

PLANT THEFT ROBS US ALL

BY REPRESENTATIVE CYNTHIA THIELEN

Working from sunup to sundown, counting every penny, just barely economically making it in this business environment...the life of a nursery owner or grower is not easy. The trade off is ending the day with new growth, happy customers, and a tangible product created by hard work and perseverance. Landscapers delight in creating picture perfect gardens, carefully considering every botanical selection while balancing budget limitations and homeowner expectations. Certain disappointments can be planned for...insects, drought, market ebb and flow. Now landscapers, homeowners, nursery owners and farmers have another blight to consider...plant theft. Plant theft has robbed small business of their profit margins. It nudges prices higher and higher, to the point where certain ornamentals such as the raphis and red ceiling wax palms are not affordable for small land-

scaping jobs. The devastating consequences of this crime not only hurt all of us, but rob our community from the unique tropical beauty Hawaii is so famous for.

Not only the nurseries and farmers have been victimized by plant thieves. Individual homeowners testified at a recent hearing on Plant Theft Legislation that they had spent thousands of dollars on trees, flowers and plants, not to mention the cost, time and effort required to maintain their yard, only to have many of them stolen. Condominium associations have cited numerous losses and have been forced to install costly barriers and fences. It is unfortunate that fences have to be erected to protect expensive landscaping when our 'aina is renowned for the lush green plants which grow throughout our neighborhoods.

The Hawaii Board of Agriculture reported that losses associated with agricultural theft and vandalism have totaled millions of dollars in our state. Theft and vandalism of papaya fields on Oahu and the Big Island resulted in huge financial losses to the farmers and hand-capped future production. The Waimanalo Agricultural Association is also in strong support of stronger laws, noting that the farmers in Waimanalo have had to deal with theft for a number of years. Early this May, plant thieves hit Waiakea High School on the Big Island, cutting down five 20-year-old native kou trees. Cost of the trees was estimated to be about \$4,500 because the valuable wood is used to make bracelets, bowls and canoe paddles.

In committee testimony this session, the Hawaii Farm Bureau Federation wrote, "Everyone knows farming is inherently risky. There are no guarantees of a successful crop. Besides being vulnerable to invasive pests and diseases, erratic weather patterns, and multiyear droughts, high land, labor, fuel, and other farm costs leave us unable to compete with mainland prices. On top of this, farmers are highly susceptible to theft. Our location and relatively large acreage, usually in more remote areas and impossible to guard 24 hours a day, leave us open to thieves that reap the benefit of our hard work or vandals that de-

stroy our crops for kicks.”

Because plant theft continues to escalate exponentially, I introduced, HB12 (Relating to Plant Theft) this Session, which later was combined with another bill, HB1524. This bill established that, in addition to any criminal penalties, a person convicted of plant theft would be required to make payment to the property owner for the value of the stolen agricultural products as well as the cost of replanting the product or commodity.

The community strongly



supported HB1524, and testimony was provided by individuals who have had private yards vandalized and stripped, as well as nurseries owners and farmers who not only have had valuable plants stolen, but have had to pay employees to reestablish their stock. Although the bill passed unanimously through the House, it was not heard in the Senate. Hopefully the Senate will hear it next year, and this important bill will become law.

Unfortunately, as long as thieves are able to profit

from the sale of stolen plants, theft and vandalism will flourish. It is important that elected officials understand the extent of this problem and that strict laws with hard consequences are passed next legislative session. I would encourage you all to write, visit and call your State Representatives and Senators asking that HB1524 be passed next year. In the meantime, report any suspicious activity immediately by calling 911. Theft is a criminal offense which hopefully will be stopped next session through HB1524 which includes restitution to the victims. Plant theft does rob ALL of us!

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