

# OFFICE OF INFORMATION PRACTICES

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To: House Committee on Economic Development & Technology

From: Carlotta Amerino, Director

Date: January 30, 2026, 10:00 a.m.  
State Capitol, Conference Room 423

Re: Testimony on H.B. No. 1759  
Relating to Theft

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Thank you for the opportunity to submit testimony on House Bill 1759, which would create a task force on organized retail theft and a new criminal offense specifically for organized retail theft. The Office of Information Practices (OIP) takes no position on the substance of this bill but offers comments and recommends either deleting the bill's proposed exemption from Hawaii's open meetings law, the Sunshine Law, part I of chapter 92, Hawaii Revised Statutes (HRS), or replacing it with an executive session purpose specific to the task force.

House Bill 1759 creates a task force on organized retail theft, which is required to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature prior to the regular session of 2027. However, a provision on page 4, lines 15-16 of this bill completely exempts the task force from the Sunshine Law. This means the task force is not required to give public notice of its meetings; not required to allow public participation; and not required to keep a record of its meetings.

The Sunshine Law recognizes that “[i]n a democracy, the people are vested with the ultimate decision-making power.” HRS § 92F-2. Government boards exist

to serve the people; to help create and carry out public policies that affect us all. The “only viable and reasonable method of protecting the public’s interest” is to open government processes to public scrutiny and participation. Id. The Sunshine Law was enacted to protect the public’s right to know.

However, House Bill 1759 removes these Sunshine Law protections without a clear compelling reason. It would allow this new government board to operate in secrecy and propose legislation without public input. Because the group would not be required to accept public testimony or keep the public apprised in any way of its discussions and decisions, it would exclude the perspectives from consumers, small business owners, and others not represented in the task force, and thus whatever legislative solutions the group proposes are likely to have blind spots that public participation could have averted.

If the concern is that the Sunshine Law would constrain members’ ability to freely talk about sensitive information about ongoing organized retail theft investigations or law enforcement tactics, and the Sunshine Law’s existing purposes for holding an executive session would not apply to allow those discussions to be in a closed session, OIP recommends this Committee replace the Sunshine Law exemption with an executive session purpose specific to the group.

**OIP respectfully recommends that the Committee either:**

1. **Delete** the Sunshine Law **exemption** at bill page 4, lines 15-16; or
2. **Replace** the Sunshine Law exemption **with a special executive session purpose** allowing members to go into closed session to discuss pending investigations, confidential law enforcement tactics, or for another purpose that the Legislature deems necessary.

**If the Committee prefers the second option, OIP recommends the following language:**

The task force may hold an executive session pursuant to section 92-4 to discuss pending investigations and confidential law enforcement tactics. Such discussions shall be an authorized executive session purpose in addition to those set out in section 92-5.

Thank you for considering OIP's testimony.

PUBLIC DEFENDER

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**OFFICE OF THE PUBLIC DEFENDER**

**January 29, 2026**

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## **H.B. No. 1759: RELATING TO THEFT**

### **Chair Ilagan, Vice-Chair Hussey, and Members of the Committee:**

The Office of the Public Defender **opposes in part HB 1759.**

This bill which proposes to create a new offense of organized retail theft, substantially increases felony exposure based on relatively low dollar thresholds and establishes an organized retail theft task force under the Department of the Attorney General.

While the Office of the Public Defender recognizes the legitimate concerns raised regarding retail theft, HB 1759 creates overlapping and unnecessary felony offenses that duplicate conduct already criminalized under existing Hawai'i law, including theft, accomplice liability, and conspiracy statutes.

Of particular concern, the bill would elevate conduct involving an aggregate value of as little as \$200 to a Class C felony, and \$750 to a Class B felony. These thresholds are significantly lower than existing felony theft provisions and risk sweeping in low-level, economically motivated conduct—often driven by poverty, addiction, or mental health issues—rather than focusing on sophisticated, high-level criminal enterprises.

The bill's expansive "acts in concert" language further risks net-widening, exposing individuals with peripheral involvement to severe felony consequences without requiring proof of a true organized criminal structure.

The Office of the Public Defender does not oppose the creation of a task force to study organized retail theft and develop informed, evidence-based responses to

consider whether further legislation is necessary. However, as drafted, the task force is one-sided, consisting exclusively of law enforcement, prosecutors, and business interests, with no representation from the defense community.

If the Legislature proceeds with a task force, the Office of the Public Defender must be included as a member, and we further recommend that a private criminal defense practitioner also be included. Our office represents individuals most directly impacted by criminal statutes and brings critical insight into:

- unintended consequences of criminalization,
- racial and economic disparities, and
- constitutional and due process concerns.

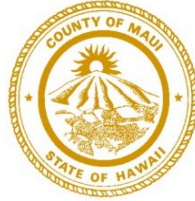
Balanced membership is essential to producing credible, durable, and legally sound recommendations.

For these reasons, the Office of the Public Defender opposes in part this measure. Thank you for the opportunity to comment.

**RICHARD T. BISSEN, JR.**  
Mayor

**ANDREW H. MARTIN**  
Prosecuting Attorney

**SHELLY C. MIYASHIRO**  
First Deputy Prosecuting Attorney



**DEPARTMENT OF THE PROSECUTING ATTORNEY**  
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TESTIMONY ON  
H.B. 1759  
RELATING TO CRIMES AGAINST ELDERS

January 29, 2026

The Honorable Greggor Ilagan  
Chair  
The Honorable Ikaika Hussey  
Vice Chair  
and Members of the Committee on Economic Development and Technology

Chair Ilagan, Vice Chair Hussey, and Members of the Committee:

The Department of the Prosecuting Attorney, County of Maui respectfully submits the following comments **in support of H.B. 1759, Relating to Theft**. This bill enhances protection for businesses and our community by creating a new offense of organized retail theft and establishing an organized retail theft task force to examine this increasing problem.

