

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



MIKE LAMBERT
DIRECTOR

SYLVIA LUKE
LT GOVERNOR
KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LAW ENFORCEMENT
Ka 'Oihana Ho'okō Kānāwai
715 South King Street
Honolulu, Hawaii 96813

JARED K. REDULLA
Deputy Director
Law Enforcement

TESTIMONY ON SENATE BILL 1257, SENATE DRAFT 1, HOUSE DRAFT 1
RELATING TO AGRICULTURAL CRIME

Before the House Committee on
JUDICIARY & HAWAIIAN AFFAIRS

Tuesday, March 18, 2025, 2:15 p.m.

State Capitol Conference Room 325 & Videoconference

WRITTEN TESTIMONY ONLY

Chair Tarnas, Vice Chair Poepoe, and members of the Committee:

The Department of Law Enforcement (DLE) supports Senate Bill 1257, Senate Draft 1, House Draft 1. This bill establishes a permanent Agricultural Crimes Task Force to address the growing issue of agricultural crime in the State. Additionally, it establishes the offense of agricultural crime to increase penalties for committing certain property crimes on agricultural property.

Agricultural crime has become a significant issue affecting Hawaii's farmers and agricultural producers. These crimes, including theft of crops, equipment, and livestock, as well as vandalism of agricultural property, threaten the livelihood of our local farmers and the state's food security. The DLE has already engaged with stakeholders in local agriculture to begin addressing these crimes, but a more comprehensive and dedicated approach is necessary.

The establishment of a permanent Agricultural Crimes Task Force will provide the focused resources needed to investigate, prevent, and prosecute agricultural crimes

effectively. By creating a dedicated team with specialized knowledge of agricultural operations and the unique challenges of rural crime, law enforcement will be better equipped to protect our vital agricultural sector.

The bill's provision to establish specific offenses for agricultural crimes with enhanced penalties recognizes the serious impact these crimes have on our food producers and the broader community. These enhanced penalties will serve as a stronger deterrent and demonstrate the state's commitment to protecting agricultural interests.

The DLE has previously collaborated with the Department of Agriculture and county authorities on agricultural crime issues, and we believe this formalized task force will strengthen these partnerships and lead to more effective enforcement outcomes.

Thank you for the opportunity to testify in support of this bill.

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

DEAN M. MATSUKAWA
Deputy to the Chairperson

State of Hawai'i
DEPARTMENT OF AGRICULTURE
KA 'ŌI HANA MAHI'AI
1428 South King Street
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**TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE**

BEFORE THE HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

**TUESDAY, MARCH 18, 2025
2:15 PM
CONFERENCE ROOM 325**

**SENATE BILL NO. 1257, SENATE DRAFT 1, HOUSE DRAFT 1
RELATING TO AGRICULTURAL CRIME**

Chair Tarnas, Vice Chair Poepoe and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 1257, Senate Draft 1, House Draft 1 that establishes a permanent Agricultural Crimes Task Force to address the issue of agricultural crime in the State. Establishes the offense of agricultural crime to increase penalties for committing certain property crimes on agricultural property and appropriates funds.

The Hawaii Department of Agriculture (Department) supports this measure and the naming of the bill as "Duke's Law". The nine-member Task Force is a mix of agricultural, legal, law enforcement, and an academic specialist in agriculture or criminology. It is recommended that representatives from all four Hawaii counties be represented on the Task Force as crimes occur statewide. Of the 3,616 incidents of agricultural crimes reported in 2019 (NASS), 54% were in Hawaii County, 22%, 11%, and 13% in Honolulu, Kauai and Maui respectively.

The duties of the Task Force are to address strategies to prevent agricultural crimes, prioritize responsive enforcement, prosecution and increased penalties as well as education and outreach programs for farmers. The appropriations for FY25-26 and FY26-27 will allow the Task Force to provide outreach and workshops to inform the public of the penalties for property crimes committed on agricultural properties.

