

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

DEAN M. MATSUKAWA
Deputy to the Chairperson

State of Hawai'i
DEPARTMENT OF AGRICULTURE
KA 'OIHANA MAHI'AI
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TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

WEDNESDAY, JANUARY 29, 2025
9:30 AM
CONFERENCE ROOM 325

HOUSE BILL NO. 501
RELATING TO THE DEPARTMENT OF LAW ENFORCEMENT

Chair Kahaloa, Vice Chair Kusch and Members of the Committee:

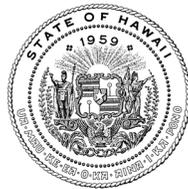
Thank you for the opportunity to provide testimony on House Bill No. 501 that establishes the Agricultural Enforcement Program within the Department of Law Enforcement Department, establishes the Agricultural Enforcement Special Fund, establishes positions and appropriates funds.

The Department of Agriculture (Department) is in strong support of this bill. The Department is ready to assist the DLE in this effort that has plagued the farmers and ranchers statewide.

With great appreciation and respect for the DLE, the Department acknowledges that trespassing is an agricultural crime and will provide "No Trespassing" signs to the DLE, as resources allow.

Thank you for the opportunity to testify on this bill.





JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR

LUIS P. SALAVERIA
DIRECTOR

SABRINA NASIR
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
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
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

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 AGRICULTURE & FOOD SYSTEMS
ON
HOUSE BILL NO. 501

January 29, 2025
9:30 a.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 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 45.00 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

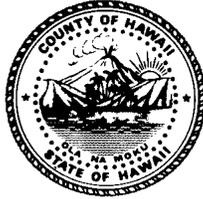
process; 2) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries or a clear link between the program and the sources of revenue;

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, it is difficult to determine whether the proposed special fund would be self-sustaining.

Thank you for your consideration of our comments.

C. Kimo Alameda, Ph.D.
Mayor



Benson Medina
Director

Dennis Lin
Deputy Director

County of Hawai'i

DEPARTMENT OF RESEARCH AND DEVELOPMENT

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January 28, 2025

HEARING BEFORE THE
HOUSE COMMITTEE ON AGRICULTURE AND FOOD SYSTEMS

WEDNESDAY, JANUARY 29, 2025
9:30 AM
CONFERENCE ROOM 325

TESTIMONY ON HB 501
RELATING TO THE DEPARTMENT OF LAW ENFORCEMENT

Aloha Chair Kahaloha, Vice Chair Kusch, and members of the committee:

I am Benson Medina, Director of the Department of Research and Development, County of Hawai'i. One of the agricultural objectives of this department is to "support research, development, control, and education that improves agricultural production, quality, resilience, and producer viability or reduces the impact of pests or disease on agricultural crops, livestock, forests, or the community."

The County of Hawai'i **supports HB 501**, relating to the Department of Law Enforcement, agricultural enforcement program.

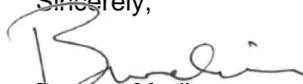
Hawai'i County is committed to expanding its production of local produce to feed our residents and tourists. The recent pandemic revealed that our food supply is susceptible to disruptions and puts all of us at risk.

One of the major challenges for our producers to expand production and for new producers to establish their farm is mitigating the risk of agricultural theft. Producers are often threatened by trespassers and thieves, and they do not receive enough support from the local authorities. This threat to life and income has caused potential and established producers to leave the industry.

A strong agricultural theft enforcement program will help the producers to continue their livelihood with the confidence that the incidents of trespass/theft will be reduced over time. This will encourage other potential producers to enter the agricultural industry and for established producers to consider expanding their operations.

Thank you for the opportunity to provide our input on this measure.

Sincerely,


Benson Medina
Director



Hawaii Cattlemen's Council, Inc.

COMMITTEE ON AGRICULTURE & FOOD SYSTEM

Rep. Kirstin Kahaloa, Chair

Rep. Matthias Kusch, Vice Chair

HB501

RELATING TO AGRICULTURAL CRIMES

Wednesday, January 29, 2025, 9:30AM

Conference Room 325 & Videoconference

Chair Kahaloa, Vice Chair Kusch, and Members of the Committee,

The Hawaii Cattlemen's Council **supports HB501** 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





P.O. Box 253, Kunia, Hawai'i 96759
Phone: (808) 848-2074; Fax: (808) 848-1921
e-mail info@hfbf.org; www.hfbf.org

January 29, 2025

HEARING BEFORE THE
HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

TESTIMONY ON HB 501
RELATING TO THE DEPARTMENT OF LAW ENFORCEMENT

Conference Room 325 & Videoconference
9:30 AM

Aloha Chair Kahaloa, Vice-Chair Kusch, 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, 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.

HB-501

Submitted on: 1/28/2025 7:47:03 AM

Testimony for AGR on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
britt craven	Palani Ranch Company Inc	Support	Written Testimony Only

Comments:

Ag crime has always persisted in the State. However, as the cost of living increases and the gap between that and the average wage earned increases, people will begin to make decisions they never considered before to feed themselves and their families. Because of this, and the soft laws in place today on Ag crime, we will and have begun to see an increase in related crimes.

