

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



State of Hawai'i
DEPARTMENT OF AGRICULTURE
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SHARON HURD
Chairperson, Board of Agriculture

DEAN M. MATSUKAWA
Deputy to the Chairperson

TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

MONDAY, FEBRUARY 10, 2025
1:01 PM
CONFERENCE ROOM 224

SENATE BILL NO. 1257
RELATING TO AGRICULTURAL CRIME

Chair Gabbard, Vice Chair Richards, and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 1257 that establishes Agricultural Crimes Task Force to address the issue of agricultural crimes in the State, established the offense of agricultural crime to increase penalties for property crimes committed on agricultural property and appropriates funds.

The Hawaii Department of Agriculture (Department) supports SB 1257 and acknowledges the appropriate naming of the bill as "Duke's Law". The nine-member task force is representative of a wide range of agriculture interests. Efforts will be made to include members from all counties.

The duties of the task force address prevention, prosecution and penalties as well as education and outreach programs for farmers. The appropriation will allow for the task force to provide messaging of the penalties of property crimes on agricultural property as well as provide the resources to the task force for workshops for the communities.

Thank you for the opportunity to testify on this measure.



JON N. IKENAGA
PUBLIC DEFENDER

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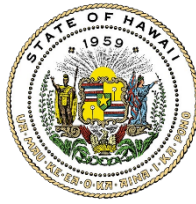
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STATE OF HAWAII
OFFICE OF THE PUBLIC DEFENDER

February 9, 2025

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SB1257: RELATING TO AGRICULTURAL CRIME

Chair Gabbard, Vice-Chair Richards, and Members of the Committee on Agriculture and Environment:

The Office of the Public Defender (OPD) **opposes SB1257.**

Section 4 of the bill seeks to amend Chapter 708 of the Hawai'i Revised Statutes (HRS) by adding an "agricultural crime" subsection. This amendment is unnecessary. First, there is no cognizable basis for making any petty misdemeanor or misdemeanor property crime a Class C felony simply by virtue of the fact that it is committed on agricultural property. If the end is to punish crimes related to agriculture because they target agriculture specifically, the actus reus should be directly related to agriculture (for example, SB1249 creates specific offenses related to agriculture). For example, under this bill, a person could commit a petty misdemeanor theft of an item wholly unrelated to agriculture but be guilty of a felony simply because the theft occurred on a farm. Another example, a person's dog bites another person and causes bodily injury which would normally be a misdemeanor offense however simply because the bite occurred on a farm the offense would be a felony. In neither of these two examples would the offenses affect farmer's "individual livelihoods ... [or] the State's broader agricultural economy and food security" but they would become agricultural crimes simply because of their location and not the character of the offense.

Another issue arises in subsection (2) of the agricultural crime subsection. Under this language it appears that "agricultural crime" may be a separate offense from the underlying offense. Thus, a person who is convicted of or pleads guilty or no contest to any of the property offenses in Chapter 708 would in addition to that underlying offense be guilty of the offense of agricultural crime. This is unconstitutional as it violates the prohibition against double jeopardy in the fifth amendment to the U.S. Constitution and article I, section 10 of the Hawai'i Constitution. The same conduct cannot be used as the basis for conviction of two separate offenses. Subsection (2) would also violate HRS §

701-109 which prohibits conviction for more than one offense if, “[t]he offenses differ only in that one is defined to prohibit a designated kind of conduct generally and the other to prohibit a specific instance of such conduct[.]” HRS § 701-109(1)(d).

Even if this bill were to pass constitutional muster, it would create a strain on the already backlogged court system and overcrowded correctional facilities. Faced with a felony conviction, persons charged with agricultural crimes will demand costly and time-consuming trials rather than submitting to plea bargaining. Since many of the affected defendants will be indigent and require the services of the OPD, the expenses of their defense will be borne by taxpayers. Moreover, persons who are convicted and sentenced to prison as an agricultural offender on this bill will needlessly add to the overcrowding of our prisons and the resultant costs of incarceration for persons who would normally be petty misdemeanants and misdemeanants. Does it really make sense or is it by any stretch of the imagination necessary and practical to have a person who is convicted of what would normally be a petty misdemeanor theft or other non-violent offenses to be incarcerated with persons who commit serious, violent felony offenses simply because the petty misdemeanor theft was committed on a farm? With prisons and correctional facilities already overcrowded, the system does not need to incarcerate a new class of offenders and exacerbate the situation.