Thank you for the opportunity to testify on this important measure.



JON N. IKENAGA
PUBLIC DEFENDER

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HONOLULU OFFICE
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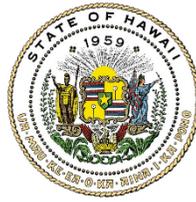
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STATE OF HAWAI'I
OFFICE OF THE PUBLIC DEFENDER

March 17, 2025

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SB1257 SD1 HD1: RELATING TO AGRICULTURAL CRIME

Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs:

The Office of the Public Defender (OPD) **opposes SB1257 SD1 HD1.**

Section 4 of the bill seeks to amend Chapter 708 of the Hawai'i Revised Statutes (HRS) by adding an "agricultural crime" subsection. This amendment is unnecessary. First, there is no cognizable basis for making any petty misdemeanor or misdemeanor property crime a Class C felony simply by virtue of the fact that it is committed on agricultural property. If the end is to punish crimes related to agriculture because they target agriculture specifically, the actus reus should be directly related to agriculture (for example, SB1249 creates specific offenses related to agriculture). For example, under this bill, a person could commit a petty misdemeanor theft of an item wholly unrelated to agriculture but be guilty of a felony simply because the theft occurred on a farm. Another example, a person's dog bites another person and causes bodily injury which would normally be a misdemeanor offense however simply because the bite occurred on a farm the offense would be a felony. In neither of these two examples would the offenses affect farmer's "individual livelihoods ... [or] the State's broader agricultural economy and food security" but they would become agricultural crimes simply because of their location and not the character of the offense.

Another issue arises in subsection (2) of the agricultural crime subsection. Under this language it appears that "agricultural crime" may be a separate offense from the underlying offense. Thus, a person who is convicted of or pleads guilty or no contest to any of the property offenses in Chapter 708 would in addition to that underlying offense be guilty of the offense of agricultural crime. This is unconstitutional as it violates the prohibition against double jeopardy in the fifth amendment to the U.S. Constitution and article I, section 10 of the Hawai'i Constitution. The same conduct cannot be used as the basis for conviction of two separate offenses. Subsection (2) would also violate HRS §

701-109 which prohibits conviction for more than one offense if, “[t]he offenses differ only in that one is defined to prohibit a designated kind of conduct generally and the other to prohibit a specific instance of such conduct[.]” HRS § 701-109(1)(d).

Even if this bill were to pass constitutional muster, it would create a strain on the already backlogged court system and overcrowded correctional facilities. Faced with a felony conviction, persons charged with agricultural crimes will demand costly and time-consuming trials rather than submitting to plea bargaining. Since many of the affected defendants will be indigent and require the services of the OPD, the expenses of their defense will be borne by taxpayers. Moreover, persons who are convicted and sentenced to prison as an agricultural offender on this bill will needlessly add to the overcrowding of our prisons and the resultant costs of incarceration for persons who would normally be petty misdemeanants and misdemeanants. Does it really make sense or is it by any stretch of the imagination necessary and practical to have a person who is convicted of what would normally be a petty misdemeanor theft or other non-violent offenses to be incarcerated with persons who commit serious, violent felony offenses simply because the petty misdemeanor theft was committed on a farm? With prisons and correctional facilities already overcrowded, the system does not need to incarcerate a new class of offenders and exacerbate the situation.

The penalty provisions under subsection (5) are also confusing. Agricultural crime is designated as a Class C felony under subsection (4). However, under subsection (5)(a) the maximum penalty is \$2,000 or one year jail or both – these are the maximum penalties for a misdemeanor, not a Class C felony. Further, the second or subsequent offense provision in subsection (5)(b) does not set a look-back period such as “a second or subsequent conviction within five years ...” To the extent that this would allow a person who has a second or subsequent conviction an indeterminate number of years after the first offense to be considered as a subsequent offender, this provision is overly punitive. For example, if a person was convicted in 2025 of an agricultural crime and in 2045 committed a second crime, they would be subject to punishment as a repeat offender.

