

MAR 08 2024

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# SENATE CONCURRENT 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 STATE.

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

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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 trespass onto farm property,  
17 often armed with weapons and accompanied by dogs, to illegally  
18 hunt, which can be particularly dangerous and destructive for  
19 farming operations and can result in destroyed crops, lost  
20 livestock, illegal drug use, litter, and discarded animal  
21 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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1           WHEREAS, of the nearly nineteen thousand incidents in 2019,  
2 only nine hundred seventy incidents were reported to law  
3 enforcement, which resulted in seventy-nine arrests and sixty-  
4 seven convictions; and

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6           WHEREAS, recognizing the challenges that local farmers face  
7 regarding agricultural crimes, the Legislature passed Act 217,  
8 Session Laws of Hawaii 2019, which established a two-year  
9 Agricultural Theft and Vandalism Pilot Project to examine the  
10 effectiveness of prosecuting agricultural theft and vandalism  
11 cases in the counties of Hawaii and Maui, and included cases of  
12 theft and vandalism that affect individuals who are not full-  
13 time farmers or ranchers; and

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15           WHEREAS, this body believes that it is time to expand the  
16 Agricultural Theft and Vandalism Pilot Project statewide as it  
17 will provide resources to suppress incidences of agricultural  
18 crimes and losses to farmers, ranchers, aquaculturists, and  
19 floriculturists in the State; now, therefore,

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21           BE IT RESOLVED by the Senate of the Thirty-second  
22 Legislature of the State of Hawaii, Regular Session of 2024, the  
23 House of Representatives concurring, that the Department of  
24 Agriculture is urged to establish a two-year Agricultural Crime  
25 Pilot Project to examine and assess the effectiveness of  
26 prosecuting agricultural crime cases, including those of  
27 agricultural theft and agricultural vandalism, in the State; and

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

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36           BE IT FURTHER RESOLVED that the Department of Agriculture  
37 is requested to coordinate with the Department of Law  
38 Enforcement and each of the four counties to hire enforcement  
39 officers for each county; and

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41           BE IT FURTHER RESOLVED that the Department of Agriculture  
42 is requested to assess the implementation of the pilot project,



1 including the pilot project's effectiveness, to determine  
2 whether to continue, make permanent, or end the pilot project,  
3 by:

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- 5 (1) Identifying the number of convictions for agricultural  
6 crimes;
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- 8 (2) Identifying best practices for prosecuting  
9 perpetrators of agricultural crimes;
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- 11 (3) Identifying best practices for the coordination of  
12 local police and other enforcement officers'  
13 interaction between the prosecuting attorney's office  
14 and the Judiciary;
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- 16 (4) Identifying best practices for the development and  
17 implementation of the public's and farmers' reporting  
18 of agricultural crimes or the attempt of agricultural  
19 theft or agricultural vandalism;
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- 21 (5) Identifying areas where agricultural crimes are most  
22 prevalent;
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- 24 (6) Identifying best practices for preventing agricultural  
25 crimes; and
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- 27 (7) Making recommendations for a statewide program to  
28 address agricultural crimes; and
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30 BE IT FURTHER RESOLVED that the Department of Agriculture  
31 is requested to submit an interim report to the Legislature of  
32 its findings and recommendations, including any proposed  
33 legislation, no later than twenty days prior to the convening of  
34 the Regular Session of 2025; and

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36 BE IT FURTHER RESOLVED that the Department of Agriculture  
37 is requested to submit a final report to the Legislature of its  
38 findings and recommendations, including any proposed  
39 legislation, no later than twenty days prior to the convening of  
40 the Regular Session of 2026; and

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1 BE IT FURTHER RESOLVED that certified copies of this  
2 Concurrent Resolution be transmitted to the Chairperson of the  
3 Board of Agriculture, Director of Law Enforcement, and the  
4 Prosecuting Attorneys and Chiefs of Police of each county.  
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OFFERED BY:

Lynn DeCorte

