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HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
Ka 'Oihana Mālama Mo'ohelu a Kālā
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ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT

WRITTEN ONLY

TESTIMONY BY LUIS P. SALAVERIA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS
ON
HOUSE BILL NO. 501, H.D. 1

**February 6, 2025
2:00 p.m.
Room 325 and Videoconference**

RELATING TO THE DEPARTMENT OF LAW ENFORCEMENT

The Department of Budget and Finance (B&F) offers comments on this bill.

House Bill (H.B.) No. 501, H.D. 1, establishes the Agricultural Enforcement Program (AEP) within the Department of Law Enforcement to implement the laws and rules directly related to agricultural crimes; establishes the Agricultural Enforcement Special Fund (AESF); appropriates an unspecified amount of general funds for FY 26 and FY 27 to be deposited into the AESF; and appropriates an unspecified amount of special funds out of the AESF for FY 26 and FY 27 for the establishment of an unspecified amount of full-time equivalent positions for the AEP. Revenues for the AESF include legislative appropriations, fees, reimbursements, administrative charges, funds from government agencies or private sources, grants, gifts, interest and other income.

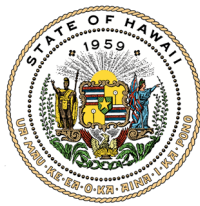
As a matter of general policy, B&F does not support the creation of any special fund which does not meet the requirements of Section 37-52.3, HRS. Special funds should:

1) serve a need as demonstrated by the purpose, scope of work, and an explanation why the program cannot be implemented successfully under the general fund appropriation

process; 2) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries or a clear link between the program and the sources of revenue; 3) provide an appropriate means of financing for the program or activity; and 4) demonstrate the capacity to be financially self-sustaining. Regarding H.B. No. 501, H.D. 1, it is difficult to determine whether the proposed special fund would be self-sustaining.

Thank you for your consideration of our comments.

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 HOUSE BILL 501, HOUSE DRAFT 1
RELATING TO DEPARTMENT OF LAW ENFORCEMENT
Before the House Committee on
JUDICIARY & HAWAIIAN AFFAIRS
Thursday, February 6, 2025, 2:00 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 House Bill 501, House Draft 1. This bill establishes the Agricultural Enforcement Program within the Department of Law Enforcement, creates an Agricultural Enforcement Special Fund, and allocates positions to combat agricultural theft and protect agricultural communities across Hawaii.

The DLE recognizes the critical need to address agricultural crimes in Hawaii, which resulted in estimated losses of \$14.4 million in 2019 according to USDA reports. The establishment of this program aligns with our ongoing efforts to protect agricultural communities and builds upon our existing collaboration with stakeholders in local agriculture to address these crimes effectively.

The proposed program will enable the deployment of specialized law enforcement positions across Hawaii, creating a dedicated force to prevent, investigate, and combat agricultural theft and related crimes. The program will also facilitate crucial partnerships through memoranda of agreement with other agencies, including the Department of

Agriculture and Department of Land and Natural Resources, ensuring coordinated efforts in protecting agricultural assets.

This legislation represents a significant step forward in our commitment to protecting Hawaii's agricultural sector and ensuring the security of our food production infrastructure.

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



COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair
Rep. Mahina Poepoe, Vice Chair

HB501 HD1

RELATING TO AGRICULTURAL CRIMES

Thursday, February 6, 2025, 2:00 PM
Conference Room 325 & Videoconference

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

The Hawaii Cattlemen's Council **supports HB501 HD** which establishes the Agricultural Enforcement Program within the Department of Law Enforcement, establishes the Agricultural Enforcement Special Fund, establishes positions, and appropriates funds.

Agricultural crimes is a not a new issue – but it is getting more pervasive and more dangerous. So dangerous that we lost a young rancher to illegal trespassing and poaching in 2024. This incident was an incredibly unfortunate incident that we need to keep from happening again. Without the threat of a penalty, ag crimes will continue to flourish, to the detriment of our food producers. There needs to be a clear way for ranchers and farmers to report crimes, and an effective way to prosecute the crime.

Currently, agricultural crimes is not getting the dedicated attention it needs. Reporting of crimes is low, successful prosecution is limited, and criminals have no reason to be deterred from committing the crimes. Creating the Agricultural Enforcement Program will bring more resources to the farmers and ranchers who deal with agricultural crime on a daily basis. This specialized attention within the Department of Law Enforcement will help to address the ongoing trespassing, vandalism and theft on farms and ranches.

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





February 4, 2025

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

Subject: **HB501 HD1**, Relating to the Department of Law Enforcement

Aloha,

I am writing in **support** of **HB501 HD1**, which asks to establish the Agricultural Enforcement Program as well as the Agricultural Enforcement Special Fund. The measure states that the Assistant Chief– an administrator experienced in addressing agricultural theft– shall charge the program by determining the duties and responsibilities of state law enforcement officers in the program.

Our farmers and ranchers, the lifeblood of our local food system, continuously face hefty physical, mental, and financial burdens. In return for all their painstaking efforts to feed our communities, the least we can do is help protect their safety by making an effort to deter agricultural crime, diligently investigate crimes, and enforce laws. Across our islands, farmers and ranchers are concerned about agricultural crime in the forms of trespassing, vandalism, illegal hunting, and theft of equipment, machinery, and crops. Not only do these crimes come with a detrimental monetary expense, but there is also the worry of violence. One year ago this month, in February 2024, agricultural communities experienced a tragedy when a hardworking Makaha rancher lost his life from an alleged trespassing incident.