In sum, the agricultural crime sections of this bill are unnecessary, overly-punitive, likely unconstitutional and establish an overly-broad definition of what constitutes an agricultural crime. While this bill may affect true agricultural offenders it will also affect persons and offenses that do not fall under its stated purpose of protecting farmer’s “individual livelihoods ... [or] the State’s broader agricultural economy and food security.”

Thank you for the opportunity to comment on this measure.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

S.B. NO. 1257, S.D. 1, H.D. 1, RELATING TO AGRICULTURAL CRIME.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

DATE: Tuesday, March 18, 2025

TIME: 2:15 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Mark Tom or Tricia Nakamatsu, Deputy Attorneys General

Chair Tarnas and Members of the Committee:

The Department of the Attorney General provides the following comments and recommendations.

The purposes of this bill are to: (1) establish an agricultural crimes task force to address agricultural crimes in the State; and (2) increase penalties for property crimes that are committed on agricultural property.

To more effectively increase penalties for property crimes committed on agricultural land, for purposes of prosecution, the Department recommends that the Committee identify specific offenses for which it intends to increase penalties, then insert specific wording (into each offense) that provides the heightened penalty when that offense occurs on agricultural land. Section 708-814 (1)(c) of the Hawaii Revised Statutes (HRS), Criminal Trespass in the Second Degree, follows this same approach, when trespass occurs on agricultural land; however, there is currently not a heightened penalty associated with this charge.

Section 4 of this bill, on page 4, line 1, to page 5, line 11, proposes a new standalone offense under chapter 708, HRS, that would summarily increase penalties for all property crimes (which is undefined), hunting on private lands, night hunting on private lands, and negligent failure to control a dangerous dog to a class C felony, if the offense occurs on agricultural property. As many property crimes under the statute

have nothing to do with agriculture, this broad offense may be addressing conduct that has nothing to do with agricultural crime.

While increased penalties would likely provide a greater deterrent against these types of offenses, where an offense is not yet classified as a felony offense, some of these offenses may already be designated as class C felony or higher, such that the proposed offense would not be useful for prosecution purposes.

For example, Burglary in the First Degree (section 708-810, HRS) is arguably a "property crime," but it is a class B felony, so the proposed class C felony offense would not be charged. Even existing class C felony offenses, such as Burglary in the Second Degree (section 708-811, HRS) or Negligent failure to control a dangerous dog (section 711-1144(a)(2)(C), HRS), would be charged in lieu of the proposed offense, as the existing offense carries the same level of penalty without having to prove any additional elements regarding agricultural property.

Additionally, the Department is concerned with the limitation of the tiered penalty in subsection (4) of the new section on page 5, lines 1-7. Although the bill classifies this new offense as a class C felony offense, as written, this section appears to limit the potential penalty for this offense to a misdemeanor upon a first conviction, and only on a second conviction does this offense reach the penalties for a class C felony under sections 706-640 and 706-660, HRS.

To avoid confusion and inconsistency within the HRS, section 4 of the bill, page 4, line 1, to page 5, line 11, should be deleted. The bill should then be amended to reflect each individual criminal statute that should have the increased penalty. The Department would be happy to work with the Legislature to generate appropriate wording for the individual offenses for which the Legislature intends to increase penalties.

Thank you for the opportunity to provide testimony.



Hawaii Cattlemen's Council, Inc.

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair

Rep. Mahina Poepoe, Vice Chair

SB1257 SD1 HD1

RELATING TO AGRICULTURAL CRIME

Tuesday, March 18, 2025, 2:15PM

Conference Room 325 & Videoconference

Chair Tarnas, Vice Chair Poepoe, and members of the committee,

The Hawaii Cattlemen's Council **supports SB1257 SD1 HD1** which Establishes an Agricultural Crimes Task Force to address the issue of agricultural crime in the State and establishes the offense of agricultural crime to increase penalties for property crimes committed on agricultural property.