We support this bill because we are concerned about the increasing number of nationwide incidents of organized groups committing theft using tactics that overwhelm or circumvent traditional retail security measures and law enforcement. Furthermore, the final report by the Act 245 2025 Advisory Committee on Penal Code Review indicates that organized retail theft incidents appear to be on the rise in Hawai'i and recommends that a group be organized to further examine a future organized retail theft statute. H.B. 1759 addresses these concerns by creating a appropriately-targeted statute that addresses multiple types of organized retail theft scenarios and establishing a stakeholder working group that can propose amendments and other new legislation by the 2027 legislative session.

For these reasons, the Department of the Prosecuting Attorney, County of Maui **supports H.B. 1759**. Please feel free to contact our office at (808) 270-7777 if you have any questions or inquiries. Thank you very much for the opportunity to provide testimony on this bill.

**DEPARTMENT OF THE PROSECUTING ATTORNEY  
KA 'OIHANA O KA LOIO HO'OPI'I  
CITY AND COUNTY OF HONOLULU**

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STEVEN S. ALM  
PROSECUTING ATTORNEY  
LOIO HO'OPI'I



THOMAS J. BRADY  
FIRST DEPUTY PROSECUTING ATTORNEY  
HOPE MUA LOIO HO'OPI'I

**THE HONORABLE GREGGOR IIAGAN, CHAIR  
HOUSE COMMITTEE ON ECONOMIC DEVELOPMENT & TECHNOLOGY  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawai'i**

January 29, 2026

**RE: H.B.1759; RELATING TO THEFT.**

Chair Ilagan, Vice Chair Hussey, and members of the House Committee on Economic Development and Technology, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in **support** of H.B. 1759 with **recommended amendments.**

H.B. 1759 establishes the offense of organized retail theft. In 2022, according to financial services company Capital One, Hawaii retailers lost an estimated \$2.63 billion dollars in revenue to theft.<sup>1</sup> Per capita, retail theft in Hawaii is 569% higher than the average among states.<sup>2</sup> Organized retail theft is a sophisticated criminal enterprise, relying on teams of “boosters,” who steal the goods; “cleaners” who disguise its illicit provenance; and “fencers” who resell the items through front businesses.<sup>3</sup>

H.B. 1759 recognizes the severity and sophistication of this threat. To ensure this legislation achieves its potential, we offer the following recommendations based on our prosecutorial experience.

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<sup>1</sup> CAPITAL ONE SHOPPING RESEARCH, *Retail Theft (Shoplifting) Statistics* (updated December 3, 2025), available at <https://capitaloneshopping.com/research/shoplifting-statistics/#hi>.

<sup>2</sup> *Id.*

<sup>3</sup> See THE MAUI NEWS, *Agency Zeroes in on Organized Retail Crime in Hawaii* (June 15, 2022), available at <https://www.mauinews.com/news/local-news/2022/06/agency-zeroes-in-on-organized-retail-crime-in-hawaii/>. See also CONGRESSIONAL RESEARCH SERVICE, *Organized Retail Crime* (Dec. 11, 2012) [https://www.congress.gov/crs\\_external\\_products/R/PDF/R41118/R41118.12.pdf](https://www.congress.gov/crs_external_products/R/PDF/R41118/R41118.12.pdf).

Current theft and money laundering statutes provide the foundation for prosecuting these crime rings.<sup>4</sup> Theft of property or services whose value exceeds \$750 is a Class C felony.<sup>5</sup> When the aggregate value exceeds \$20,000, theft becomes a Class B felony.<sup>6</sup> Participation in a theft ring with intent to promote or facilitate these thefts can be charged as a criminal conspiracy.<sup>7</sup>

Effective prosecution of organized retail theft requires prosecutorial tools sufficient to dismantle the network, not simply convict individual low-level actors. Enterprise prosecution usually requires initial cooperation from participants within the criminal network. Both informants and prosecutors lack initial incentives to reach cooperation agreements. Informers face retaliation for cooperating with law enforcement,<sup>8</sup> while prosecutors must treat informer testimony with heightened scrutiny and thoroughly corroborate it through independent investigation.<sup>9</sup>

To maximize this bill's effectiveness in securing cooperation from participants, we recommend calibrating penalties meaningfully distinguishable from existing theft statutes. Enhanced penalties—particularly restrictions on probation and deferral for leadership-level offenses—would provide the leverage necessary for informants to justify the substantial risks they undertake in cooperating with law enforcement.<sup>10</sup> Stronger penalties would also justify the substantial investigative investment required to dismantle sophisticated criminal operations and enable law enforcement to deploy resources proportionate to the threat.

Our experience successfully prosecuting persistent thieves under the habitual property offender law<sup>11</sup> informs our recommendations for this legislation. Harmonizing the proposed organized retail theft statute with proven frameworks reinforces existing prosecutorial expertise.

We recommend separating the offense into two classes. Our proposed first-degree offense would target the leaders, organizers, and financiers of the theft ring. Because the state of mind is intentional, this law would require evidence of conscious or willful leadership in the theft ring.<sup>12</sup> Proof of every element beyond reasonable doubt remains the standard.<sup>13</sup> Conviction for this offense should not result in probation or deferral.

