

February 19, 2009

Honorable State Representative Clifton Tsuji  
Hawaii State Capitol  
415 Beretania Street, Room 402  
Honolulu, Hawaii 96813  
Fax: 808 586-8484

Dear Representative Tsuji:

As a concerned tax payer, resident and business person of Hawai'i County, I stand in opposition of House Bill 147 that would increase the minimum dollar amount of theft in the second degree from \$300 to \$1,000.

The opening text of the bill cites findings from the year 2006 where overall crime was down from 2005. The text also states that the legislature found that the threshold value of stolen property or services that constitutes second degree theft has not been amended for twenty years.

First and foremost, I think that unemployment and theft *may* go hand in hand. I'm certain that you too would agree that the prior years of 2005 and 2006 are completely different from the business, commerce and high rate of unemployment climate that we are currently experiencing in 2009 and that may continue into the uncertain future.

Secondly, there are chronic criminals who are cognizant of the minimum threshold and calculate their bounty to stay within the current amount to avoid prosecution and serious penalty. The loss to business is immense and the retailer is never compensated and has no hope of recovery. Raising the minimum threshold amount would do nothing more than place an 'open-season free for all' on merchants. With an ever-increasing roster of failing businesses, the effects from this bill may just push yet another business over the edge. Furthermore, amending a bill for the sake that it hasn't been amended for twenty years without compelling reason is not reason enough.

Thank you for the privilege and opportunity in being able to address and air my concerns in regards to House Bill 147.

Sincerely,

Lance B. Duyao  
Director of Retail Operations



Representative Jon Riki Karamatsu, Chair  
Representative Ken Ito, Vice Chair  
Committee on Judiciary

HEARING Friday, February 20, 2009  
3:00 pm  
Conference Room 325  
State Capitol, Honolulu, Hawaii 96813

**RE: HB147, Relating to Theft in the Second Degree**

February 20, 2009

Dear Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I am Jim Frame of Securitas Security Services USA, Inc. Securitas employs approximately 3000 security personnel in the State of Hawaii.

**I strongly oppose HB147, which increases the minimum value of stolen property or services constituting theft in the second degree from \$300 to \$1,000.**

The National Retail Federation estimates that the value of merchandise lost to theft is .9% of annual sales. If we apply that same percentage to retail sales in Hawaii (\$24 billion in 2007), the loss is over \$21 million. If these stolen goods had been actual sales, the result would be revenue for the business and for the state (at least \$800,000 in GET).

Loss Prevention professionals report that there are chronic shoplifters that know the system and actually calculate the value of the merchandise they are stealing to keep under the \$300 amount to avoid prosecution and serious penalties. The retailer is never compensated and has absolutely no hope of recovery. Can you just imagine the losses to these companies if this threshold is raised to \$1,000?

There is absolutely no compelling reason for this increase.

**I respectfully urge you to hold HB147.** Thank you for your consideration and for the opportunity to comment on this measure.

*Securitas Security  
Services USA, Inc.  
Branch 60360  
401 Waiakamilo Road  
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Honolulu, HI 96817*

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Securitas Services USA, Inc.

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## Hawaii Hotel & Visitor Industry Security Association

95-1249 Meheula Parkway, 170 PMB 331, Mililani, HI 96789

*Ensuring safety for our visitors, workforce and community*

Representative Jon Riki Karamatsu, Chair  
Representative Ken Ito, Vice Chair  
Committee on Judiciary

HEARING Friday, February 20, 2009  
3:00 pm  
Conference Room 325  
State Capitol, Honolulu, Hawaii 96813

RE: **HB147, Relating to Theft in the Second Degree**

Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

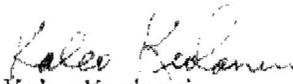
The Hawaii Hotel and Visitor Industry Security Association (HHVISA) is a Non-profit organization of member security professionals in hotel, condo, retail, guard services, convention and other tourist related industry businesses, and are committed to support the retail industry and all businesses throughout Hawaii

HHVISA strongly opposes HB147, which increases the minimum value of stolen property or services constituting theft in the second degree from \$300 to \$1,000.

The Security and Loss Prevention professionals have experienced first hand, those that are repeat/chronic shoplifters that know the system and actually calculate the value of the merchandise they are stealing to keep under the \$300 amount to avoid prosecution and serious penalties.

The retailer is never compensated and has absolutely no hope of recovery. Imagine the losses to these businesses if this threshold is raised to \$1,000? There is absolutely no compelling reason for this increase.

The members of HHVISA respectfully ask you to hold HB147. We thank you in advance for your consideration, and for the opportunity to express our concern on this measure.

  
Kaleo Keolanui,  
President