Agricultural crimes are becoming more dangerous and more pervasive as crimes go unpunished. Reporting of crimes is low, successful prosecution is limited, and criminals have no reason to be deterred from committing the crimes. Creating the Hawaii Agricultural Crimes Task Force will bring together the expert stakeholders who can bring practical solutions to deterring crimes and increasing penalties. This dedicated task force is needed to help protect the safety of our farmers and ranchers who are so important to producing local food.

We appreciate the opportunity to testify on this measure. The Hawaii Cattlemen's Council (HCC) is the Statewide umbrella organization comprised of the four county-level Cattlemen's Associations. Our member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of over 750 thousand acres of land in Hawaii, or 20% of the State's total land mass. We represent the interests of Hawaii's cattle producers.

Nicole Galase
Hawaii Cattlemen's Council
Managing Director





P.O. Box 253, Kunia, Hawai'i 96759
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March 18, 2025

HEARING BEFORE THE
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

TESTIMONY ON SB 1257, SD1, HD1
RELATING TO AGRICULTURAL CRIME

Conference Room 325 & Videoconference
2:15 PM

Aloha Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate, and advance the social, economic, and educational interests of our diverse agricultural community.

The Hawai'i Farm Bureau supports SB 1257, SD1, HD1, which establishes an Agricultural Crimes Task Force within the Department of Agriculture to address agricultural crime in Hawai'i and increases penalties for property crimes committed on agricultural property. Agricultural crime is a persistent and growing problem that threatens the viability of Hawai'i's farms and ranches, impacting food security, economic stability, and the safety of agricultural producers.

Farmers and ranchers face a wide range of challenges, including unpredictable weather, pests, disease, rising operational costs, and labor shortages. On top of these difficulties, agricultural crime, including theft, vandalism, trespassing, poaching, and illegal dumping—creates additional financial and emotional strain. Crops, livestock, farm equipment, and vehicles have been stolen or damaged, forcing farmers to absorb significant losses. The increasing frequency of these crimes makes it harder for agricultural operations to remain viable.

Sadly, agricultural crime is a growing trend in Hawai'i. Farmers and ranchers are often victims of those looking for easy targets. Despite farmers taking proactive security measures, such as installing cameras and forming community ag watch groups, criminals continue to exploit the fact that agricultural properties are often remote, unguarded, and difficult to monitor around the clock. Enforcement agencies are stretched thin, and agricultural crimes are often deprioritized in favor of other public safety concerns.

SB 1257, SD1, HD1 strengthens efforts to combat agricultural crime by creating an agricultural crimes task force that will:

- Develop strategies to prevent agricultural crime.
- Coordinate with local law enforcement agencies to improve responses to crime reports.
- Work with prosecutors to prioritize agricultural crime cases.
- Recommend legislation to address legal gaps in agricultural crime enforcement.
- Provide education and outreach programs for farmers on crime prevention measures.
- Monitor and assess the effectiveness of crime prevention policies.

In addition to establishing the task force, SB 1257, SD1, HD1 increases penalties for property crimes committed on agricultural property. Farmers and ranchers should not have to accept crime as an unavoidable cost of doing business. Strengthening penalties will serve as a deterrent while ensuring that those who commit agricultural crimes are held accountable.

We urge the committee to pass SB 1257, SD1, SD1 to enhance enforcement, improve coordination between agencies, and provide greater protections for Hawai'i's farmers and ranchers.

Thank you for the opportunity to testify on this measure.



March 17, 2025

To: Chair David Tarnas, Vice Chair Mahina Poepoe, and the House Committee on Judiciary & Hawaiian Affairs

Subject: **SB 1257 SD1**, Relating to Agricultural Crime

Aloha,

I am writing in **support** of **SB 1257 SD1 HD1**, which establishes an Agricultural Crimes Task Force to address agricultural crime in Hawai'i. I support the additions in the amendment which provides definitions and outlines roles in the crime task force.