Our proposed second-degree offense targets ground-level participants in retail theft rings, as well as freelancing retail thieves. This offense is distinguished from ordinary shoplifting either

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<sup>4</sup> See HRS § 708-830 (defining theft); § 708-835 (permitting proof of theft by alternative means); § 708A-3 (money laundering).

<sup>5</sup> HRS § 708-831(1)(b), (2).

<sup>6</sup> HRS § 708-830.5(1)(a), (2).

<sup>7</sup> HRS § 705-250 (criminal conspiracy).

<sup>8</sup> See THE NEW YORKER (online), *The Crime Rings Stealing Everything from Purses to Power Tools* (March 18, 2024), available at <https://www.newyorker.com/magazine/2024/03/25/the-crime-rings-stealing-everything-from-purses-to-power-tools> (“In 2002, an ex-member of MS-13, Brenda Paz, told the authorities about some of her former associates’ fencing activities, which have reportedly been linked to transactions involving possible affiliates of Hamas and other international terrorist organizations. Paz entered a witness-protection program, but got lonely and resurfaced. Gang members stabbed her to death. She was a teen-ager, and pregnant.”).

<sup>9</sup> See generally Alexandra Natapoff, SNITCHING: CRIMINAL INFORMANTS AND THE EROSION OF AMERICAN JUSTICE (2d ed. 2022).

<sup>10</sup> Class B and Class C felonies are generally eligible for probation or deferral. HRS § 706-620; § 853-4(13).

<sup>11</sup> HRS § 708-803.

<sup>12</sup> HRS § 702-206(1) (defining the intentional state of mind).

<sup>13</sup> HRS § 701-114.



by the organizational element or by independent intent to convert the merchandise. Penalties would conform to the habitual property crime law.

Finally, we recommend adopting definitions for “retail merchandise,” “retail theft enterprise,” and “retailer” that have been adopted in other states.<sup>14</sup>

Thank you for the opportunity to testify.

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<sup>14</sup> See, e.g., IOWA CODE § 714.2B; MINN. STAT. § 609.522/

## Appendix

SECTION 2. Chapter 708, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**§ 708-A Organized Retail Theft in the First Degree.** (1) A person commits the offense of organized retail theft in the first degree if the person intentionally organizes, controls, supervises, finances, or manages a retail theft enterprise.  
(2) Organized retail theft in the first degree is a class B felony.  
(3) For a conviction under this section, the sentence shall be an indeterminate term of imprisonment of ten years without the possibility of probation.

**§ 708-B Organized Retail Theft in the Second Degree.** (1) A person commits the offense of organized retail theft in the second degree if the person intentionally:  
(a) Commits theft as part of a retail theft enterprise; or  
(b) Commits theft of retail merchandise with intent to sell, barter, or exchange the stolen merchandise for value.  
(2) Organized retail theft in the second degree is a class C felony.  
(3) For a conviction under this section, the sentence shall be either:  
(a) An indeterminate term of imprisonment of five years; provided that the minimum term of imprisonment shall be not less than one year; or  
(b) A term of probation of five years, with conditions to include, but not be limited to, one year of imprisonment; provided that probation shall only be available for a first conviction under this section.

SECTION 3. HRS § 708-800 is amended by adding new definitions to be appropriately inserted and to read as follows:

“Retail merchandise” means all forms of tangible property, without limitation, held out for sale by a retailer.

“Retail theft enterprise” means a group of two or more individuals with a shared goal involving the unauthorized removal of retail merchandise from a retailer. “Retail theft enterprise” does not require the membership of the enterprise to remain the same or that the same individuals participate in each offense committed by the enterprise.

“Retailer” means a person or entity that sells retail merchandise.



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**Jayson Watts**, Mahi Pono, *Vice Chair*  
**Jill Tamura**, Tamura Super Market, *Secretary/Treas.*  
**Lauren Zirbel**, HFIA, *President and Executive Director*  
**Paul Kosasa**, ABC Stores, *Advisor*  
**Toby Taniguchi**, KTA Superstores, *Advisor*  
**Joe Carter**, Coca-Cola Bottling of Hawaii, Odom, *Advisor*  
**Eddie Asato**, Pint Size Hawaii, *Advisor*  
**Gary Okimoto**, Safeway, *Advisor*  
**Maile Miyashiro**, C&S Wholesale, *Immediate Past Chair*

TO: Committee on Economic Development and Technology

FROM: HAWAII FOOD INDUSTRY ASSOCIATION

Lauren Zirbel, Executive Director

DATE: January 30, 2026

TIME: 10am

RE: HB1759 Relating to Theft

Position: Support

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, manufacturers and distributors of food and beverage related products in the State of Hawaii.

HFIA is in support of this measure. Organized retail crime has been a widely known and recognized problem in our state for years. In 2022 Homeland Security Investigations (HSI) and Association of Certified Anti-Money Laundering Specialists (ACAMS) published a joint report on organized retail crime.

Special Agent in Charge John F. Tobon said in the Report's announcement, "In Hawaii, organized retail crime is not something that only impacts large department stores. It hits small businesses particularly hard. It hurts the economy, businesses owners and the consumer in many ways."

In the years since then organized retail crime has continued to plague local businesses and negatively impact our local economy. Appropriately identifying this type of theft in statute is an important step in the right direction to help prevent it and make our businesses and communities safer.

We urge the Committee to pass this measure and we thank you for the opportunity to testify.