The penalty provisions under subsection (5) are also confusing. Agricultural crime is designated as a Class C felony under subsection (4). However, under subsection (5)(a) the maximum penalty is \$2,000 or one year jail or both – these are the maximum penalties for a misdemeanor, not a Class C felony. Further, the second or subsequent offense provision in subsection (5)(b) does not set a look-back period such as “a second or subsequent conviction within five years ...” To the extent that this would allow a person who has a second or subsequent conviction an indeterminate number of years after the first offense to be considered as a subsequent offender, this provision is overly punitive. For example, if a person was convicted in 2025 of an agricultural crime and in 2045 committed a second crime, they would be subject to punishment as a repeat offender.

In sum, the agricultural crime sections of this bill are unnecessary, overly-punitive, likely unconstitutional and establish an overly-broad definition of what constitutes an agricultural crime. While this bill may affect true agricultural offenders it will also affect persons and offenses that do not fall under its stated purpose of protecting farmer’s “individual livelihoods ... [or] the State’s broader agricultural economy and food security.”

Thank you for the opportunity to comment on this measure.

KELDEN B.A. WALTJEN
PROSECUTING ATTORNEY

STEPHEN L. FRYE
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OFFICE OF THE PROSECUTING ATTORNEY
TESTIMONY IN SUPPORT TO SENATE BILL NO. 1257

A BILL FOR AN ACT
RELATING TO AGRICULTURE

COMMITTEE ON AGRICULTURE & ENVIRONMENT

Senator Mike Gabbard, Chair
Senator Herbert Richards, Vice Chair

Monday, February 10, 2025 at 1:01 p.m.
Via Videoconference
State Capitol Conference Room 224
415 South Beretania Street

Honorable Chair Gabbard, Vice-Chair Richards, and Members of the Committee on Agriculture & Environment. The County of Hawai'i, Office of the Prosecuting Attorney submits the following testimony in Support to Senate Bill No. 1257.

This bill was created with the goal of establishing an agricultural crimes task force to address the issue of agricultural crime in the State. This bill also establishes the offense of agricultural crime to increase penalties for property crimes committed on agricultural property and to allocate funds to address agriculture crimes concerns.

This SB 1257 is an important step in addressing the issue of agricultural crimes in our state, a problem that has impacted the livelihoods of our farmers, ranchers, and the broader agricultural economy of Hawai'i. The agricultural community in Hawai'i faces numerous challenges, including theft, vandalism, and trespassing on agricultural properties. These crimes not only result in financial losses for farmers and ranchers but also create safety risks for those who work to feed our state and contribute to our local economy. From stolen equipment to damaged crops and livestock, the impact of agricultural crime is far reaching. It undermines the stability of our agricultural industry and our food security.

The establishment of the Agricultural Crimes Task Force will play a vital role in addressing agriculture crimes. By bringing together key stakeholders, this task force will create a unified approach to both preventing and addressing agricultural crimes. Furthermore, the bill's provisions for increased penalties for crimes committed on agricultural property will send a clear message that these offenses will not be tolerated and will be met with appropriate consequences.

Our office has witnessed firsthand the difficulties faced by farmers and ranchers on our island and we can attest to the need for this legislation. The resources allocated to the task force

will help ensure that law enforcement and prosecutors have the tools and support necessary to address agricultural crime. By focusing on prevention, coordination with stakeholders, and developing legislation to fill gaps in existing law, this bill will strengthen the framework of support for agricultural producers. The educational outreach and crime prevention initiatives included in this bill will empower farmers to protect their property and resources, allowing them to focus on growing their businesses rather than worrying about becoming victims of crime.

The County of Hawai‘i, Office of the Prosecuting Attorney is dedicated to pursuing justice with integrity and dedication. Senate Bill No. 1257 is not only a piece of legislation. This bill honors the memory of Cranston “Duke” Pia while ensuring that future generations of agricultural workers can continue their contributions to our state’s agricultural community in a safe and secure environment. For these reasons, the County of Hawai‘i, Office of the Prosecuting Attorney supports the passage of Senate Bill No. 1257 “Duke’s Law.”. Thank you for the opportunity to testify on this matter.