I can think of numerous farmers, from Wai'anae to Waialua to Waimanalo, who have been victims of agricultural crimes within the past 3 years. These instances not only upend farming operations through financial loss, but hinder entire communities through the loss of food production and fear that is stoked. At the forefront of all these cases is the horrific death of Cranston "Duke" Pia by a hunter who trespassed on his property. The concern around agricultural crime is evident, from workshops held by GoFarm to discuss trespassing and theft, to discussion boards in Facebook farming groups, such as the Hawaii Tropical Fruit Growers page.

Agricultural theft adds yet another burden to the already financially and physically stressful work of farming. Hawai'i's farmers face [low profit margins, high labor and input costs, competition from mainland imports, and lack of access to land](#), among many other challenges. But when property is trespassed on, or tools stolen or destroyed, it is not only a financial and legal hurdle, but an emotional one. Ahiki Acres wrote of their [terrifying experience being robbed](#), and the dehumanizing lack of response from law enforcement. Farmers and ranchers deserve to feel

The Food+ Policy internship develops student advocates who learn work skills while increasing civic engagement to become emerging leaders. We focus on good food systems policy because we see the importance and potential of the food system in combating climate change and increasing the health, equity, and resiliency of Hawai'i communities.

In 2025, the cohort of interns are undergraduate and graduate students and young professionals working in the food system. They are a mix of traditional and nontraditional students, including parents and veterans, who have backgrounds in education, farming, public health, nutrition, and Hawaiian culture.

<https://www.ahikiacres.com/blog/vandalism-theft-and-gnarly-weather>

<https://uhero.hawaii.edu/wp-content/uploads/2021/06/AgriculturalEconomicLandscapeInHawaii.pdf>



respected and supported by law enforcement, and they should be able to defend themselves if needed to protect their livelihoods.

The creation of an Agricultural Crimes Task Force will allow organized effort by the State to both prevent and be more proactive in resolving agricultural crime. Representation from organizations that support farmers will also give farmers an avenue to voice their needs and concerns. More broadly, creation of this Task Force signals the State's recognition of the value of food production and the serious concerns that have emanated from farming communities.

I urge the committee to pass this measure. Thank you for the opportunity to testify on this issue.

Mahalo,
Lea Iaea & the Food+ Policy Team
#fixourfoodsystem

The Food+ Policy internship develops student advocates who learn work skills while increasing civic engagement to become emerging leaders. We focus on good food systems policy because we see the importance and potential of the food system in combating climate change and increasing the health, equity, and resiliency of Hawai'i communities.

In 2025, the cohort of interns are undergraduate and graduate students and young professionals working in the food system. They are a mix of traditional and nontraditional students, including parents and veterans, who have backgrounds in education, farming, public health, nutrition, and Hawaiian culture.

<https://www.ahikiacres.com/blog/vandalism-theft-and-gnarly-weather>

<https://uhero.hawaii.edu/wp-content/uploads/2021/06/AgriculturalEconomicLandscapeInHawaii.pdf>

SB-1257-HD-1

Submitted on: 3/14/2025 10:06:30 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this important bill. Mahalo.

SB-1257-HD-1

Submitted on: 3/15/2025 5:15:41 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Master Shelby "Pikachu" Billionaire	Ohana Unity Party & Kingdom of The Hawaiian Islands	Support	Remotely Via Zoom

Comments:

The Honorable Members of the Senate
Thirty-Third Legislature
State of Hawaii
415 South Beretania Street
Honolulu, HI 96813

Dear Senators,

I am absolutely ecstatic to throw my full support behind Senate Bill No. 1257, brilliantly christened "Duke's Law" in memory of Cranston "Duke" Pia—a name that resonates with courage and calls us to action! This bill is a monumental leap forward in defending Hawaii's agricultural community from the rampant scourge of agricultural crime. With jaw-dropping data underscoring its urgency, here's why SB 1257 is a must-pass triumph for our state:

- **A Legacy Worth Fighting For:** "Duke's Law" honors Cranston "Duke" Pia, whose tragic death in 2024 at Ohikilolo Ranch—killed defending his cattle from trespassers—galvanized Hawaii. His story isn't isolated; it's a clarion call. In 2019, a USDA survey revealed nearly 15,000 trespassing incidents reported by Hawaii farmers and ranchers—yet only 970 cases reached police, with a measly 8% arrest rate. Duke's memory demands we do better!
- **Task Force: A Powerhouse Solution:** Establishing a permanent Agricultural Crimes Task Force is sheer brilliance! Picture this: experts from the Department of Agriculture, law enforcement, and academia uniting to tackle a crisis costing our \$670 million agricultural industry dearly. With 12,000 producers statewide, this task force will be a game-changer—strategizing, coordinating, and striking back at crime with unmatched precision!
- **Crushing Crime with Muscle:** Making agricultural crime a class C felony is a knockout punch! Consider this: Hawaii lost 759 Big Island farms between 2017 and 2022, partly due to unchecked theft and vandalism—think pilfered avocados, rustled livestock, and smashed fences. Fines up to \$10,000, jail time, and mandatory restitution for a sector producing \$673 million in 2022 (USDA Census) say loud and clear: Hawaii's farmers are off-limits!

- Safety Stats That Stun: Our farmers face daily risks—Big Island rancher Lani Cran Petrie notes every rancher has faced Duke's plight, minus the fatal shot. Just weeks ago, fruit farmer Ken Love lost high-value crops despite a 6,000-volt fence! SB 1257's funded task force—equipped with staff, gear, and outreach—will empower our 6,569 remaining farms (down 10.4% since 2017) to stand tall and secure!
- Economic Stakes Sky-High: Agriculture isn't just our heritage—it's our lifeline. The Big Island alone generated \$290 million in 2022, yet 82,000 acres of farmland vanished statewide since 2017. SB 1257 protects this economic engine, ensuring food security for a state importing 85-90% of its food. With farm values soaring from \$77,000 to \$103,000 per operation (2017-2022), this bill fuels prosperity!

I urge you with every ounce of enthusiasm to pass Senate Bill No. 1257 and enshrine "Duke's Law" as a beacon of justice! Let's honor Cranston "Duke" Pia by arming our agricultural ohana—our paniolos, growers, and stewards—with the might of this legislation. Mahalo for leading the charge—let's make Hawaii's farmers invincible and our state unstoppable!

Sincerely,

Master Shelby "Pikachu" Billionaire, HRM

Ohana Unity Party, Chairman

www.Ohanaunityparty.com

Kingdom of The Hawaiian Islands, H.I.

SB-1257-HD-1

Submitted on: 3/16/2025 5:00:37 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Austin Salcedo	Individual	Support	In Person

Comments:

Aloha Honorable Hawai'i State Representative David A.Tarnas (Chair of Judiciary & Hawaiian Affairs Committee)

In Strong Support **SB1257** Relating To Agricultural Crime, (Relating To Cranston "Duke" Pia Act).

Humbly request State Representative David A.Tarnas (JHA Committee Chair) and Full JHA Committee to Approve, and strongly urge SB1257 for "advance legislation" to Full Discussion, Consideration, and Final Decision by Full Senate and Full House Representative's.

Great appreciation of the Honorable Hawai'i State Senator's Mike Gabbard, Tim Richards, Karl Rhoads, Glenn Wakai, Stanley Chang, Dru Kanuha, Angus McKelvey, Lynn DeCoite, Brenton Awa, Donovan Dela Cruz, that supported and continue to "Champion" SB1249 Agriculture Bill.