The United States Department of Agriculture (USDA) released a report in 2020 titled [Hawai'i Agricultural Theft and Vandalism](#) which states that in 2018, losses for theft and vandalism, along with security costs, resulted in a total value of \$14.4 million, which was about 10% of Hawai'i net farm income. The report additionally estimated that the total costs of implementing security measures like cameras, guards, and fencing cost Hawai'i farms \$11.2 million.

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.nass.usda.gov/Statistics_by_State/Hawaii/Publications/Miscellaneous/AgTheft_2019.pdf
<https://hdoa.hawaii.gov/wp-content/uploads/2023/09/AGR-SR138-Ag-Crimes.pdf>



From the same [USDA report](#), survey respondents indicated that in 2019, more than 14,000 agricultural crime incidents were trespassing, over 3,000 incidents of theft, and about 1,100 incidents of vandalism. Only 970 of these incidents were reported to law enforcement. As explained by the [Hawai'i Department of Agriculture](#), the lack of reporting is likely due to the difficulty of the process along with staffing issues within law enforcement. Furthermore, these crimes tend to be viewed as low-priority, or result in inconsequential sentencing.

Hawai'i's farmers and ranchers deserve for their livelihood and safety to be treated like priority by law enforcement. There must be more attention put toward deterring and investigating agricultural crime as well as enforcing laws when necessary. It is important to treat these crimes seriously by demonstrating that these heinous actions come with legal consequences.

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

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<https://hdoa.hawaii.gov/wp-content/uploads/2023/09/AGR-SR138-Ag-Crimes.pdf>



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February 6, 2025

HEARING BEFORE THE
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

TESTIMONY ON HB 501, HD1
RELATING TO THE DEPARTMENT OF LAW ENFORCEMENT

Conference Room 325 & Videoconference
2:00 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 HB 501, HD1, which establishes the Agricultural Enforcement Program within the Department of Law Enforcement, establishes the Agricultural Enforcement Special Fund, establishes positions, and appropriates funds.

Agricultural crime is a persistent problem facing agriculture. Weather, drought, pests, weeds, disease, unstable markets, transportation, labor issues, and a changing climate all contribute to uncertainty for farmers and ranchers. Few businesses face such challenges, yet we are charged with producing food, feed, fiber, fuel, and flowers for the 99% of non-farmers. Add in the constant threat and impacts of trespass, theft, and vandalism, and it's a wonder farms and ranches 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 our efforts to install cameras, form community ag watch groups, and patrol our farms, these criminals know that being caught and prosecuted is unlikely. Our police departments are trying to help but don't have the staffing and resources to be everywhere at all times.

In recent years, not only crops and livestock have been stolen, but also tractors, trucks, farm equipment, and tools. Too often, a farmer or rancher has sweated, worried, and worked to the bone to produce a crop or raise livestock, only to wake up one morning to find that an opportunistic criminal has helped themselves to the harvest. Farmers and ranchers are fed up with this activity and deserve better. We understand that law enforcement resources are often prioritized for public health and safety. Is a farmer's and his family's health, safety, and livelihood any less important? We think not.

HFB believes a dedicated Agricultural Law Enforcement Program would significantly minimize agricultural crimes and enhance public safety. We hope that this will serve as a deterrent to would-be criminals. An Agricultural Law Enforcement Program will help prevent agricultural crimes and help our farmers and ranchers stay in business.

HFB will continue to work with our policymakers, law enforcement, and the prosecutor's office to find ways to help deter, apprehend, and convict individuals who commit agricultural crimes.

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



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Vincent Kimura
Honolulu, O'ahu

Natalie Urminska
Kaua'i

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the House Judiciary & Hawaiian Affairs Committee,

The Hawai'i Farmers Union is a 501(c)(5) agricultural advocacy nonprofit representing a network of over 2,500 family farmers and their supporters across the Hawaiian Islands. **HFU supports HB501.**

The introduction of the Agricultural Enforcement Program within the Department of Law Enforcement signifies a committed effort to address the unique challenges faced by Hawaii's farmers. This program will enhance the security and protection of agricultural lands and resources, which are increasingly under threat from theft, vandalism, and other illegal activities. By establishing the Agricultural Enforcement Special Fund and dedicated positions, HB501 ensures that the requisite resources are available for effective enforcement and oversight, ultimately providing farmers with the peace of mind necessary to focus on sustainable agricultural practices and innovation.

The establishment of this enforcement program also underscores a critical recognition of the significant contributions that local farmers make to food security, community health, and economic stability. By providing targeted support and protection to the agricultural industry, the program not only helps to sustain existing farming operations but also encourages new farmers to enter the field with the assurance of state support.

Mahalo for the opportunity to testify.

Hunter Heaivilin
Advocacy Director
Hawai'i Farmers Union

HB-501-HD-1

Submitted on: 2/4/2025 12:08:03 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jordan Hall	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Overlapping responsibilities of multiple agencies is not being a good steward of tax payors money.