

DAVID Y. IGE
Governor

SHAN S. TSUTSUI
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 JUDICIARY

**FEBRUARY 15, 2017
2:00 P.M.
CONFERENCE ROOM 325**

**HOUSE BILL NO. 783
RELATING TO AGRICULTURE**

Chairperson Nishimoto and Members of the Committee:

Thank for the opportunity to testify on House Bill 783 which proposes to establish 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 submitted in the Executive Budget.

Agricultural theft and agricultural vandalism have been a constant problem for farmers and ranchers on the island of Hawaii, increasing the cost of production and preventing farming operations to be successful. The vast farming land area on the island of Hawaii and limited law enforcement officers make it difficult to capture perpetrators.

If the intent of this bill is for a two-year project, the department respectfully requests that the department be allowed to submit a report of the findings and recommendations to the legislature by December 31, 2019.

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 ST, SUITE 150
KEALAKEKUA, HAWAII 96750
PH: (808) 322-2552
FAX: (808) 322-6584

OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF HOUSE BILL 783

A BILL FOR AN ACT RELATING TO AGRICULTURE

COMMITTEE ON JUDICIARY

Rep. Scott Y. Nishimoto, Chair

Rep. Joy A. San Buenaventura, Vice Chair

Wednesday, February 15, 2017, 2:00 A.M.

State Capitol, Conference Room 325

Honorable Chair Nishimoto, Vice-Chair San Buenaventura, 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. 783.

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 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 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.

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.

The Office of the Prosecuting Attorney, County of Hawai‘i supports the passage of House Bill No. 783. Thank you for the opportunity to testify on this matter.



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OUR MISSION

HCIA is a Hawaii-based non-profit organization that promotes modern agriculture to help farmers and communities succeed. Through education, collaboration and advocacy, we work to ensure a safe and sustainable food supply, support responsible farming practices and build a healthy economy.

TESTIMONY FROM BENNETTE MISALUCHA, EXECUTIVE DIRECTOR

In Support of HB 783 Relating to Agriculture

HOUSE COMMITTEE ON JUDICIARY

February 15, 2017, 2:00 p.m.

Conference Room 325

Chair Nishimoto and members of the committee:

The Hawaii Crop Improvement Association (HCIA) is a Hawaii-based non-profit organization that promotes modern agriculture to help farmers and communities succeed. Through education, collaboration, and advocacy, we work to ensure a safe and sustainable food supply, support responsible farming practices, and build a healthy economy.

HCIA is in **support of HB 783**. We recognize that there are many challenges that confront to-day's farmers: weather, pests, soil conditions, among many. Unfortunately, for some, there is also the issue of agricultural theft and vandalism. It is a serious ongoing problem with reports of thefts of crops, machinery and tools, animals and the vandalism of property, fences and gates or equipment.

We have seen these instances particularly in Hawaii county. We assert that there needs to be additional focus on this crime since the perpetuation of these acts have increased the cost of production and stymied agriculture.

The proposed pilot program will be a step in the right direction of seeing justice appropriately served. We humbly ask for your support of HB 783.

Respectfully submitted,

Bennette Misalucha
Executive Director



Email: communications@ulupono.com

HOUSE COMMITTEE ON JUDICIARY
Wednesday, February 15, 2017 — 2:00 p.m. — Room 325

Ulupono Initiative Strongly Supports HB 783, Relating to Agriculture

Dear Chair Nishimoto, Vice Chair San Buenaventura, 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 reduce waste. 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 783, 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



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 15, 2017

HEARING BEFORE THE
HOUSE COMMITTEE ON JUDICIARY

TESTIMONY ON HB 783
RELATING TO AGRICULTURE

Room 312
8:30 AM

Aloha Chair Nishimoto, Vice Chair San Buenaventura, 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.

HFB strongly supports HB 783, which 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, 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 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 the opportunity to comment on this measure.