Additionally, gratitude and appreciation to continue "Champion" these Bills by Honorable Hawai'i State Representative Kirstin Kahaloe, Matthias Kusch, Nicole Lowen Amy Perruso Sean Quinlan, Gene Ward.

Respectfully and Mahalo Nui Loa,

Austin Salcedo

(Kea'au Ag Landowner)

SB-1257-HD-1

Submitted on: 3/16/2025 9:28:02 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Gina "Kalei" Salcedo	Individual	Support	In Person

Comments:

Strong SUPPORT of SB1257 (Relating To Agriculture Crimes)(Duke's Law)

I Humbly request and strongly urge Hawai‘i State Representative David A.Tarnas (JHA Committee Chair) and Full JHA Committee to Approve, SB1257 for “advance legislation” for Full Discussion, Consideration, and Final Decision by Full Senate and Full House Representative’s.

SB1257(Relating To Agriculture Crimes) and “Task Force Team, Increase Penalties and Fine’s”, is long overdue. My personal experience of delayed response time at Kea’au (Oahu), for All City County/State Law Enforcement (HPD, DLNR/DOCARE, DLE) for any incident. Example: Waianae HPD Station to respond to Kea’au District, is 20 minutes to an (1+ hour) response travel time or none at all. The City County HPD have manning shortfall. The DLNR/DOCARE have decline of Financial and Staffing Shortage. The State DLE have their own partnership agenda’s with HPD.

I’ve reported safety hazard issues of Kea’au area (Oahu). Unethical hunters in my back property, and mountain with loaded guns and I own part of the Kea’au mountain and It’s not a hunting zone area. Gun shot has been going, and captured video’s given to HPD and DLNR/DOCARE. I contacted #911 HPD Dispatcher and DLNR/DOCARE Chief Mr. Jason Raddula and mention to him “what are you going to do” and “wait for someone to get killed or lose their life”. Mr. Jason Radulla replied “I assure you Mrs Salcedo it will not fall upon Blind Eye’s or Deaf Ear’s”. BUT IT DID!!! Caused a loss of a life (Cranston Duke Pia, a loving young rancher), on or about Feb 17, 2024

I, Mrs. Gina Kalei Salcedo, don’t and will never have good faith results by DLNR Department. It’s a waste of Tax Payer’s costs. Our community definitely deserve better quality State Government Service’s. Also, to include losing an valuable asset of an DOCARE Agent Mr. Pieter Meinster in January 2024 (assigned to the Waianae Coast), and just a month before Cranston Duke Pia got Murder by illegal Poacher’s, near proximity too State property jurisdiction of Hunting Zone “G” (Kea’au Mountain). It state’s “No hunting dog’s throughout the year with no exception to the rule” and “No Guns” during February hunting time-frame.

I have personally experience, the loss of my family-owned Farm Milking Goats 4 each, and Farm Chickens. As-A-Result of loose Hunting Dog’s roaming, that gotten abandon and left behind by Unethical Hunter’s. 've filed reports with HPD & DOCARE with their presence upon my Kea’au Agriculture private property with Posted Signage.

I have measured Negative Incidents that occurred upon my private property. I've tried and attempted to schedule meeting with DLNR Board Of Commissioner's. But, only to be discourage by "Due Process of DLNR". Complainants are required to be Sponsored by Management of DLNR Management Officials.

The Kea'au District (Oahu), have continued "Past" and "Present Time" to be a Safety/Health Hazard Chaos area for the Ag-Landowner's and Community. Accountability of State Officials needs to Half/Stop the "Aiding and Abetting" to Illegal Trespasser's. Upon Privately Own Properties.

Respectfully yours,

Gina Kalei Salcedo (Ag Landowner)

SB-1257-HD-1

Submitted on: 3/17/2025 7:38:54 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Glen Kagamida	Individual	Support	Written Testimony Only

Comments:

STRONG SUPPORT TO ADDRESS A BIG PROBLEM THAT IS GETTING WORSE. MAHALO!