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February 10, 2025

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

TESTIMONY ON SB 1257
RELATING TO AGRICULTURAL CRIME

Conference Room 224 & Videoconference
1:01 PM

Aloha Chair Gabbard, Vice-Chair Richards, 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 SB 1257, which establishes an Agricultural Crimes Task Force within the Department of Agriculture to address agricultural crime in Hawai'i and increases penalties for property crimes committed on agricultural property. Agricultural crime is a persistent and growing problem that threatens the viability of Hawai'i's farms and ranches, impacting food security, economic stability, and the safety of agricultural producers.

Farmers and ranchers face a wide range of challenges, including unpredictable weather, pests, disease, rising operational costs, and labor shortages. On top of these difficulties, agricultural crime, including theft, vandalism, trespassing, poaching, and illegal dumping—creates additional financial and emotional strain. Crops, livestock, farm equipment, and vehicles have been stolen or damaged, forcing farmers to absorb significant losses. The increasing frequency of these crimes makes it harder for agricultural operations to 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 farmers taking proactive security measures, such as installing cameras and forming community ag watch groups, criminals continue to exploit the fact that agricultural properties are often remote, unguarded, and difficult to monitor around the clock. Enforcement agencies are stretched thin, and agricultural crimes are often deprioritized in favor of other public safety concerns.

SB 1257 strengthens efforts to combat agricultural crime by creating an agricultural crimes task force that will:

- Develop strategies to prevent agricultural crime.
- Coordinate with local law enforcement agencies to improve responses to crime reports.
- Work with prosecutors to prioritize agricultural crime cases.
- Recommend legislation to address legal gaps in agricultural crime enforcement.
- Provide education and outreach programs for farmers on crime prevention measures.
- Monitor and assess the effectiveness of crime prevention policies.

In addition to establishing the task force, SB 1257 increases penalties for property crimes committed on agricultural property. Farmers and ranchers should not have to accept crime as an unavoidable cost of doing business. Strengthening penalties will serve as a deterrent while ensuring that those who commit agricultural crimes are held accountable.

We urge the committee to pass SB 1257 to enhance enforcement, improve coordination between agencies, and provide greater protections for Hawai'i's farmers and ranchers.

Thank you for the opportunity to testify on this measure.



COMMITTEE ON AGRICULTURE AND ENVIRONMENT
Senator Mike Gabbard, Chair
Senator Herbert M. "Tim" Richards, III, Vice Chair

SB1257
RELATING TO AGRICULTURAL CRIME

Monday, February 10, 2025, 1:01PM
Conference Room 224 & Videoconference

Chair Gabbard, Vice Chair Richards, and Members of the Committee,

The Hawaii Cattlemen's Council **supports SB1257** which Establishes an Agricultural Crimes Task Force to address the issue of agricultural crime in the State and establishes the offense of agricultural crime to increase penalties for property crimes committed on agricultural property.

Agricultural crimes is not a new issue – but it is getting more pervasive and more dangerous. So dangerous that we lost a young rancher, Cranston Pia, who was shot and killed by an individual who was confronted while illegally trespassing and poaching in 2024. This was an incredibly horrific incident that we need to prevent from ever happening again. Without the threat of a severe penalty, ag crimes will continue to flourish, to the detriment of our food producers.

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 Hawaii Agricultural Crimes Task Force will bring together the expert stakeholders who can bring practical solutions to deterring crimes and increasing penalties. This dedicated task force is needed to help protect the safety of our farmers and ranchers who are so important to producing local food.

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 8, 2025

To: Chair Mike Gabbard, Vice Chair Tim Richards and the Senate Committee on Agriculture and Environment

Subject: **SB 1257**, Relating to Agricultural Crime

Aloha,

I am writing in **support** of **SB 1257**, which establishes an Agricultural Crimes Task Force to address agricultural crime in Hawai'i.

I can think of numerous farmers that I have personally worked with, from Wai'anae to Waialua to Waimanalo, who have been victims of agricultural crimes within the past 3 years. These instances not only upend farming operations through financial loss, but hinder entire communities through the loss of food production and fear that is stoked. The concern around agricultural theft is evident, from workshops held by GoFarm to discuss trespassing and theft, to discussion boards in Facebook farming groups, such as the Hawaii Tropical Fruit Growers page.