HB501 is a start. We need to adopt punitive laws like other states in the US have that truly deter people from these sorts of acts. **The state also must figure out a new economic engine to insentify our work force from being forced to leave.**

This past weekend we were on our property. A pocher was on our property, and fired their rifle. The bullet ricocheted and went flying right by us. The perp was not found. These acts used to never occur, and a slap on the wrist is not going to deter anyone, and another innocent person is going to get hurt, or worse.

I support HB501. Thank you.



Testimony Presented Before the House Committee on Agriculture and Food Systems

January 29th, 2025 at 9:30am

RE: HB 501 Relating to the Department of Law Enforcement – In Support

Aloha Chair Kahaloa, Vice Chair Kusch, and Members of the Committees:

My name is Ed Schultz, and I strongly support HB 501, which addresses the alarming rise of agricultural theft and vandalism in our State. These crimes cause significant financial losses and endanger the safety of farmers, ranchers, and their communities.

Hawaiian Host Group (HHG) is the largest buyer of locally grown macadamia nuts and a major ag landowner in South Kona. As farmers ourselves, we have experienced theft on our macadamia nut farm, leading to financial strain, disrupted work, and delayed harvests. In the past year, HHG's operations at Kapua Orchards have been disrupted by stolen crops, equipment, fuel, and illegal hunting, all of which hinder reinvestment in Hawaii's agriculture.

We fully support the local macadamia industry and believe there is tremendous potential for growth; however, our team is constantly being distracted by agricultural-related theft. Strengthening penalties for agricultural trespassing and prioritizing enforcement are essential to protect our farms, families, and livelihoods. We fully support this bill and urge the legislature to do the same.

Thank you for considering this testimony.

Aloha,

Ed Schultz
President & CEO
Hawaiian Host Group



Officers

Kaipo Kekona
State President

Anabella Bruch
Vice-President

Maureen Datta
Secretary

Reba Lopez
Treasurer

Aloha Chair Kahaloe, Vice Chair Kusch, and Members of the House Agriculture & Food Systems Committee,

Chapter Presidents

Clarence Baber
Kohala, Hawaii

The Hawaii 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. **HFUU supports HB501.**

Tony Vera
East Hawaii

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.

Puna, Hawaii

Andrea Drayer
Ka'u, Hawaii

Maureen Datta
Kona, Hawaii

Fawn Helekahi-Burns
Hana, Maui

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.

Mason Scharer
Haleakala, Maui

Kaiea Medeiros
Mauna Kahalawai,
Maui

Kaipo Kekona
Lahaina, Maui

Mahalo for the opportunity to testify.

Kilia Avelino-Purdy
Molokai

Kaipo Kekona, President HFUU/HFUF

Negus Manna
Lana'i

India Clark
North Shore, Oahu

Christian Zuckerman
Wai'anae, Oahu

Ted Radovich
Waimanalo, Oahu

Vincent Kimura
Honolulu, Oahu

Natalie Urminska
Kauai

HB-501

Submitted on: 1/28/2025 2:47:47 PM

Testimony for AGR on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rod Scheaffer	Hawaiian Host Group	Support	Written Testimony Only

Comments:

Testimony Presented Before the House Committee on Agriculture and Food Systems

January 29th, 2025 at 9:30am

RE: HB 501 Relating to the Department of Law Enforcement – In Support

Aloha Chair Kahaloa, Vice Chair Kusch, and Members of the Committees:

My name is Rod Scheaffer, and I am writing to express my staunch support for HB 501, which seeks to address the alarming rise in agricultural theft and vandalism in our State. These crimes not only inflict significant financial losses but also jeopardize the safety of farmers, ranchers, and their communities.

As farmers ourselves, we have experienced widespread theft on our macadamia nut farm in South Kona. These crimes have caused financial strain and created an environment of uncertainty and fear. Agricultural theft and vandalism are estimated to exceed \$14 million annually, though the true scale is likely underreported due to the challenges rural locations pose for timely law enforcement responses. Staffing shortages and competing priorities further hinder the ability to address these crimes effectively. When reporting burglary and trespassing the police are very disheartened by the lack of prosecution of these crimes due to them being misdemeanor offenses.

Strengthening penalties for agricultural trespassing and prioritizing the prevention and prosecution of these crimes are vital steps to protect the future of Hawai'i agriculture. We fully support this bill and respectfully ask the legislature to do the same to safeguard our farms, families, and livelihoods.

Thank you for your attention to this critical issue and for considering this testimony.

Mahalo,

Rod Scheaffer
Senior Manager, Agricultural Operations
Hawaiian Host Group

HB-501

Submitted on: 1/24/2025 1:43:52 PM

Testimony for AGR on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alan Urasaki	Individual	Support	Written Testimony Only

Comments:

I support this measure and urge the committee to pass this bill.

Mahalo.