SB1257 - AG CRIME SUGGESTIONS DRAFT

RACQUEL ACHIU

KA'ALA LIVESTOCK & MAKALEHA RANCH

MOKU O WAIALUA

Aloha Chair, Vice Chair & Members of Committee, My name is Racquel Achiu. I am the Vice Chair of the North Shore Neighborhood Board but am testifying as individual and Rancher within my community. I AM IN STROGN SUPPORT OF SB1257.

My husband & I are piko to the Waialua Moku. We have been ranching our lands for decades. We have felt the effects of AG Crime for far too long. The impacts are COSTLY, frustrating and can be devastating. The unfortunate and completely wreckless incident that took Mr Pia's life while vetting his own calf in his own space has left people overwhelmed with devastation, frustration and screaming for HELP! Please support SB1257. Don't let Mr. Pia's untimely and unfair passing be in vain. Help us gain ground on ensuring the future of our ranches, our lives, our safety and our progress.

Below is a draft of suggestions that I've put together to hopefully help guide the structuring of any legislation that we can implement to provide the long overdue support to our Agricultural Industry, especially ranchers and farmers. Mahalo

- **Make AG Crime a F E L O N Y -**
 - **ALL Offenses (listed below) against the science or practice of agriculture including, but not limited to, human life, pets, livestock, crops, fisheries etc**
 - **Trespass** - Any Unauthorized Entry into any federal, state, city and or private property, includes, but not limited to land, structures, vehicles, equipment etc
 - **Theft** - Unauthorized Taking and/or possession of livestock, crops, personal property on the restricted property - NO DOLLAR VALUE (stealing is stealing regardless of value - EVERYTHING on ag land, including but not limited to a ranch and or farm, is valuable to the owner, tenant etc
 - **Vandalism** - ANY desecration, alteration, graffiti, intentional breaking, disabling, damaging of infrastructure, property, including land, structures, equipment, tools, vehicles etc etc
 - **Harassment**
 - **Threatening**
 - **Assault**
 - **Attempted Murder**
 - **Murder**
 - **Kidnapping**
 - **Abuse (Physical, Mental, Emotional Distress)**

SUGGESTED PENALTIES:

- **Create a database/system** that offender/violator picture and information would be uploaded to and shared throughout ALL enforcement agencies statewide. (Kind of like when a safety check is done, the garage uploads pics of the vehicle to a database for verification) This database would be linked to all enforcement agencies including agencies such as TSA, since many offenders carry firearms, they should be on file as someone who requires additional awareness (embarrassing? Maybe? But they've proven to be someone who willingly breaches boundaries that even the TSA should be aware of - i use TSA as just one example. sheriffs, DLNR, HPD, HFD and maybe even include Ranchers and farmers the ability to register for viewing access of the database so they can remain aware of who to watch for and the severity of their actions.
- **ACCESS** Create maps or access information for all enforcement/emergency responders to get familiar with entry points to ranch and farms (my experience with a 911 call, HPD isn't familiar with entry points to various AG properties)
- **\$15K FINE** (no warnings, no citations - because with trespassing alone, the offender KNOWS they are somewhere they don't have permission to be - if you cut out climbed a fence or gate the offense is understood) **Fines less than \$10K are too weak and poses no impact to the offenders**
- **Confiscation** of firearms and vehicles, bikes (whatever means of transportation that is utilized to support the act of trespassing)
- **Take picture** of offender(s), vehicle(s), firearm(s) when applicable and animal(s) when applicable and upload to database (explained in first bullet point)
- **Prosecution - having a PROSECUTION TEAM specific to AG CRIME to pursue EFFECTIVE PROSECUTION of offenders and appropriate IMPRISONMENT (NO COMMUNITY SERVICE OPTION)**

Yes, there is investment involved but based on my experiences within my ranch and community, I believe this could give us a chance to make a positive impact. If we want to get serious about this matter, we have to take aggressive & impactful measures. WE HAVE TO TRY