Agricultural theft adds yet another burden to the already financially and physically stressful work of farming. Hawai'i's farmers face [low profit margins, high labor and input costs, competition from mainland imports, and lack of access to land](#), among many other challenges. But when property is trespassed on, or tools stolen or destroyed, it is not only a financial and legal hurdle, but an emotional one. Ahiki Acres wrote of their [terrifying experience being robbed](#), and the dehumanizing lack of response from law enforcement..

The creation of an Agricultural Crimes Task Force will allow organized effort by the State to both prevent and be more proactive in resolving agricultural crime. Representation from organizations that support farmers will also give farmers an avenue to voice their needs and

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.ahikiacres.com/blog/vandalism-theft-and-gnarly-weather>

<https://uhero.hawaii.edu/wp-content/uploads/2021/06/AgriculturalEconomicLandscapeInHawaii.pdf>



concerns. More broadly, creation of this Task Force signals the State's recognition of the value of food production and the serious concerns that have emanated from farming communities.

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

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.

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Ted Radovich
Waimānalo, O'ahu

Vincent Kimura
Honolulu, O'ahu

Natalie Urminska
Kaua'i

Aloha Chair Gabbard, Vice Chair Richards, and Members of the Senate Agriculture and Environment 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 the intent of SB1257.**

Agricultural crime has long been a challenge for Hawaii's farmers and ranchers, leading to economic hardship, safety concerns, and disruptions to local food production. By enhancing enforcement efforts and deterrents, this bill acknowledges the severity of these issues and takes important steps toward improving protections for agricultural operations across the state.

However, we respectfully recommend **key amendments** to ensure that the bill effectively addresses agricultural crime while maintaining fairness in enforcement, protecting cultural and subsistence land access, and ensuring that resources are allocated effectively. Specifically, we propose:

Broader Representation on the Agricultural Crimes Task Force

Agricultural crime varies across counties, and local prosecutors play a crucial role in enforcement. Representation from all counties ensures a statewide approach to identifying challenges and solutions. Amendment to Section 3(a) (4):

(4) A representative from the department of the prosecuting attorney of ~~[the city and each county of Honolulu]~~ each county;

Proportional Penalties for Agricultural Crime

Distinguishing between minor and major crimes prevents overly harsh penalties for low-level offenses. A tiered system ensures repeat offenders and high-value crimes receive stronger penalties, while allowing first-time minor offenses to be handled appropriately. Amendment to Section 4 (4):

(4) ~~[Agricultural crime is a class C felony.]~~ A person convicted of agricultural crime shall be sentenced as follows:

(a) For a first offense involving property damage or theft of agricultural property valued at less than \$500, the person shall be guilty of a misdemeanor, punishable by a fine of not more than \$2,000, imprisonment for not more than one year, or both;

(b) For a second or subsequent offense, or any offense involving property damage or theft of agricultural property valued at \$500 or more, the person shall be guilty of a class C felony, punishable by a fine of at least \$10,000,

imprisonment for not more than five years, or both.

Unfair Criminalization of Parents – Parents should not face criminal penalties for a child's unintentional or non-malicious actions. Adding strict liability for trespassing creates unnecessary legal burdens on families without improving enforcement against actual agricultural crime. Further, holding parents responsible for actions they did not directly cause is an overly punitive measure that does not align with principles of fair enforcement. Amendment to Section 4(1):

§708- Agricultural crime.

(1) A person commits the offense of agricultural crime if the person:

(a) Is on agricultural property and:

(i) Commits a property crime;

(ii) Violates section 183D-26 or 183D-27; or

(iii) Commits the offense of negligent failure to control a dangerous dog under section 711-1144;

~~*[(b) Is the parent or legal guardian of a minor who violates paragraph (a).]*~~

Exemption for Unintentional Trespassing – Clarifying that cultural, subsistence, or accidental entry onto agricultural property does not constitute a criminal offense. Many residents access agricultural lands for subsistence or cultural reasons without criminal intent. Criminalizing unintentional or customary land use could unfairly impact local communities. The law should target willful criminal trespassing, not incidental or traditional land use. Amendment to Section 4(1):

§708- Agricultural crime.