HB-501

Submitted on: 1/27/2025 1:42:01 PM

Testimony for AGR on 1/29/2025 9:30:00 AM

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

Comments:

strong support

HB-501

Submitted on: 1/27/2025 7:45:50 PM

Testimony for AGR on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
McKenzie Wildey	Individual	Support	Written Testimony Only

Comments:

I support the establishment of the Agricultural Enforcement Program within the Department of Law Enforcement.

More support and resources are necessary to tackle ag crime issues effectively.

Mahalo.

HB-501

Submitted on: 1/27/2025 7:55:11 PM

Testimony for AGR on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Theresa M Thompson	Individual	Support	Written Testimony Only

Comments:

I support 501 HB RELATING TO THE DEPARTMENT OF LAW ENFORCEMENT. 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.

Mahalo,

Theresa Thompson

HB-501

Submitted on: 1/28/2025 8:25:22 AM

Testimony for AGR on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Candice Johnson	Individual	Support	Written Testimony Only

Comments:

It is essential that Hawai`i ENFORCE protections for the agriculture community. The losses on Hawai`i Island are STAGGERING and local police do NOTHING to prevent, detect, apprehend, or charge those responsible for severe losses of producers.

Testimony Presented Before the House Committee on Agriculture and Food Systems

January 29th, 2025 at 9:30am

RE: HB 501 Relating to the Department of Law Enforcement – In Support

Aloha Chair Kahaloa, Vice Chair Kusch, and Members of the Committees:

My name is Kamalei Grace, and I am writing to express my strong support for HB 501, which seeks to address the alarming rise of agricultural theft and vandalism in our State. These crimes not only inflict significant financial losses but also jeopardize the safety of farmers, ranchers, and their communities.

As farmers ourselves at Kapua Orchards, we have experienced widespread theft on our macadamia nut farm in South Kona. These crimes have caused financial strain and created an environment of uncertainty and fear. Agricultural theft and vandalism are estimated to exceed \$14 million annually, though the true scale is likely underreported due to the challenges rural locations pose for timely law enforcement responses. Staffing shortages and competing priorities further hinder the ability to address these crimes effectively.

Over the past year, we've faced significant challenges, including stolen crops, equipment, and fuel, along with illegal hunting on the farm. These incidents have disrupted operations, delayed harvests, and hurt profits—limiting our ability to reinvest in Hawaii agriculture.

Strengthening penalties for agricultural trespassing and prioritizing the prevention and prosecution of these crimes are vital steps to protect the future of Hawaii agriculture. We fully support this bill and respectfully ask the legislature to do the same to safeguard our farms, families, and livelihoods.

Thank you for your attention to this critical issue and for considering this testimony.

Mahalo,

Kamalei Grace
Executive Assistant / Government Relations
Hawaiian Host Group

Testimony Presented Before the House Committee on Agriculture and Food Systems

January 29th, 2025 at 9:30am

RE: HB 501 Relating to the Department of Law Enforcement – In Support

Aloha Chair Kahaloa, Vice Chair Kusch, and Members of the Committees:

My name is Hali‘a Kealoha, and I strongly support HB 501, which seeks to address the alarming rise of agricultural theft and vandalism across our State. These crimes not only inflict significant financial losses but also jeopardize the safety of our farmers, ranchers, and their communities.

At Kapua Orchards in South Kona, Hawaiian Host Group has faced widespread theft of crops, equipment, and fuel, as well as illegal hunting. These actions have not only caused significant financial strain but also fostered an environment of uncertainty and fear, severely disrupting our operations and hindering our agricultural processes.

The problem of agricultural theft and vandalism, estimated to cause losses exceeding \$14 million annually, is likely underreported due to the challenges of rural policing and timely law enforcement responses. Staffing shortages and competing priorities further hinder our ability to effectively address these crimes.

HB 501 proposes strengthening penalties for agricultural trespassing and prioritizing the prevention and prosecution of these crimes. These measures are vital for protecting our farms, our families, and our livelihoods. I fully support this bill and respectfully urge the legislature to join us in safeguarding the future of Hawai‘i’s agriculture.

Thank you for your attention to this pressing issue and for considering my testimony.

Mahalo,

Hali‘a Kealoha
Associate Corporate Communications Manager
Hawaiian Host Group

HB-501

Submitted on: 1/28/2025 11:29:00 AM

Testimony for AGR on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Angelica Melone	Individual	Support	Written Testimony Only

Comments:

I strongly support HB501, which establishes the Agricultural Enforcement Program within the Department of Law Enforcement. This bill is crucial for addressing the rising problem of agricultural crimes, which are becoming more frequent and dangerous. Last year our community tragically lost a rancher to illegal trespassing and poaching—a stark reminder of the risks our food producers face.

Without real consequences for these crimes, our local agriculture and food security is threatened. Currently, agricultural crimes are underreported, rarely prosecuted, and criminals have no reason to stop. HB501 will provide dedicated resources to tackle these crimes, ensuring farmers and ranchers have the support they need to protect their livelihoods.

Agriculture is vital to our state and more action needs to be taken to ensure the ability to grow our own food. HB501 is a critical step in safeguarding those who feed us and to help to protect Hawaii’s agricultural industry from these growing threats. Mahalo for considering this important measure.