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**Eddie Asato**, Pint Size Hawaii, *Advisor*

**Gary Okimoto**, Safeway, *Advisor*

**Maile Miyashiro**, C&S Wholesale, *Immediate Past Chair*



January 27, 2026

RE: HB1759

Aloha Chair and Members of the Committee,

I am writing in strong support of HB1759, which creates the specific offense of organized retail theft, establishes graduated penalties based on the value of the stolen property and the leadership roles in the scheme, and establishes an organized retail theft task force. In recent years, Hawaii's local businesses—especially small retailers, grocery stores, and pharmacies on Oahu, Maui, Kauai, and the Big Island—have faced a troubling rise in coordinated, large-scale theft rings. These are not isolated shoplifting incidents but sophisticated operations that steal thousands of dollars in merchandise per incident, often reselling goods online or through fences, thereby undermining legitimate commerce and driving up costs for everyone.

This bill addresses a real gap in our current theft statutes by explicitly recognizing the organized, group-based nature of these crimes and imposing stronger consequences for ringleaders and high-value thefts. Creating a dedicated task force will also help coordinate efforts among law enforcement, retailers, and prosecutors to more effectively disrupt these networks. Supporting HB1759 is a practical step toward protecting our community businesses, preserving jobs, and keeping prices more affordable for Hawaii families already facing high living costs. Stronger tools to combat organized retail crime will benefit both our economy and public safety.

Thank you for hearing this important measure. I urge the Committee to pass HB1759 forward.

Mahalo nui loa,

Margaret Vesnefski  
King's Oahu/ Minister, Community Director  
Margaret@kcoahu.com

5740 Kalaniana'ole Hwy.  
Honolulu, HI 96821  
IG: @Kingsoahu

**HB-1759**

Submitted on: 1/28/2026 11:58:12 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jean-Paul Gedeon	JPG HAWAII INC	Support	Written Testimony Only

Comments:

**Aloha Chair and Members of the Committee,**

My name is Jean-Paul Gedeon, and I submit this testimony **in support of HB1759** on behalf of JPG Hawaii Inc, a Hawaii-based company that partners with grocery stores, convenience stores, gas stations, and shopping centers statewide.

Through our work supporting retailers, we see firsthand the growing impact of **organized retail theft** on local businesses. This is not isolated shoplifting. It is coordinated, repeat activity that targets multiple locations, removes high-value goods, and creates financial strain for retailers already operating in one of the highest-cost business environments in the country.

Retailers do not absorb these losses quietly. Shrinkage affects staffing levels, store hours, pricing, investment in improvements, and long-term viability. It also places frontline employees in unsafe situations and discourages reinvestment in local communities. When organized theft is not meaningfully distinguished from one-off theft, the system fails to address the true source of harm.

HB1759 is important because it:

- Establishes **organized retail theft as a distinct offense**, recognizing the coordinated nature of these crimes;
- Increases penalties in proportion to **the value of goods stolen and leadership roles**, ensuring accountability aligns with impact; and
- Creates an **organized retail theft task force** to support coordination, data collection, and smarter enforcement strategies.

From the perspective of a retail partner, this bill represents a balanced and necessary step to protect Hawaii’s retail ecosystem. Addressing organized retail theft is not only about enforcement—it is about **economic stability, employee safety, and sustaining local businesses** that serve our communities every day.

For these reasons, JPG Hawaii Inc respectfully urges the Committee to **pass HB1759**.

Thank you for the opportunity to provide testimony.

**Respectfully submitted,**  
Jean-Paul Gedeon  
Founder / CEO  
JPG Hawaii Inc



TESTIMONY OF DAVE ERDMAN, PRESIDENT & CEO  
RETAIL MERCHANTS OF HAWAII  
JANUARY 29, 2026  
HB 1759 – Relating to Theft - SUPPORT WITH COMMENTS

Aloha Chair Ilagan, Vice Chair Hussey, and Members of the Committee:

My name is Dave Erdman, Interim President and CEO of the Retail Merchants of Hawai'i (RMH), a statewide, not-for-profit trade organization representing retailers, shopping centers, and allied businesses across Hawai'i.

Retail Merchants of Hawai'i supports HB 1759 and appreciates the Legislature's leadership in addressing the continued rise of organized retail theft. Retail theft today is no longer limited to isolated shoplifting incidents. It increasingly involves repeat offenders, coordinated resale operations, and organized networks that move stolen goods quickly—often through online marketplaces. These crimes negatively impact retailers of all sizes, including small, family-owned businesses, and more importantly, jeopardize the safety of retail employees and the public.

RMH supports the bill's intent to establish the offense of organized retail theft, strengthen penalties based on the value of stolen property and leadership roles, and create a statewide organized retail crime task force. We believe a coordinated effort among law enforcement, county prosecutors, and the private sector is essential to addressing organized retail theft in a meaningful way.

Retailers do, however, wish to share several practical observations based on real-world experience. First, many organized retail theft operations today do not involve individuals stealing together at the same time or in the same place. Often, one person steals merchandise, another collects it later, and someone else resells it—frequently online. While these individuals may not act side-by-side, they are clearly working together as part of the same operation. Retailers encourage consideration of whether the statutory framework fully reflects how organized retail theft occurs today.

Second, retailers frequently experience repeat thefts spread out over time or across multiple locations. While individual incidents may appear minor, the combined impact is significant, both financially and in terms of ongoing safety concerns. Clear tools that allow law enforcement to address repeat and coordinated activity are critical.

Finally, RMH strongly emphasizes that when organized retail theft involves threats, intimidation, or violence, it becomes a workplace safety issue—not just a property crime. Retail employees should not be placed at risk while doing their jobs.



