

**DAVID Y. IGE**  
Governor

**JOSH GREEN**  
Lt. Governor



**PHYLLIS SHIMABUKURO-GEISER**  
Acting Chairperson  
Board of Agriculture

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

**TESTIMONY OF THE DEPARTMENT OF AGRICULTURE  
BEFORE THE HOUSE COMMITTEE ON FINANCE**

**FEBRUARY 20, 2019  
2:00 P.M.  
CONFERENCE ROOM 308**

**HOUSE BILL NO. 1503 HD1  
RELATING TO AGRICULTURE**

Chairperson Luke and Members of the Committee:

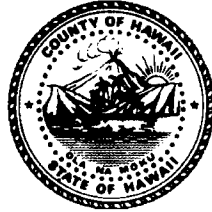
Thank you for the opportunity to testify on House Bill 1503 HD1, which establishes a two-year agricultural theft and vandalism pilot project to examine the effectiveness of prosecuting agricultural theft and agricultural vandalism in the county of Hawaii. The Department strongly supports this bill provided that it does not impact the Department's priorities listed in the Executive Budget.

The Department of Agriculture has entered into a two-year contract with the Hawaii County Prosecutor's Office for one investigator to conduct agricultural theft and agricultural vandalism investigations. This has been very 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 agricultural related crimes.

Thank you for the opportunity to testify on this measure.



Harry Kim  
Mayor



Wil Okabe  
Managing Director

Barbara J. Kossow  
Deputy Managing Director

## County of Hawai'i Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553  
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February 19, 2019

Representative Sylvia Luke, Chair  
Committee on Finance

Representative Ty J.K. Cullen, Vice Chair  
Committee on Finance

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

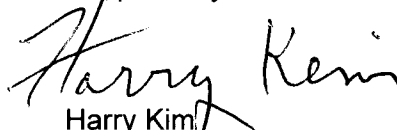
**RE: HB 1503, HD1 Relating to Agriculture (Agricultural Theft and Vandalism Pilot Project)**

Thank you for this opportunity to testify in support of HB 1503, HD1.

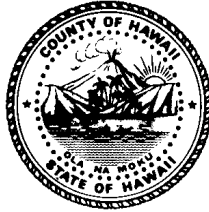
For about a year, our Prosecuting Attorney's office has had an investigator working on agricultural crimes, and we have received positive comments from the agriculture community about his work. The preamble of this bill does a good job of explaining the vulnerabilities agriculture has to theft and vandalism, and our news media has documented farmers who have gone out of business because of their losses.

In order to continue the program, state funding is both desirable and appropriate. I hope you will act favorably on HB 1503, HD1, with a suitable effective date.

Respectfully Submitted,

  
Harry Kim  
MAYOR

County of Hawai'i  
Council District 9 -  
North and South Kohala



Phone: (808) 961-8564  
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Email: [tim.richards@hawaiiicounty.gov](mailto:tim.richards@hawaiiicounty.gov)

**Chair:** Committee on Agriculture,  
Water, Energy, and Environmental  
Management

**Vice Chair:** Committee on Finance

**HERBERT M. "TIM" RICHARDS, III**  
**HAWAI'I COUNTY COUNCIL - DISTRICT 9**  
25 Aupuni Street, Ste. 1402, Hilo, Hawai'i 96720

February 19, 2019

House Committee on Finance  
Honorable Representative Sylvia Luke, Chair  
Honorable Representative Ty J.K Cullen, Vice Chair  
**Submission via online testimony**

RE: **Support of HB 1503, HD1**  
Hearing Date/Time: February 20, 2019 at 2:00 p.m.

Dear Representatives:

As the Chair of the Committee on Agriculture, Water, Energy, and Environmental Management for the Hawai'i County Council, I thank you for the opportunity to submit **testimony in SUPPORT of HB 1503, HD1**. It is critical that agricultural theft and vandalism is continually addressed here in the County of Hawai'i. Therefore, I support the appropriation of funds for the establishment of a 2-year Agricultural Theft and Vandalism Pilot Program to examine the effectiveness of prosecuting agricultural theft and vandalism in the County of Hawai'i.

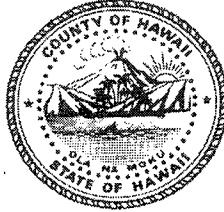
Please feel free to contact me should you need to discuss my position and knowledge of this matter further.

