
A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF LAW ENFORCEMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that, in a 2019 report,
2 the United States Department of Agriculture found that
3 agricultural theft and vandalism and the expense of security
4 measures to prevent these crimes in the State cost farmers
5 roughly \$14,400,000. In 2020, the Hawaii department of
6 agriculture reported sixty-six cases of felony agricultural
7 theft, thirty cases of trespassing, and forty-eight other
8 related offenses in Hawaii county.

9 In 2024, a rancher was killed in a confrontation on Oahu,
10 allegedly stemming from trespassing. This incident highlights
11 the heightened opportunity for violent crimes to occur when
12 weapons are present during disputes on farms and ranches.

13 The legislature further finds that agricultural crime is
14 likely underreported throughout the State. The rural locations
15 of ranches and farms can make it challenging for law enforcement
16 agencies to timely respond to reports, especially agencies that
17 may be understaffed or do not prioritize agricultural crimes



1 compared to other violent and property crimes. Consequently,
2 the ability to prevent, investigate, and prosecute agricultural
3 crimes statewide must be prioritized to ensure community safety
4 on all islands.

5 The legislature recognizes that there is a recruitment
6 challenge within the department of law enforcement, including
7 the ability to recruit new law enforcement officers to serve in
8 specific and identified areas of law enforcement. One solution
9 to increase the pool of law enforcement candidates is to
10 authorize individuals, including volunteers, who have aloha
11 (love) or kuleana (responsibility) for the agricultural
12 community to help with the deterrence, investigation, and
13 enforcement of laws and rules directly relating to agricultural
14 crimes and make a difference in the agricultural community in
15 the State.

16 Accordingly, the purpose of this Act is to:

- 17 (1) Establish an agricultural enforcement program within
18 the department of law enforcement;
19 (2) Establish the agricultural enforcement special fund;
20 and



1 (3) Appropriate funds for and establish positions within
2 the agricultural enforcement program.

3 SECTION 2. Chapter 353C, Hawaii Revised Statutes, is
4 amended by adding two new sections to be appropriately
5 designated and to read as follows:

6 "§353C-A Agricultural enforcement program. (a) There
7 shall be established within the department an agricultural
8 enforcement program. The department shall employ or appoint,
9 and remove, the following persons, subject to chapter 76 and
10 section 78-1:

11 (1) An assistant chief, who shall be the administrator of
12 the agricultural enforcement program and shall have
13 charge, direction, and control, subject to the
14 direction or control of the director, of all matters
15 relating to the enforcement of an offense involving
16 theft of an agricultural product or commodity as
17 defined in section 708-835.55, and any other matters
18 as determined by the director. The assistant chief
19 shall be an administrator experienced in addressing
20 agricultural theft; and



1 (2) Personnel, state law enforcement officers, and
2 investigators, including but not limited to state law
3 enforcement officers serving on a voluntary basis
4 without pay.

5 (b) In addition to all police powers and duties, state law
6 enforcement officers in the agricultural enforcement program
7 shall:

8 (1) Focus on offenses under sections 708-830.5, 708-831,
9 708-832, and 708-833 that involve the theft of an
10 agricultural product or commodity;

11 (2) Gather evidence, conduct investigations, and conduct
12 field observations, as required or assigned;

13 (3) Cooperate with any enforcement authorities of the
14 federal, state, or county government in the
15 development of programs and mutual aid agreements for
16 agricultural activities within the State; and

17 (4) Carry out other duties and responsibilities as
18 determined by the assistant chief.

19 (c) The department shall enter into memoranda of agreement
20 with the division of conservation and resources enforcement of
21 the department of land and natural resources and each county



1 police department, as necessary, to effectuate the purposes of
2 this section.

3 **§353C-B Agricultural enforcement special fund;**

4 **established.** (a) There shall be established in the state
5 treasury the agricultural enforcement special fund to be
6 administered by the department.

