

MAR 16 2026

SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO CONDUCT A
STUDY ON THE NEED TO UPDATE SELF-DEFENSE LAWS ON
AGRICULTURAL LANDS.

1 WHEREAS, agriculture is a crucial industry in the State;
2 and

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4 WHEREAS, when an individual resorts to deadly force, the
5 law imposes a heightened threshold of mental awareness,
6 situational understanding, and decision-making rationality,
7 requiring the individual to perceive the nature of the threat,
8 assess available alternatives, and select a legally permissible
9 response under rapidly evolving circumstances; and

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11 WHEREAS, this asymmetry is especially pronounced on
12 agricultural lands where spatial isolation, limited access to
13 immediate law enforcement assistance, and the practical
14 realities of active agricultural operations constrain the range
15 of immediate and feasible options available to farmers and
16 ranchers; and

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18 WHEREAS, in the absence of a stand-your-ground law,
19 individuals engaged in lawful agricultural activity may be held
20 to legal expectations that do not fully account for these
21 operational realities, thereby creating a structural mismatch
22 between doctrinal self-defense standards and the conditions
23 under which confrontations on agricultural lands typically
24 occur; and

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26 WHEREAS, in this context, the absence of a stand-your-
27 ground-law does not merely preserve a duty to retreat, it
28 effectively presumes the availability of retreat, rational
29 deliberations, or the immediate availability of law enforcement
30 officers under conditions that often do not exist in active
31 agricultural settings; and

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1 WHEREAS, this doctrinal framework assumes that the duty to
2 retreat and exhaust all avenues of avoidance prior to using
3 deadly force is the normative contextual basis in which
4 agricultural workers engage while working ranches and farmlands;
5 and

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7 WHEREAS, agricultural work is often conducted in rural,
8 geographically isolated locations, far removed from the
9 immediate availability of adequate law enforcement responses,
10 rendering these isolated locations particularly vulnerable to
11 agricultural theft, vandalism, trespassing, and escalations in
12 physical confrontations; and

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14 WHEREAS, the existing self-defense doctrine, while neutral
15 on its face, may function differently in agricultural contexts,
16 and thereby warrants legislative action; now, therefore,

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18 BE IT RESOLVED by the Senate of the Thirty-third
19 Legislature of the State of Hawaii, Regular Session of 2026, the
20 House of Representatives concurring, that the Department of the
21 Attorney General is requested to conduct a study on the need to
22 update self-defense laws on agricultural lands; and

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24 BE IT FURTHER RESOLVED that the Department of the Attorney
25 General is requested to consult with representatives from state
26 and county law enforcement agencies, agricultural stakeholders,
27 and other relevant stakeholders when conducting its study; and

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29 BE IT FURTHER RESOLVED that the Department of the Attorney
30 General is requested to evaluate the consistency of the State's
31 laws with those of other states, including with respect to duty-
32 to-retreat provisions applicable to agricultural or rural lands;
33 and

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35 BE IT FURTHER RESOLVED that the Department of the Attorney
36 General is requested to submit a report of its findings and
37 recommendations, including any proposed legislation, to the
38 Legislature no later than twenty days prior to the convening of
39 the Regular Session of 2027; and
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1 BE IT FURTHER RESOLVED that a certified copy of this
2 Concurrent Resolution be transmitted to the Attorney General.

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OFFERED BY: *David M. R. [Signature]*

