is the world's largest roaster of Kona Coffee. Our 100 plus employees at our plant in Kalihi and other locations around the state, including in Captain Cook, the heart of the South Kona coffee district, earn a livelihood milling, roasting, packing, distributing, and retailing coffee. We have a major retail presence throughout Hawaii, are a leading provider of coffee to Hawaii hotels and restaurants as well as an exporter of our products around the globe.

HCC does not own or operate any coffee farms, but we enthusiastically support coffee farmers by buying millions of dollars of coffee cherry in the Kona district, pulping and drying it into coffee parchment and milling it into green coffee beans. This bill helps farmers by going after a difficult problem that makes farming, already a challenging activity, much more difficult. Farmers put time, energy and money into their fields/pastures, so when criminals steal or vandalize, such actions are an affront economically and emotionally.

SB 2111 deserves this committee support. Mahalo for the opportunity to provide this testimony.



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e-mail info@hfbf.org; www.hfbf.org

February 9, 2018

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

TESTIMONY ON SB 2111
RELATING TO AGRICULTURE

Room 224
1:15 PM

Aloha Chair Gabbard, Vice Chair Riviere, 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 supports SB 2111, 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.



February 7, 2018

Senator Mike Gabbard, Chair
Senator Gil Riviere, Vice-Chair
Senate Committee on Agriculture and Environment

Comments in Support of SB 2111, 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.)

Friday, February 9, 2018, 1:15 p.m., in Conference Room 224

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 SB 2111.**

SB 2111. 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 no later than January 1, 2020.

LURF's Position. LURF fully supports the intent of SB 2111, 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 SB 2111** 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.



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HAWAII STATE SENATE
COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Friday, February 9, 2018
1:15 p.m.
Conference Room 224

RE: Testimony in Support of SB 2111

Aloha Chair Gabbard, Vice Chair Riviere and members of the Committee,

I am Chris Manfredi, President of Hawaii Coffee Association.

The Hawaii Coffee Association's (HCA) mission is to represent all sectors of the Hawaiian coffee industry, including growers, millers, wholesalers, roasters and retailers located throughout the State of Hawaii. The HCA's primary objective is to increase awareness and consumption of Hawaiian coffees. A major component of HCA's work is the continuing education of members and consumers. According to the USDA's National Agriculture Statistics Service, (NASS), the Hawaiian Coffee industry is conservatively ranked as the second-highest value crop in Hawaii - not accounting for retail sales.

The HCA strongly supports SB 2111.

Agricultural theft is a major problem for the coffee industry. The Hawaii Coffee Association has long advocated for such a pilot project. Ag crimes are often given a low priority for law enforcement, yet they are an extreme high priority for Hawaii's coffee farmers and processors.

We respectfully ask that coffee counterfeiting - a felony offense - be added to the scope of the pilot project.

Thank you for your support of SB 2111.

SB-2111

Submitted on: 2/8/2018 11:49:35 AM

Testimony for AEN on 2/9/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	OCC Legislative Priorities	Support	No

Comments:

**PRESENTATION OF THE
OAHU COUNTY COMMITTEE ON LEGISLATIVE PRIORITIES
DEMOCRATIC PARTY OF HAWAII
TO THE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
THE SENATE
TWENTY-NINTH LEGISLATURE
REGULAR SESSION OF 2018
Friday, February 9, 2018
1:15 p.m.
Hawaii State Capitol, Conference Room 224**

RE: Testimony in Support of SB 2111, RELATING TO AGRICULTURE

To the Honorable Mike Gabbard, Chair; the Honorable Gil Riviere, Vice-Chair and Members of the Committee on Agriculture and Environment:

Good afternoon, my name is Melodie Aduja. I serve as Chair of the Oahu County Legislative Priorities Committee of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on Senate Bill No. 2111, relating to a two-year agricultural theft and vandalism pilot project.

The OCC Legislative Priorities Committee is in favor of Senate Bill No. 2111 and support its passage.

Senate Bill No. 2111, 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 vandalism cases, including theft and vandalism affecting individuals who are not full-time farmers or ranchers, in the county of Hawaii.

The DPH Platform states that "[a]s an island state, securing affordable food for all is a priority. We support healthy, sustainable, and 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 Senate Bill No. 2111 provides for a two-year agricultural theft and vandalism pilot project, it is the position of the OCC Legislative Priorities Committee to support this measure as it is designed to protect our 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