7 (b) The following shall be deposited into the agricultural
8 enforcement special fund:

9 (1) Grants, awards, donations, gifts, transfers, or moneys
10 derived from public or private sources for the
11 purposes of enforcing offenses that involve the theft
12 of an agricultural product or commodity, or any other
13 matters as determined by the director;

14 (2) Fees, reimbursements, administrative charges, and
15 penalties collected for activities related to the
16 enforcement of laws and rules applicable to protecting
17 agricultural products or commodities, except as
18 otherwise provided by any law that requires deposit of
19 these moneys into other special funds administered by
20 the department of agriculture;



- 1 (3) Moneys derived from any interest, dividends, or other
2 income from the sources in paragraphs (1) and (2); and
3 (4) Appropriations by the legislature.
4 (c) The agricultural enforcement special fund shall be
5 used for expenditures relating to the agricultural enforcement
6 program established pursuant to section 353C-A, including:
7 (1) Training;
8 (2) Research;
9 (3) Equipment;
10 (4) Preparation and dissemination of information to the
11 public;
12 (5) Data collection and development;
13 (6) Information technology;
14 (7) Safety;
15 (8) Wireless communication;
16 (9) Management;
17 (10) Travel;
18 (11) Equipment rental;
19 (12) Repairs;
20 (13) Planning;
21 (14) Information;



- 1 (15) Education;
- 2 (16) Operations;
- 3 (17) Maintenance functions authorized and deemed necessary
4 by the director;
- 5 (18) Funding for consultants or contractual hires related
6 to the enforcement of laws and rules applicable to the
7 offense of theft of an agricultural product or
8 commodity, or any other matters as determined by the
9 director; and
- 10 (19) Work performed in cooperation with enforcement
11 authorities of the federal, state, or county
12 government.
- 13 (d) The agricultural enforcement special fund shall be
14 held separate and apart from all other moneys, funds, and
15 accounts in the department; provided that any moneys received
16 from the federal government or from private contributions shall
17 be deposited and accounted for in accordance with any conditions
18 established by the department or entity from which the moneys
19 are received. Any balance remaining in the agricultural
20 enforcement special fund at the end of any fiscal year shall be
21 carried forward in the fund for the next fiscal year."



1 SECTION 3. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2025-2026 and
4 the same sum or so much thereof as may be necessary for fiscal
5 year 2026-2027 to be deposited into the agricultural enforcement
6 special fund established pursuant to section 353C-B, Hawaii
7 Revised Statutes.

8 SECTION 4. There is appropriated out of the agricultural
9 enforcement special fund the sum of \$ or so much
10 thereof as may be necessary for fiscal year 2025-2026 and the
11 same sum or so much thereof as may be necessary for fiscal year
12 2026-2027 for:

13 (1) The establishment of the following positions within
14 the agricultural enforcement program established
15 pursuant to section 353C-A, Hawaii Revised Statutes:

16 (A) full-time equivalent (FTE) assistant
17 chief position;

18 (B) full-time equivalent (FTE) state law
19 enforcement investigator positions; provided that
20 the four counties shall be
21 assigned positions each; and



1 (C) full-time equivalent (FTE) uniformed
2 state law enforcement officer positions for
3 patrol functions; provided that the counties of
4 Hawaii, Kauai, and Maui shall be
5 assigned positions each, and positions
6 shall be assigned to the city and county of
7 Honolulu; and

8 (2) Other operating expenditures of the agricultural
9 enforcement program established pursuant to section
10 353C-A, Hawaii Revised Statutes.

11 The sums appropriated shall be expended by the department
12 of law enforcement for the purposes of this Act.

13 SECTION 5. In codifying the new sections added by
14 section 2 of this Act, the revisor of statutes shall substitute
15 appropriate section numbers for the letters used in designating
16 the new sections in this Act.

17 SECTION 6. New statutory material is underscored.

18 SECTION 7. This Act shall take effect on July 1, 3000.



Report Title:

DLE; Agricultural Enforcement Program; Theft of an Agricultural Product or Commodity; Agricultural Enforcement Special Fund; Positions; Appropriations

Description:

Establishes the Agricultural Enforcement Program within the Department of Law Enforcement. Establishes the Agricultural Enforcement Special Fund. Establishes positions. Appropriates funds. Effective 7/1/3000. (HD2)

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