Retail Merchants of Hawai'i stands ready to serve as a constructive partner in this effort and would welcome participation in the organized retail crime task force envisioned under HB 1759. We believe this bill is an important step forward and respectfully offer these comments to help ensure it is effective, enforceable, and reflective of the realities retailers face on the ground.

For these reasons, RMH supports HB 1759 with comments and respectfully urges the Committee to pass this measure.

Mahalo for the opportunity to provide testimony.

Respectfully submitted,

**Dave Erdman**

Interim President & CEO

Retail Merchants of Hawai'i

**HB-1759**

Submitted on: 1/29/2026 10:49:28 AM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael Kitchens	Stolen Stuff Hawaii	Support	Written Testimony Only

Comments:

Stolen Stuff Hawaii strongly supports HB1759 because it fills a critical gap in Hawaii’s ability to hold organized retail theft rings accountable and protect our neighborhoods and small businesses. HB1759 would create a specific offense for organized retail theft, scale penalties based on the value of stolen goods and leadership roles, and establish a task force to coordinate law enforcement, prosecutors, and community stakeholders to address these multi-actor theft operations that currently flourish with little deterrence. Over the past several years, Stolen Stuff Hawaii has documented thousands of thefts on Oahu and across the islands, often involving groups working in concert to steal and resell merchandise, leaving victims with financial loss and eroding community trust. Formalizing organized retail theft as a defined crime with meaningful penalties and a dedicated task force will help shift the risk-reward calculus for organized thieves, support law enforcement with clearer tools, and reduce the burden on small businesses that comprise the backbone of Hawaii’s economy. We urge the Committee to pass HB1759 to strengthen public safety and protect our communities from pervasive, coordinated theft activity

Mahalo,

Michael Kitchens  
Creator & Admin,  
Stolen Stuff Hawaii



*Testimony of  
Mufi Hannemann  
President & CEO  
Hawai'i Lodging & Tourism Association*

*Committees on Economic Development & Technology  
Friday, January 30, 2026*

HB 1759– RELATING TO THEFT

Chair Ilagan, Vice Chair Hussey, and Members of the Committee,

The Hawai'i Lodging & Tourism Association (HLTA) strongly supports House Bill 1759, which creates a new criminal offense of organized retail theft and establishes graduated penalties based on the value of stolen property and whether the offender acted in a leadership or coordinating role. The measure further creates an organized retail theft task force to improve investigation, enforcement, and interagency coordination.

As the state's largest private sector tourism organization, representing nearly 50,000 hotel rooms, and 40,000 lodging employees, HLTA is committed to public safety initiatives that protect our many local businesses in Hawaii. This bill aligns with our ongoing efforts to provide students with practical, hands-on experience and strengthen the pipeline of talent for Hawai'i's economy.

Tourism is Hawaii's largest economic driver, and the safety and well-being of both residents and visitors are essential to maintaining a strong and resilient visitor industry. Organized retail theft is not a victimless crime. These coordinated theft rings often target retailers located in resort areas and commercial districts frequented by visitors, contributing to higher prices, store closures, and increased security costs that are ultimately passed on to consumers and businesses alike.

Retail theft also affects hotel operators directly. Many hotels rely on nearby retail businesses for guest services and amenities, and the presence of organized theft activity can undermine the sense of safety that is critical to Hawaii's reputation as a premier travel destination. When visitors witness theft or feel unsafe in shopping districts, it negatively impacts their overall experience and willingness to return.

HLTA supports the creation of a specific offense for organized retail theft because it recognizes the difference between isolated shoplifting incidents and sophisticated criminal operations that intentionally exploit gaps in existing law. The bill's graduated penalties based on the value of stolen merchandise and

enhanced penalties for individuals who organize or direct theft operations appropriately target those who profit most from these crimes.

HLTA also supports the establishment of an organized retail theft task force within the Department of the Attorney General. A coordinated, multi-agency approach is necessary to effectively investigate and dismantle organized retail theft networks, which often operate across jurisdictions and involve fencing and resale operations. Including representatives from law enforcement, prosecutors, and the business community will help ensure practical and effective strategies.

For these reasons, HLTA respectfully urges the committee to pass this measure. Addressing organized retail theft will help protect local businesses, preserve public safety, and strengthen Hawaii's economic recovery by ensuring that residents and visitors alike can shop and travel in a safe and secure environment.

Mahalo for your time and consideration.

Mufi Hannemann

President & CEO

Hawai'i Lodging & Tourism Association



**Testimony to the House Committee on Economic Development & Technology (ECD)  
Representative Greggor Ilagan, Chair  
Representative Ikaika Hussey, Vice Chair**

**Friday, January 11, 2026, at 10:00AM  
Conference Room 423 & Videoconference**

**RE: HB1759 Relating to Theft**

Aloha e Chair Ilagan, Vice Chair Hussey, and Members of the Committee:

My name is Sherry Menor, President and CEO of the Chamber of Commerce Hawaii ("The Chamber"). The Chamber supports House Bill 1759 (HB1759) which establishes the offense of organized retail theft, strengthens penalties for coordinated theft activity, and creates a dedicated task force to address this growing threat to Hawaii's businesses and communities.

HB1759 aligns with our 2030 Blueprint for Hawaii: An Economic Action Plan, specifically under the policy pillar for Small Business. This pillar, and our Blueprint at large, recognizes small business and entrepreneurship as key economic drivers that encourage diverse economic growth and employ local talent. This bill engages Hawaii in the national discussion combatting organized retail crime, making Hawaii small businesses safer and more profitable.