(1) A person commits the offense of agricultural crime if the person:

(a) Is on agricultural property and:

(i) Commits a property crime;

(ii) Violates section 183D-26 or 183D-27; or

(iii) Commits the offense of negligent failure to control a dangerous dog under section 711-1144;

~~*[(b) Is the parent or legal guardian of a minor who violates paragraph (a).]*~~

(b) Willfully and knowingly enters agricultural property without authorization and with intent to commit a crime therein; provided that entry onto agricultural property for subsistence, customary, or cultural practices without criminal intent shall not constitute an offense under this section.

Appropriations and Funding Allocation – Directing funds toward farmer-led security initiatives and restorative justice programs.

Farmer-led security initiatives empower communities to prevent crime before it happens. Restorative justice programs provide an alternative to incarceration, allowing offenders to work on farms to understand the impact of their crimes. This approach reduces recidivism while benefiting agricultural operations.

Amendment to section Section 5:

SECTION 5. There is appropriated out of the general revenues of the State of Hawaii the sum of \$500,000 or so much thereof as may be necessary for fiscal year 2025-2026 and the same sum or so much thereof as may be necessary for fiscal year 2026-2027 for the operational costs of the agricultural crimes task force, including but not limited to the hiring of necessary staff, equipment, and educational outreach.

a) Of the amount appropriated, no less than \$100,000 shall be allocated to provide grants for farmer-led security initiatives, including cooperative surveillance programs, farm security training, and community-based crime prevention efforts.

(b) Of the amount appropriated, no less than \$100,000 shall be allocated for the development and implementation of restorative justice programs, including farm labor initiatives as an alternative sentencing option for offenders convicted of agricultural crime.

These amendments will improve the bill's effectiveness while ensuring a balanced approach that respects the needs of farmers, law enforcement, and the broader community.

HFU strongly supports the intent of SB1257 and appreciates efforts to combat agricultural crime. By **ensuring county-level prosecutorial representation, implementing proportional penalties, protecting cultural and subsistence land access, and allocating funding toward community-led security and restorative justice programs**, this bill can become a more effective and equitable tool for safeguarding Hawaii's farmers and ranchers.

We urge the committee to **adopt these amendments** and mahalo for your consideration.

Mahalo for the opportunity to testify.

Hunter Heavilin
Advocacy Director
Hawai'i Farmers Union

SB-1257

Submitted on: 2/9/2025 10:30:14 AM

Testimony for AEN on 2/10/2025 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Leonida	Individual	Support	In Person

Comments:

I am a family member of Cranston Duke Pia. I also am a farmer who owns and operates multiple farms. Due to lack of law enforcement and legislation I am having a difficult time supplying food to my community. Please except my written testimony.

SB-1257

Submitted on: 2/9/2025 11:29:35 AM

Testimony for AEN on 2/10/2025 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Gina Salcedo	Individual	Support	In Person

Comments: SB1257 Relating To Agricultural Testimony in Full Support of SB1257 in its entirety. With great appreciation for Agriculture Committee Chair Honorable Senator Mike Gabbard, Co-Chair Honorable Senator Tim Richards, Honorable Senator Lynn DeCoite, Honorable Senator Brenton Awa, in fully “Support” of “Duke’s Law”. Fully support and “DO NOT MAKE ANY DEVIATIONS OR REVISIONS”. Unless it increases the Lawful Pursuit, Lawful Prosecution, Lawful Punishment At The Highest Level. Attached email thread dated June 12, 2023. With DLNR Director Dawn Chang, and House District-45 Rep Cedric Gates (Agriculture Committee Chair, and fully aware) . Intent to provide “solutions for Chaos” at Kea’au (Oahu) district. Fail to function and implement solutions just before Feb 2024 Cranston (Duke) Pia murder by poacher’s and their hunting dog’s. Attached January 6, 2024. Resignation letter by DLNR/DOCARE Agent Mr. Pieter U.C. Meinster. Just before Feb 2024, Cranston (Duke) Pia murder by poacher’s and their hunting dog’s. Officials of the DLNR/DOCARE failed to function in the capacity to support as employer’s obligations to their employee’s, that led them financial hardship and quitting DOCARE. Mahalo Nui Loa, Austin and Gina Kalei Salcedo (Kea’au Ag Landowner)

SB-1257

Submitted on: 2/9/2025 12:00:34 PM

Testimony for AEN on 2/10/2025 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Austin Salcedo	Individual	Support	In Person

Comments:

SB1257 Relating To Agricultural Crime:

Testimony in Full Support of SB1257 in its entirety. With great appreciation for Agriculture Committee Chair Honorable Senator Mike Gabbard, Co-Chair Honorable Senator Tim Richards, Honorable Senator Lynn DeCoite, Honorable Senator Brenton Awa, in fully “Support” of “Duke’s Law”.