Sincerely,

HERBERT M. "TIM" RICHARDS, III  
Hawai'i County Council, District 9

MITCHELL D. ROTH  
PROSECUTING ATTORNEY

DALE A. ROSS  
FIRST DEPUTY  
PROSECUTING ATTORNEY



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## OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF HOUSE BILL 1503, HD 1

A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF  
AGRICULTURE

COMMITTEE ON FINANCE  
Rep. Sylvia Luke, Chair  
Rep. Ty J.K. Cullen, Vice Chair

Wednesday, February 20, 2019, 2:00 p.m.  
State Capitol, Conference Room 308

Honorable Chair Luke, Honorable 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 No. 1503, HD 1.

This measure establishes a two-year agricultural theft and vandalism pilot project to examine the effectiveness of prosecuting agricultural theft and vandalism in the County of Hawai'i, and appropriates 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 prove harmful to consumers. If stolen produce makes its way to the consumer market, there is no way to ensure product safety.

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.

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 in Hawai'i. At the time, 65% of all U.S. imported papayas come from Mexico.

Current agriculture vandalism/theft in Hawai'i County includes on-going theft of seasonal fruit, including coffee, avocados, lychee, rambutan, noni, etc. These actions resulted in tremendous economic hardships for the farmers and their families, and have created an ever-growing sense of uncertainty for Hawai'i County farmers that they may fall victim to vandals.

This pilot project will provide enforcement officers within 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 capacity to provide a permanent officer to exclusively 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 the food safety of Hawaii Island agricultural products;
3. Support our famers and growers as they continue to be world-wide competitors with Hawai'ian 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 committed investigators available 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, strongly supports the passage of House Bill No. 1503, HD 1. Thank you for the opportunity to testify on this matter.



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February 20, 2019

HEARING BEFORE THE  
HOUSE COMMITTEE ON FINANCE

**TESTIMONY ON HB 1503, HD1**  
RELATING AGRICULTURE

Room 308  
2:00 PM

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

I am Brian Miyamoto, Executive Director 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 1503, HD1**, which appropriates funds to the Department of Agriculture to establish a 2-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 can be tough to prove and even tougher to prosecute. While we agree that this measure may not resolve the implementation of our current agricultural theft laws or enforcement efforts, it will provide the prosecutors with another tool to help prosecute individuals suspected of agricultural theft. HFB continues to work with both the police and prosecutor's office to find ways we can work together to help deter, apprehend, and convict individuals that are committing agricultural theft.

Thank you for this opportunity to testify in support of this measure.



Email: [communications@ulupono.com](mailto:communications@ulupono.com)

HOUSE COMMITTEE ON FINANCE  
Wednesday, February 20, 2019 — 2:00 p.m. — Room 308

**Ulupono Initiative Supports HB 1503 HD 1, Relating to Agriculture**

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

My name is Murray Clay and I am Managing 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 manage waste and fresh water resources. 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 supports HB 1503 HD 1**, which requires the Department of Agriculture to establish a two-year agricultural theft and vandalism pilot project in the County of Hawai'i, because it aligns with our goal to increase local food production.

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 increasingly 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 through collaboration, 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.

Respectfully,

Murray Clay  
Managing Partner

*Investing in a Sustainable Hawai'i*

**HB-1503-HD-1**

Submitted on: 2/19/2019 9:48:15 AM

Testimony for FIN on 2/20/2019 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Warren Watanabe	Maui County Farm Bureau	Support	No

Comments:

Ag Crime is a major challenge to agricultural viability across the State. Police resources are taxed, placing ag incidents at low priority for response despite its' major impact on farms. Farmers on Maui have experienced theft of not only agricultural products but equipment, coupled with vandalism. Most recently it has escalated to blackmailing of farmers. We respectfully request for this measure to include a pilot program on Maui, leveraging state, county and private resources to develop a comprehensive program to address this issue.

Please support this issue including the suggested amendment.





**HAWAII FOREST INDUSTRY ASSOCIATION (HFIA)**

P. O. Box 66 ❖ 'O'ōkala, HI 96774  
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Email: [hfia@hawaiiiforest.org](mailto:hfia@hawaiiiforest.org)  
Website: [www.hawaiiiforest.org](http://www.hawaiiiforest.org)

February 16, 2019

**HB 1503 Relating to Agricultural Theft and Vandalism Pilot project**

House Committee on Finance

Room 308 1:20 PM Wednesday, February 20, 2019

**Re:** Testimony in **Support** of HB 1503 HD1 – Agricultural theft

Chair Luke, Vice Chair Cullen, members of the House Committee on Finance,

The Hawai'i Forest Industry Association (HFIA) is a statewide nonprofit corporation established in Hawai'i in 1989 to promote healthy and productive forests and a sustainable forest industry through forest management, education, planning, information exchange, and advocacy. HFIA has over 300 active members, including professional foresters, millers, harvesters, growers, educators, retailers, manufacturers, wholesalers, governments, nonprofits, horticulturists, and others interested in HFIA's mission of healthy and productive forests. As public and private land managers, our members are responsible for the stewardship of a large portion of Hawai'i's land and have an outsized role in maintaining and improving our forests.