The establishment of an Organized Retail Theft Task Force and the provision of legal penalty for such action codifies the State's dedication to protecting Hawaii's small businesses and demonstrates conviction for maintaining a safe and prosperous business community. With Forbes ranking Hawaii as the fourth state most impacted by retail theft (2022), legislative action here is necessary for businesses to capture the full economic value they provide to the community. According to a report by Capitol One (2022), Hawaii retailers lost \$2.633 billion in revenue due to theft. A business climate that does not act on these symptoms of health is one that dissuades investment in our economies and stymies the growth of our local businesses. It is for these reasons the Chamber of Commerce Hawaii is in support of HB1759.

We respectfully ask to pass House Bill 1759. Thank you for the opportunity to testify.

The Chamber of Commerce Hawaii is the state's leading business advocacy organization, dedicated to improving Hawaii's economy and securing Hawaii's future for growth and opportunity. Our mission is to foster a vibrant economic climate. As such, we support initiatives and policies that align with the 2030 Blueprint for Hawaii that create opportunities to strengthen overall competitiveness, improve the quantity and skills of available workforce, diversify the economy, and build greater local wealth.

**HB-1759**

Submitted on: 1/26/2026 7:29:45 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this important bill. Mahalo.

**HB-1759**

Submitted on: 1/28/2026 9:42:10 AM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Glen Kagamida	Individual	Support	Written Testimony Only

Comments:

STRONG SUPPORT!!!

**HB-1759**

Submitted on: 1/28/2026 10:58:54 AM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cindy R Ajimine	Individual	Support	Remotely Via Zoom

Comments:

Aloha & welcome back to our legislators!

I am writing in **STRONG SUPPORT** of this bill. Organized thefts are **INCREASING** across the nation & here. Once successful, they become bolder putting employees & customers in **DANGER & INCREASING COSTS** for the law-abiding citizen due to losses & the need for businesses to hire private security guards. **PLEASE** vote to push this bill forward that will **SUPPORT BUSINESSES** & have a **POSITIVE IMPACT** on **ALL** the people of Hawaii.



**HB-1759**

Submitted on: 1/28/2026 11:54:18 AM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Vernelle Oku	Individual	Support	Written Testimony Only

Comments:

I support this bill to penalize those that commit retail organized theft in our state.

**HB-1759**

Submitted on: 1/28/2026 12:01:43 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Barilyne Sakamoto	Individual	Support	Written Testimony Only

Comments:

Dear Sir or Madam,

I am writing in **STRONG SUPPORT** of this bill. In our state organized thefts are **INCREASING** across the nation & here. And once successful, these criminals become bolder, putting employees & customers in **DANGER & INCREASING COSTS** for the law-abiding citizen due to losses & the need for businesses to hire private security guards. **PLEASE** vote to push this bill forward that will **SUPPORT BUSINESSES** & will have a **POSITIVE IMPACT** on **ALL** the people of Hawaii.

Sincerely yours,

Barilyne Sakamoto

**HB-1759**

Submitted on: 1/28/2026 12:34:35 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
JOHN L PANG	Individual	Support	Written Testimony Only

Comments:

Going down this slippery slope of bypassing personal responsibility and accountability sets a dangerous precedence. Grace includes forgiveness but not lawlessness.

**HB-1759**

Submitted on: 1/28/2026 1:13:59 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Catherine Collado	Individual	Support	Written Testimony Only

Comments:

I am writing in **STRONG SUPPORT** of this bill. Organized thefts are INCREASING across the nation and in Hawai'i. Once successful, they become bolder, putting employees & customers in danger and subsequently increases cost to the customers. Isn't Hawai'i already too expensive? First of all, it's not right to steal from the businesses. Secondly, when more than one person is in the store, stealing goods, how can one or two employees respond? Employees of these stores are instructed not to confront these thieves. They are told not to attempt to chase after the thieves in an attempt to retrieve the store's property, and will be reprimanded and written up if the employee makes an attempt to stop the stealing. In addition, when shopping malls' security is contacted, the security guards are also instructed not to pursue the thief. We are laying the red carpet down for these thieves if don't do anything about it? That's not right for the businesses, shoppers, and for our already bad reputation for unsuccessful business practices in Hawaii.

PLEASE vote to push this bill forward that will **SUPPORT BUSINESSES** & will have a **POSITIVE IMPACT** on ALL the people of Hawaii.

Thank you.

**HB-1759**

Submitted on: 1/28/2026 1:47:47 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Carol Kamai	Individual	Support	Written Testimony Only

Comments:

I whole heartedly support this bill. We need every person in Hawaii to be law abiding citizens. All retailers should be protected from the lawlessness we have been seeing across our state and nation. Obviously it makes doing business in Hawaii that much harder with increased cost due to losses but it also sets us up as a failed lawless society. A state that no one will want to live or visit. Both those reasons alone will make it that much harder to live in Hawaii since we wont have revenue from visitors or support from retailers for our community. The general population forgets the amount retailers give back to communities. This includes donations for foodbanks, school drives and community outreaches of varying levels. This will drop off if they continue to loose money from retail theft. Protect the Retailers and enforce these laws if not make them stricter.

**HB-1759**

Submitted on: 1/28/2026 2:23:57 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Susan Duffy	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill creating the offense of organized retail theft and establishing meaningful penalties and enforcement tools to address it. Organized retail theft is not a victimless crime—it drives up prices for families, threatens the safety of workers, and harms small local businesses that are already operating on thin margins. By distinguishing organized theft from isolated shoplifting, increasing penalties based on the value of stolen goods and leadership roles, and creating a dedicated task force, this bill targets criminal networks rather than everyday mistakes. It provides law enforcement with clarity, coordination, and accountability while protecting honest consumers and businesses across our state. Again, I support this bill.

