

MAR 08 2024

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## SENATE RESOLUTION

URGING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A TWO-YEAR AGRICULTURAL CRIME PILOT PROJECT TO EXAMINE AND ASSESS THE EFFECTIVENESS OF PROSECUTING AGRICULTURAL CRIME CASES, INCLUDING THOSE OF AGRICULTURAL THEFT AND AGRICULTURAL VANDALISM, IN THE STATE.

1           WHEREAS, agricultural crimes, which include agricultural  
2 theft and vandalism, are a persistent issue affecting farmers  
3 and ranchers of the State; and

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5           WHEREAS, according to a recent publication by the United  
6 States Department of Agriculture and Hawaii Department of  
7 Agriculture in 2019, there were nearly nineteen thousand  
8 incidents of theft, vandalism, and trespassing on farms in the  
9 State; and

10  
11           WHEREAS, these incidents cost Hawaii farms approximately  
12 \$14,400,000, or ten percent of the estimated 2018 Hawaii net  
13 farm income, in theft and vandalism losses and security costs;  
14 and

15  
16           WHEREAS, some individuals trespass onto farm property,  
17 often armed with weapons and accompanied by dogs, to illegally  
18 hunt, which can be particularly dangerous and destructive for  
19 farming operations and can result in destroyed crops, lost  
20 livestock, illegal drug use, litter, and discarded animal  
21 carcasses on farm property; and

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23           WHEREAS, agricultural crimes, including agricultural theft  
24 and vandalism, increase the costs of production and decrease the  
25 chances for farming and ranching operations to succeed; and

26  
27           WHEREAS, despite the prevalence and cost of agricultural  
28 crimes, many incidents go unreported and few result in  
29 convictions; and

30  
31           WHEREAS, of the nearly nineteen thousand incidents in 2019,  
32 only nine hundred seventy incidents were reported to law



1 enforcement, which resulted in seventy-nine arrests and sixty-  
2 seven convictions; and

3  
4 WHEREAS, recognizing the challenges that local farmers face  
5 regarding agricultural crimes, the Legislature passed Act 217,  
6 Session Laws of Hawaii 2019, which established a two-year  
7 Agricultural Theft and Vandalism Pilot Project to examine the  
8 effectiveness of prosecuting agricultural theft and vandalism  
9 cases in the counties of Hawaii and Maui, and included cases of  
10 theft and vandalism that affect individuals who are not full-  
11 time farmers or ranchers; and

12  
13 WHEREAS, this body believes that it is time to expand the  
14 Agricultural Theft and Vandalism Pilot Project statewide as it  
15 will provide resources to suppress incidences of agricultural  
16 crimes and losses to farmers, ranchers, aquaculturists, and  
17 floriculturists in the State; now, therefore,

18  
19 BE IT RESOLVED by the Senate of the Thirty-second  
20 Legislature of the State of Hawaii, Regular Session of 2024,  
21 that the Department of Agriculture is urged to establish a two-  
22 year Agricultural Crime Pilot Project to examine and assess the  
23 effectiveness of prosecuting agricultural crime cases, including  
24 those of agricultural theft and agricultural vandalism, in the  
25 State; and

26  
27 BE IT FURTHER RESOLVED that the Department of Agriculture  
28 is also requested to examine and assess the effectiveness of  
29 prosecuting agricultural crimes, including the theft of  
30 agricultural products produced for personal or commercial use on  
31 any land, regardless of land classification, and agricultural  
32 vandalism; and

33  
34 BE IT FURTHER RESOLVED that the Department of Agriculture  
35 is requested to coordinate with the Department of Law  
36 Enforcement and each of the four counties to hire enforcement  
37 officers for each county; and

38  
39 BE IT FURTHER RESOLVED that the Department of Agriculture  
40 is requested to assess the implementation of the pilot project,  
41 including the pilot project's effectiveness, to determine



1 whether to continue, make permanent, or end the pilot project,  
2 by:

- 3  
4 (1) Identifying the number of convictions for agricultural  
5 crimes;  
6  
7 (2) Identifying best practices for prosecuting  
8 perpetrators of agricultural crimes;  
9  
10 (3) Identifying best practices for the coordination of  
11 local police and other enforcement officers'  
12 interaction between the prosecuting attorney's office  
13 and the Judiciary;  
14  
15 (4) Identifying best practices for the development and  
16 implementation of the public's and farmers' reporting  
17 of agricultural crimes or the attempt of agricultural  
18 theft or agricultural vandalism;  
19  
20 (5) Identifying areas where agricultural crimes are most  
21 prevalent;  
22  
23 (6) Identifying best practices for preventing agricultural  
24 crimes; and  
25  
26 (7) Making recommendations for a statewide program to  
27 address agricultural crimes; and  
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29 BE IT FURTHER RESOLVED that the Department of Agriculture  
30 is requested to submit an interim report to the Legislature of  
31 its findings and recommendations, including any proposed  
32 legislation, no later than twenty days prior to the convening of  
33 the Regular Session of 2025; and  
34

35 BE IT FURTHER RESOLVED that the Department of Agriculture  
36 is requested to submit a final report to the Legislature of its  
37 findings and recommendations, including any proposed  
38 legislation, no later than twenty days prior to the convening of  
39 the Regular Session of 2026; and  
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41 BE IT FURTHER RESOLVED that certified copies of this  
42 Resolution be transmitted to the Chairperson of the Board of



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1 Agriculture, Director of Law Enforcement, and the Prosecuting  
2 Attorneys and Chiefs of Police of each county.

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OFFERED BY:

Lynn De Corte

