
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 onto the rancher's property.
11 This incident highlights the heightened opportunity for violent
12 crimes to occur when weapons are present during disputes on
13 farms and ranches.

14 The legislature further finds that agricultural crime is
15 likely underreported throughout the State. The rural locations
16 of ranches and farms can make it challenging for law enforcement
17 agencies to timely respond to reports, especially agencies that



1 may be understaffed or do not prioritize agricultural crimes
2 compared to other violent and property crimes. Consequently,
3 the ability to prevent, investigate, and prosecute agricultural
4 crimes statewide must be prioritized to ensure community safety
5 on all islands.

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

17 Accordingly, the purpose of this Act is to:

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



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

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

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

(1) An assistant chief, who shall be the administrator of the agricultural enforcement program and shall have charge, direction, and control, subject to the direction or control of the deputy director, of all matters relating to the enforcement of an offense listed in section 708-835.55 involving theft of an agricultural product or commodity and any other matters as determined by the deputy director. The assistant chief shall be an administrator experienced in addressing 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 listed under section 708-835.55 that
9 involve the theft of an agricultural product or
10 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 deputy director.

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 (d) For purposes of this section, "deputy director" means
4 the deputy director of law enforcement.

5 **\$353C-B Agricultural enforcement special fund;**

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

9 (b) The following shall be deposited into the agricultural
10 enforcement special fund:

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

16 (2) Fees, reimbursements, administrative charges, and
17 penalties collected for activities related to the
18 enforcement of laws and rules applicable to protecting
19 agricultural products or commodities, except as
20 otherwise provided by any law that requires deposit of



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



1 (13) Planning;

2 (14) Information;

3 (15) Education;

4 (16) Operations;

5 (17) Maintenance functions authorized and deemed necessary
6 by the deputy director;

7 (18) Funding for consultants or contractual hires related
8 to the enforcement of laws and rules applicable to the
9 offense of theft of an agricultural product or
10 commodity, or any other matters as determined by the
11 deputy director; and

12 (19) Work performed in cooperation with enforcement
13 authorities of the federal, state, or county
14 government.

15 (d) The agricultural enforcement special fund shall be
16 held separate and apart from all other moneys, funds, and
17 accounts in the department; provided that any moneys received
18 from the federal government or from private contributions shall
19 be deposited and accounted for in accordance with any conditions
20 established by the department or entity from which the moneys
21 are received. Any balance remaining in the agricultural



1 enforcement special fund at the end of any fiscal year shall be
2 carried forward in the special fund for the next fiscal year.

3 (e) For purposes of this section, "deputy director" has
4 the same meaning as in section 353C-A."

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

12 SECTION 4. There is appropriated out of the agricultural
13 enforcement special fund the sum of \$ or so much
14 thereof as may be necessary for fiscal year 2025-2026 and the
15 same sum or so much thereof as may be necessary for fiscal year
16 2026-2027 for:

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

20 (A) full-time equivalent (FTE) assistant
21 chief position;



1 (B) full-time equivalent (FTE) state law
2 enforcement investigator positions; provided that
3 the four counties shall be assigned two positions
4 each; and

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

11 (2) Other operating expenditures of the agricultural
12 enforcement program established pursuant to section
13 353C-A, Hawaii Revised Statutes.

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

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

20 SECTION 6. New statutory material is underscored.



1 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; Appropriation

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. (HD3)

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