**HB-1759**

Submitted on: 1/28/2026 3:50:01 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Katja Bajema	Individual	Support	Written Testimony Only

Comments:

Dear Chair and Members of the Committee,

I respectfully submit this testimony in strong support of HB1759, which establishes the offense of organized retail theft, provides graduated penalties scaled to the value of stolen property and the offender's leadership role, and creates a dedicated organized retail theft task force.

Hawaii's retailers, including small businesses across all islands, continue to suffer from sophisticated, coordinated theft operations that result in substantial financial losses, increased operational costs, and higher prices for consumers. Current statutes do not adequately address the organized, group-driven nature of these crimes or sufficiently deter ringleaders.

This measure closes a critical gap in state law by imposing proportionate penalties and fostering coordinated enforcement through a task force. Passage of HB1759 will help safeguard local commerce, protect employment, and enhance public safety amid Hawaii's high cost of living.

I urge the Committee to advance this legislation.

Thank you for your consideration.

Sincerely,

Katja Bajema

Honolulu Resident

**HB-1759**

Submitted on: 1/28/2026 4:19:39 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Edna Kido	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill. Organized theft is increasing here and across the country, putting employees and customers at risk and raising costs for law-abiding people. Please move this bill forward to support local businesses and our community.



**HB-1759**

Submitted on: 1/28/2026 4:27:26 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sheila Medeiros	Individual	Support	Written Testimony Only

Comments:

I support HB1759!

**HB-1759**

Submitted on: 1/28/2026 4:57:15 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lisa Bishop	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Ilagan, Vice Chair Hussey, and Committee Members,

Mahalo for hearing this important bill and for the opportunity to testify in its support.

Organized retail theft affects too many businesses in Hawaii, many owned by our families and neighbors. It is not a victimless or incidental crime. This bill asks law enforcement officers, business owners, and prosecuting attorneys to work together to devise common sense solutions to help stop organized retail theft from devastating our retail merchants.

Please support and pass this reasonable, necessary, and fair bill.

Mahalo for the opportunity to testify in support of this bill.

With Aloha,

Lisa Bishop

Oahu resident, homeowner, tax payer, voter

**HB-1759**

Submitted on: 1/28/2026 6:23:16 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Salvador Quezada's	Individual	Support	Written Testimony Only

Comments:

I am writing in **STRONG SUPPORT** of this bill. Organized thefts are **INCREASING** across the nation & here. Once successful, they become bolder, putting employees & customers in **DANGER & INCREASING COSTS** for the law-abiding citizen due to losses & the need for businesses to hire private security guards. **PLEASE** vote to push this bill forward that will **SUPPORT BUSINESSES** & will have a **POSITIVE IMPACT** on **ALL** the people of Hawaii.

**HB-1759**

Submitted on: 1/28/2026 7:11:52 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Monique Perreira	Individual	Support	In Person

Comments:

Aloha, I support HB1759. Our small business in Hawaii pay more than their fair share in taxes and regulations. They need the protections of this bill. Please stand up for our hard working business owners and the hard working people of Hawaii and pass this bill.

Mahalo,

Monique Perreira

Kamuela, Hawaii

HB 1759 Relating to Organized Retail Theft  
Committee on Economic Development & Business  
Hearing: Friday, Jan. 30, 2026 — House Conference Room 423 / Videoconference

Thank you for providing the opportunity to offer testimony in support of House Bill 1759.

My name is Jamie Detwiler, a resident of Central Oahu, and I am submitting this testimony based on my direct observations of theft affecting our local neighborhoods and businesses.

Retailers throughout Hawai'i, including both small locally owned establishments and larger enterprises, are experiencing significant losses due to theft, particularly incidents orchestrated by organized retail crime groups. The bill highlights the detrimental impact of these trends not only on major department stores but also on small businesses that are essential to the local economy. This issue has attracted attention at the federal level as well.

Small business owners operate with limited financial margins; when theft reduces inventory and drives up insurance and security expenditures, many face challenging decisions related to employee layoffs, reduced operating hours, or possible closure. This legislation offers important protections for small enterprises that employ community members and uphold local economic stability.

HB 1759 establishes penalties commensurate with the value of stolen property and increases consequences for individuals who organize, manage, or coordinate theft rings. By distinguishing organized retail theft as a separate statutory offense, law enforcement and judicial authorities can more effectively hold serious offenders accountable.

The proposed organized retail theft task force would enhance coordination among law enforcement, retailers, prosecutors, and community stakeholders. This collaborative approach would encourage data-driven responses, address patterns of criminal activity, and facilitate comprehensive support across agencies.

For these reasons, I respectfully request that the Committee pass HB 1759 with a favorable recommendation. This bill represents a prudent and necessary measure to safeguard Hawai'i's communities, businesses, and public safety.

Thank you for your consideration.

Respectfully submitted,  
Jamie Detwiler

**HB-1759**

Submitted on: 1/28/2026 8:14:55 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Andrew Chen	Individual	Support	Written Testimony Only

Comments:

**Aloha Chair and Members of the Economic Development & Technology Committee,**  
Thank you for the opportunity to testify in support of House Bill 1759.

My name is Andrew Chen, and I live in McCully.

**I am in full support for HB 1759.**

I am concerned about the rise in organized retail crime across our nation. Since Hawaii has such a large amount of small businesses, I am particularly concerned with how organized retail crime would negatively affect them and may cause some to shut down. Hawaii relies on these businesses to employ local residents. This allows our communities and economy to flourish.

