

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 CITY AND COUNTY OF HONOLULU AND COUNTY OF KAUAI.

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  
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16           WHEREAS, some individuals often trespass onto farm  
17 property, often armed with weapons and accompanied by dogs, to  
18 illegally hunt, which can be particularly dangerous and  
19 destructive for farming operations and can result in destroyed  
20 crops, lost livestock, illegal drug use, litter, and discarded  
21 animal 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  
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27           WHEREAS, despite the prevalence and cost of agricultural  
28 crimes, many incidents go unreported and few result in  
29 convictions; and  
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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 Project Program 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, the City and County of Honolulu suffered the  
14 highest rates of theft or vandalism of all farms in the State  
15 and the County of Kauai suffered the third highest rates of  
16 theft or vandalism of all farms in the State; and

17  
18 WHEREAS, this body believes that it is time to replicate  
19 the Agricultural Theft and Vandalism Pilot Project in the City  
20 and County of Honolulu and County of Kauai as it will provide  
21 resources to suppress incidences of agricultural crimes and  
22 losses to farmers, ranchers, aquaculturists, and floriculturists  
23 in the State; now, therefore,

24  
25 BE IT RESOLVED by the Senate of the Thirty-second  
26 Legislature of the State of Hawaii, Regular Session of 2024,  
27 that the Department of Agriculture is urged to establish a two-  
28 year Agricultural Crime Pilot Project to examine and assess the  
29 effectiveness of prosecuting agricultural crime cases, including  
30 those of agricultural theft and agricultural vandalism, in the  
31 City and County of Honolulu and County of Kauai; and

32  
33 BE IT FURTHER RESOLVED that the Department of Agriculture  
34 is also requested to examine and assess the effectiveness of  
35 prosecuting agricultural crimes, including the theft of  
36 agricultural products produced for personal or commercial use on  
37 any land, regardless of land classification, and agricultural  
38 vandalism; and

39  
40 BE IT FURTHER RESOLVED that the Department of Agriculture  
41 is requested to coordinate with the Department of Law  
42 Enforcement, the City and County of Honolulu and County of Kauai



1 to hire one full-time equivalent (1.0 FTE) enforcement officer  
2 for each county, to be placed within the respective prosecuting  
3 attorney's office or any other law enforcement agency; and  
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5 BE IT FURTHER RESOLVED that the Department of Agriculture  
6 is requested to assess the implementation of the pilot project,  
7 including the pilot project's effectiveness, to determine  
8 whether to continue, expand, or end the pilot project, by:  
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- 10 (1) Identifying the number of convictions for agricultural  
11 crimes;
- 12
- 13 (2) Identifying best practices for prosecuting  
14 perpetrators of agricultural crimes;
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- 16 (3) Identifying best practices for the coordination of  
17 local police and other enforcement officers'  
18 interaction between the prosecuting attorney's office  
19 and the Judiciary;
- 20
- 21 (4) Identifying best practices for the development and  
22 implementation of the public's and farmers' reporting  
23 of agricultural crimes or the attempt of agricultural  
24 theft or agricultural vandalism;
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- 26 (5) Identifying areas where agricultural crimes are most  
27 prevalent;
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- 29 (6) Identifying best practices for preventing agricultural  
30 crimes; and
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- 32 (7) Making recommendations for a statewide program to  
33 address agricultural crimes; and  
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35 BE IT FURTHER RESOLVED that the Department of Agriculture  
36 is requested to submit an interim report to the Legislature of  
37 its findings and recommendations, including any proposed  
38 legislation, no later than twenty days prior to the convening of  
39 the Regular Session of 2025; and  
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41 BE IT FURTHER RESOLVED that the Department of Agriculture  
42 is requested to submit a final report to the Legislature of its



1 findings and recommendations, including any proposed  
2 legislation, no later than twenty days prior to the convening of  
3 the Regular Session of 2026; and  
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5 BE IT FURTHER RESOLVED that certified copies of this  
6 Resolution be transmitted to the Chairperson of the Board of  
7 Agriculture, Director of Law Enforcement, Prosecuting Attorneys  
8 for the City and County of Honolulu and the County of Kauai, and  
9 Chiefs of Police of the Honolulu Police Department and the Kauai  
10 Police Department.  
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OFFERED BY:

A handwritten signature in black ink, appearing to read "Mike Gabbard", is written over a horizontal line.