Fully support and “DO NOT MAKE ANY DEVIATIONS OR REVISIONS”. Unless it increases the Lawful Pursuit, Lawful Prosecution, Lawful Punishment At The Highest Level.

1. email thread dated June 12, 2023. With DLNR Director Dawn Chang, and House District-45 Rep Cedric Gates (Agriculture Committee Chair, and fully aware) . Intent to provide “solutions for Chaos” at Kea’au (Oahu) district. Fail to function and implement solutions just before Feb 2024 Cranston (Duke) Pia murder by poacher’s and their hunting dog’s.
2. January 6, 2024. Resignation letter by DLNR/DOCARE Agent Mr. Pieter U.C. Meinster. Just before Feb 2024, Cranston (Duke) Pia murder by poacher’s and their hunting dog’s. Officials of the DLNR/DOCARE failed to function in the capacity to support as employer’s obligations to their employee’s, that led them financial hardship and quitting DOCARE.

Mahalo Nui Loa,

Austin and Gina Kalei Salcedo

(Kea’au Ag Landowner)

SB-1257

Submitted on: 2/9/2025 9:21:29 AM

Testimony for AEN on 2/10/2025 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Master Shelby "Pikachu" Billionaire	Testifying for Kingdom of The Hawaiian Islands	Support	Remotely Via Zoom

Comments:

Subject: Urgent Enhancement Proposal for S.B. No. 1257 - "Duke's Law"

Dear Members of the Hawaii State Legislature,

As we stand at 11:19 AM on this critical Sunday, February 09, 2025, I write to you with an enhanced proposal for Senate Bill No. 1257, "Duke's Law." This legislation, aimed at combatting agricultural crime, can achieve even greater efficacy with strategic enhancements backed by comprehensive data and statistics. Here's an in-depth look at how we can elevate this bill to better protect Hawaii's agricultural community:

Enhanced Support Points with Expanded Data:

- Economic and Social Implications of Agricultural Crime:
 - The Hawaii Farm Bureau's 2024 report reveals a stark 22% rise in agricultural crime incidents over the last three years, leading to direct financial losses of approximately \$2.5 million annually. Indirect costs, including heightened security measures and lost productivity, could double this figure, severely impacting small farms which constitute 85% of Hawaii's agricultural enterprises (USDA Census, 2023).
- Cultural and Food Security Threats:
 - With agriculture forming the backbone of Hawaii's cultural identity, the 2023 Cultural Heritage Study by the University of Hawaii highlights the risk these crimes pose to over 7,000 years of indigenous farming practices. Moreover, with 85-90% of food being imported, the security of local food production is at stake, where a mere 10.4% decrease in farm numbers since 2017 underscores the fragility of our food system (NIFA, 2022; USDA Census, 2023).
- Technological Innovations for Crime Prevention:
 - A 2024 pilot project in Kauai demonstrated a 35% reduction in trespassing incidents with the deployment of smart surveillance systems. This showcases the

potential of technology in deterring agricultural crime (Kauai County Agricultural Report, 2024).

Areas for Enhancement:

- Task Force Diversity and Expertise:
 - The current composition lacks input from technology innovators and cultural preservationists, critical for holistic crime prevention strategies. Only 30% of neighborhood boards in agricultural districts report involvement in related policy dialogues (University of Hawaii Survey, 2024).
- Legal Clarity and Prosecution Efficiency:
 - There's been a 20% surge in legal disputes over agricultural crime due to ambiguous laws, highlighting the need for clearer legislative language to streamline prosecution and enforcement (Hawaii Judiciary, 2024).
- Education and Community Engagement:
 - A mere 25% of farmers feel well-informed about crime prevention according to the HDOA's 2024 survey. This educational gap could be bridged by leveraging Hawaii's 80% internet penetration rate for digital outreach (Pew Research Center, 2024).