As a kid, I used to visit Chinatown frequently and am saddened by how many shops have closed, and the area has become a lot emptier. It seems to me that the rise in crime contributed to that.

HB 1759 establishes organized retail theft as a distinct statutory offense that allows law enforcement and courts to hold the most serious offenders appropriately accountable. The accompanying organized retail theft task force would improve coordination among law enforcement, retailers, prosecutors, and community stakeholders to work together to deter crime and keep our businesses safe.

For these reasons, I respectfully ask the Committee to **pass HB 1759 with favorable recommendation.**

Thank you very much for your time,

Andrew Chen

chenandy888@gmail.com

**HB-1759**

Submitted on: 1/28/2026 9:10:50 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Peggy Regentine	Individual	Support	Written Testimony Only

Comments:

I have been at the Kahala Mall and have seen many incidences when a person goes into the Apple Store and walks away with several Apple items- Watches, phones, etc. The store sales people say they can do nothing, In a Clothing store in the same mall I saw a person walk in with a suitcase and put several shirts in the suitcase and walk right out. The clerk was helping another customer and didnt even see it. I have been told security cant even do anything. This is not right. Fines should be given to these theifs. I fully support HB1759. Peggy Regentine, Honolulu, 96821

**HB-1759**

Submitted on: 1/28/2026 9:20:59 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
L.K.Yuen	Individual	Support	Written Testimony Only

Comments:

I strongly support Bill#1759. Organized thefts are increasing exponentially across the nations. In Hawaii, the losses cannot be recovered but instead are passed on to you and I, the consumer. These gangs of thieves are emboldened to continue their successes due to lack of law enforcement internally and externally. I support businesses and commerce and beseech you to vote in support of Bill#1759 and support all the people who call Hawaii home and hope to continue living here.

Thank you for your time .

Linda Yuen



**HB-1759**

Submitted on: 1/28/2026 9:30:51 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lynette Honda	Individual	Support	Written Testimony Only

Comments:

I am writing in **STRONG SUPPORT** of this bill. Organized thefts are INCREASING across the nation & here. Once successful, they become bolder, putting employees & customers in **DANGER & INCREASING COSTS** for the law-abiding citizen due to losses & the need for businesses to hire private security guards. PLEASE vote to push this bill forward that will **SUPPORT BUSINESSES** & will have a POSITIVE IMPACT on ALL the people of Hawaii.

## **Constituent Testimony**

### **HB 1759 Relating to Organized Retail Theft**

Committee on Economic Development & Business

Hearing: Friday, Jan. 30, 2026 — House Conference Room 423 / Videoconference

#### **Aloha Chair and Members of the Economic Development & Technology Committee,**

Thank you for the opportunity to testify in support of House Bill 1759, which would establish the offense of organized retail theft, calibrate penalties based on the value of stolen property and leadership roles, and create a specialized task force to address this issue.

My name is Lester Nip, and I live in Hawaii Kai. I am submitting this testimony because of the impacts of theft on our community, businesses, cost of living, and public safety.

#### **In Support for HB 1759**

Parents work hard to try to make a living here in Hawaii and to raise their children in a challenging and expensive state. I am a strong supporter of law enforcement and strict penalties for criminals.

We have all seen crime and chaos in some cities on the mainland. We do not want that here. Theft hurts everyone, the small and large businesses that try to survive, the customers (us) who pay higher prices, the general public and retail workers who are at risk for their safety.

I respectfully ask the Committee to **pass HB 1759 with favorable recommendations**. This bill represents a thoughtful and necessary step toward protecting Hawaii's communities, businesses, and the general public.

Thank you for your consideration.

Respectfully submitted,

Lester Nip

Hawaii Kai, Honolulu

**HB-1759**

Submitted on: 1/29/2026 9:24:50 AM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lorraine Nip	Individual	Support	Written Testimony Only

Comments:

Don't allow hard-working small business owners who play a major role in Hawaii's economy to be squeezed out by those who break the law. If nothing is done to hold retail thieves accountable, it is only human behavioral nature that it will continue and/or increase to higher amounts. Please vote in favor of HB1759. Thank you.

**HB-1759**

Submitted on: 1/29/2026 10:36:00 AM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Angela Young	Kapalama neighborhood security watch	Support	Remotely Via Zoom

Comments:

Support

**HB-1759**

Submitted on: 1/29/2026 2:09:16 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mary Smart	Individual	Support	Written Testimony Only

Comments:

I support the provisions of HB1759 that creates the offense of organized retail theft with the amendment below.

Please remove all references to establishing an organized "retail theft task force" under the department of the attorney general. That is unnecessary. The police should have full authority to arrest violators and the alleged perpetrator must be processed through the justice system. Violators found guilty, must be awarded appropriate incarceration to protect the general public. The current "catch, process, and release to the public without punishment" is not acceptable. Felony crimes warrant incarceration.

**HB-1759**

Submitted on: 1/29/2026 2:48:30 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Eileen McGovern	Individual	Support	Written Testimony Only

Comments:

I support HB 1759 because it will help prevent theft esp. theft on a large, organized scale.

**HB-1759**

Submitted on: 1/29/2026 3:36:37 PM

Testimony for ECD on 1/30/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
kim santos	Individual	Support	Written Testimony Only

Comments:

I would like to ask you to please support this bill. I work in retail and understand sadly the amount of theft that exists. It hurts our small businesses and large. Please support all efforts for tougher consequences for offenders. Thank you