**The HFIA supports HB 1503 HD1 that increases the funding available for prosecuting agricultural theft and vandalism.** Many of our members are forest owners who fit into the broad category of agricultural production including timber theft and damage to equipment and premises. Several of us have had such theft perpetuated on our businesses and economic drain that forestry can ill afford. The bill also requires cooperation with the Hawaii County prosecutor's office and provides funding for two positions. These are the elements of a well thought out plan to address agricultural theft, we look forward to this bill becoming law.

Mahalo,

Nicholas Koch, HFIA President  
P.O. Box 66  
'O'ōkala, HI 96774  
Phone: 808-933-9411  
Email: [hfia@hawaiiiforest.org](mailto:hfia@hawaiiiforest.org)



PO Box 168, Kealahou, HI 96750  
808-929-9550

COMMITTEE ON FINANCE  
February 20, 2019  
2:00 p.m.  
Conference Room 308

**RE: Testimony in Support of HB 1503 HD1**

Aloha Chair Luke, Vice Chair Cullen 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.

The Hawaiian green coffee industry is valued at more than \$62MM by USDA - not accounting for retail sales.

**The HCA strongly supports HB 1503 HD1 and offers the following comments.** Agricultural theft and vandalism are major factors adversely affecting growers and driving the cost of production ever higher. Imagine investing every dollar into a crop and having it disappear from your farm come harvest time. The HCA has long been an advocate for strong law enforcement, and we are pleased that lawmakers and enforcement personnel are responding.

**Another major threat to Hawaii's coffee producers is counterfeiting.** Producers trying to compete on store shelves with products legitimately grown in Hawaii with those that are counterfeited with foreign-grown coffee and falsely labeled as being of Hawaiian origin undermines our industry, our growers, and our origin names. New technologies are available that can trace the origin of green and roasted coffee. **We ask the legislature to add coffee counterfeiting to the scope of agricultural theft and agricultural vandalism outlined in this measure.**

**Thank you for your support of HB 1503 HD1** and for the opportunity to testify on this important measure.

**HB-1503-HD-1**

Submitted on: 2/19/2019 12:14:19 PM

Testimony for FIN on 2/20/2019 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

**HB-1503-HD-1**

Submitted on: 2/17/2019 5:13:57 PM

Testimony for FIN on 2/20/2019 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joseph Kohn MD	We Are One, Inc. - www.WeAreOne.cc - WAO	Comments	No

Comments:

No one should be prosecuted for stealing food for survival. This is a measure of a compassionate society that puts people before profit.

[www.WeAreOne.cc](http://www.WeAreOne.cc)

**HB-1503-HD-1**

Submitted on: 2/19/2019 10:03:23 AM

Testimony for FIN on 2/20/2019 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mae Nakahata	Individual	Support	No

Comments:

Ag theft is one of the major challenges facing our farmers and ranches. While issues such as rainfall and commodity prices are largely determined by forces beyond the farmer's control and even State and County efforts, Ag Crime is something we can do something about.

Unfortunately, limited resources puts ag crime as a low priority, while it threatens the viability of the industry. It is not a problem just on the Big Island.

Please support this measure and **include Maui County as a pilot program. Crime here has escalated to include** blackmailing of farmers. Ag is enough of a challenge. Having crime be a deterrent from new farmers entering the industry is sad. Please help be part of the solution.

Thank you.

**HB-1503-HD-1**

Submitted on: 2/19/2019 11:26:58 AM

Testimony for FIN on 2/20/2019 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
J Ashman	Individual	Support	No

Comments:

Our local farmers work so hard and risk bad weather, high costs, and unreliable markets to supply our communities with food and other necessities. Unfortunately, they also have to deal with thieves who vandalize and steal products and ag equipment. These types of setbacks can be the last straw, forcing farms to shut down. Please support local farmers statewide with this pilot program, and if at all possible, one on Maui, to help stop these crimes. Thank you.