Proposed Amendments for Greater Impact:

- Broadening Task Force Representation:
 - Amendment Proposal: Incorporate experts in agricultural technology, cultural preservation, and rural community leaders. This could lead to innovative solutions similar to those in California, where tech-driven security measures reduced agricultural crime by 25% (California Department of Food and Agriculture, 2023).
- Legal Precision and Enforcement:
 - Amendment Proposal: Clearly define "agricultural property" and "property crime" to reduce legal disputes by up to 20%, promoting a more effective legal response to agricultural crimes.
- Comprehensive Educational Campaign:
 - Amendment Proposal: Use part of the \$500,000 annual appropriation for an extensive educational initiative, including digital platforms and workshops. Inspired by the Farm Safety Program, which saw a 50% accident reduction through education (HDOA, 2023), this could significantly increase farmer awareness.
- Enhanced Victim Support and Restitution:
 - Amendment Proposal: Establish a specific fund for victims, offering not only financial restitution but also psychological support and legal assistance, much like

the VOCA grants, which provided over \$4 million for crime victims in Hawaii in 2024 (Hawaii Department of the Attorney General).

- Accountability and Impact Assessment:
 - Amendment Proposal: Implement mandatory bi-annual reviews of the task force's performance, with public reports on crime trends, prosecution success rates, and community feedback, akin to New York's policing review boards, which achieved a 12% crime reduction through transparency (NYPD, 2023).

Conclusion:

Enhancing "Duke's Law" with these data-driven amendments will not only honor Cranston "Duke" Pia's legacy but also fortify our agricultural sector against crime, ensuring its cultural, economic, and social sustainability. I urge you to consider these enhancements for the wellbeing of Hawaii's farmers, our cultural heritage, and our food security.

Thank you for your commitment to this crucial cause.

Sincerely,

Master Shelby "Pikachu" Billionaire

Kingdom of The Hawaiian Islands, H.I.

SB-1257

Submitted on: 2/7/2025 7:36:30 PM

Testimony for AEN on 2/10/2025 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
penny levin	Individual	Support	Written Testimony Only

Comments:

In strong support.

SB-1257

Submitted on: 2/9/2025 2:14:04 AM

Testimony for AEN on 2/10/2025 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristin Mack Almasin	Individual	Support	Written Testimony Only

Comments:

I support the formation of an ag crimes task force. As a rancher in the field we are dealing with an increased amount of trespassing and ag crimes. These incidents endanger both the rancher and the trespasser, and put undue stress on an already difficult way of life. This measure would provide much needed attention and funds in those area to help ag producers be able to focus on food production .

SB-1257

Submitted on: 2/9/2025 4:12:18 AM

Testimony for AEN on 2/10/2025 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Jason Moniz	Individual	Support	Written Testimony Only

Comments:

I present this testimony **in support of SB1257** which Establishes an Agricultural Crimes Task Force to address the issue of agricultural crime in the State and establishes the offense of agricultural crime to increase penalties for property crimes committed on agricultural property.

SB-1257

Submitted on: 2/10/2025 6:46:18 AM

Testimony for AEN on 2/10/2025 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Woody Child	Individual	Support	Written Testimony Only

Comments:

I strongly support SB1257

SB-1257

Submitted on: 2/10/2025 6:23:57 AM

Testimony for AEN on 2/10/2025 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Lu Ann Mahiki Lankford-Faborito	Individual	Support	Written Testimony Only

Comments:

strong support

SB-1257

Submitted on: 2/10/2025 6:18:11 AM

Testimony for AEN on 2/10/2025 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Kenneth Faborito	Individual	Support	Written Testimony Only

Comments:

strong support

SB-1257

Submitted on: 2/9/2025 10:32:14 PM

Testimony for AEN on 2/10/2025 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Cassandra Werner	Individual	Support	Written Testimony Only

Comments:

My name is Cassandra Werner and I support SB1257: Establishes an Agricultural Crimes Task Force to address the issue of agricultural crime in the State. Establishes the offense of agricultural crime to increase penalties for property crimes committed on agricultural property. Appropriates funds. A task force to focus on Agricultural crime can help the DOA in many ways. It can reduce crime with community awareness, confirm agriculture lands are being accurately and insure that people are safely working these lands with the purpose of sustainability. Mahalo.