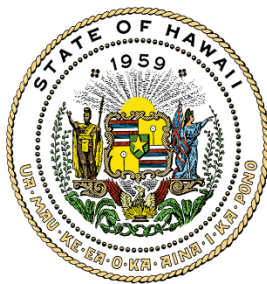


# **REPORT TO THE THIRTY-THIRD LEGISLATURE 2026 REGULAR SESSION**

IN RESPONSE TO SR 138, SD1,  
OF THE THIRTY SECOND LEGISLATURE, 2024,  
REQUESTING THAT THE DEPARTMENT OF AGRICULTURE  
ESTABLISH A TWO-YEAR AGRICULTURAL CRIME PILOT PROJECT



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## **INTRODUCTION**

The 2024 Senate resolved that the Hawaii Department of Agriculture (HDOA) that the HDOA establish a two-year agricultural crime pilot project to examine and assess the effectiveness of prosecuting agricultural crime cases, including those of agricultural theft, vandalism, and trespass in the State.

Additionally, the Senate further resolved to:

- (1) Create a Crimestoppers Anonymous phone line specifically for individuals who wish to report an agricultural crime, but do not wish to be named; and
- (2) Create a more comprehensive, accessible online form that makes it easier for farmers and ranchers to report agricultural crimes.

Further resolved that the Department of Law Enforcement submit a report of its study, including findings and recommendations, and any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025.

First, we note that the Hawaii Department of Agriculture was renamed the Hawaii Department of Agriculture and Biosecurity (DAB) by a separate Act of the Legislature in 2025. The DAB and the Hawaii Department of Law Enforcement (DLE) have been working very closely to examine and assess the effectiveness of prosecuting agricultural crimes in Hawaii. To that end, the Departments have agreed that the single biggest issue is the lack of high-visibility law enforcement presence on the State's largely remote agricultural lands. Often crime occurs suddenly, when seconds count and law enforcement is hours away. However, a lack of regular patrols on remote agricultural lands means that farmers and ranchers must secure their lands on their own. Consequently, this creates a higher risk of confrontation, especially with hunters and others who may be armed.

To address the issue of agricultural crimes in Hawaii, DAB and DLE have worked together to formulate a response plan to reduce agricultural crimes in Hawaii. That plan includes:

### **AGRICULTURAL CRIME STRATEGIC PLAN OUTLINE**

Goal: To reduce agricultural crime in Hawaii

#### **I. INFORMATION GATHERING**

- A. Data collection
- B. Through community meetings with neighborhood boards, ranchers,

- and farming groups
- C. Developing communication routes-Reporting phone number/ hotline and an app.
- D. Media campaign-flyers, press releases, webpage to increase public awareness and participation.

## **II. DATA ANALYSIS**

- A. What does the data tell us after analysis?
- B. We need to learn what is driving the agricultural crime problem such as desire, opportunity, black market, competition, shortages of sought after crops and commodities

## **III. DATA DRIVEN ENFORCEMENT**

- A. High visibility patrols in hot spot areas identified from data analysis.
- B. Covert surveillance of hot spot areas
- C. Working with community in a hot spot area to harden targets and properties.

## **IV. NEW TRAINING CURRICULUM**

- A. Review of agriculture and livestock statutes
- B. Inspection authority for law enforcement including brands, receipts, and documents.
- C. Identification and recognition of common and valuable agricultural commodities
- D. Review of trespass and property damage statutes

## **V. POTENTIAL NEW STATUTES**

- A. Create a new DLE Agriculture Enforcement Section with uniform patrols and detectives.
- B. Mandate academy training requirements for all Hawaii law

enforcement agencies on agriculture crime in a new legislative proposal.

## **VI. REVIEW OF EFFECTIVENESS**

A. Was the goal of reducing agricultural crime achieved?

## **REVIEW AND EVALUATION**

In reviewing our efforts this past year, the DLE notes that it has:

I. Information Gathering:

**(1) Created a Crimestoppers Anonymous phone line specifically for individuals who wish to report an agricultural crime, but do not wish to be named;**

The DLE has created an anonymous reporting app using its vendor Saferwatch to allow the public to report and record agricultural crime information anonymously. When information is reported to the DLE's 24-hour call service, a DLE manager or detective immediately receives and evaluates the information for a response. This reporting app is in use and numerous reports and crime tips have already been received.

**(2) Create a more comprehensive, accessible online form that makes it easier for farmers and ranchers to report agricultural crimes.**

In addition to its anonymous reporting app, DLE has also worked with its vendor to create a recordkeeping system which allows people reporting to report agriculture crime incidents and keep a permanent personalized record of both the incident and its potential losses and the value of those losses. As we have emphasized in the past, records of agricultural crimes are rare and both the DAB and DLE believe that agriculture related crimes are widely underreported. The DLE's recordkeeping system allows the public to both report and record their incidents and provides a centralized place where agriculture crime information can be harvested by government officials and the Legislature to improve resource allocation, budgets, prevention, etc. This online form is currently available for the community to use on the DLE website.

## **II. Improved Data Analysis and Recordkeeping**

Agriculture crime data collected this year is limited as our recordkeeping effort has only just started. However, we note that the traditional paradigm that remoteness, lack of physical security, and a lack of law enforcement presence on agricultural lands holds true in our limited data. Criminals target agricultural lands because the lands are often huge swaths of property with little to no human or law enforcement presence on them. Consequently, it may be days or weeks before ranchers and farmers discover that a crime occurred on their lands. Additionally, there were numerous reports of nighttime violations as well.

### **III. Started Data Driven Enforcement**

As a result of Act 235 of the 2025 Legislature, a new comprehensive agriculture crime law was signed into law. Act 235, also known as “Duke’s Law” brought forth heavy, progressive penalties for crimes involving agriculture. Act 235 also created a pilot project at the DLE for a new agricultural crimes unit on Oahu and Hawaii Island.

Considering Duke’s Law, the DLE has done two things:

- 1) First, it has created infrastructure and position descriptions for the new law enforcement unit. Additionally, the DLE has requested that the Governor approve the new special project and expects to hire law enforcement officers to staff the new law enforcement unit very soon.
- 2) Second, DLE has already been responding to agriculture crime complaints on Oahu and Hawaii Island. Thus far, the DLE has responded to multiple reports of trespassing, property damage, agriculture product theft, illegal hunting, and theft of livestock. To date, DLE law enforcement officers cited two individuals for violating hunting statutes on Oahu and executed one search warrant in a livestock theft investigation that resulted in the return of cattle worth tens of thousands of dollars back to its owner. It is also worth noting that DLE’s responses have been triggered successfully by reporting on its electronic app described above.

It is worth noting that law enforcement’s best practice for when budget and resources are limited is to use intelligence-led or data-driven policing efforts. The DLE realizing this best practice is using the data collected from its electronic reporting app to assist with its data-driven enforcement efforts.

### **IV. Training**

In October 2025, the DLE collaborated extensively with the DAB to conduct a 4-hour training program for its agriculture inspector staff. The training provided a foundation of criminal law, report writing, and constitutional law. Search and seizure, and problem solving for the DAB’s enforcement staff. It is also worth noting that the DAB’s statutes have criminal penalties attached and that the training provided was well received. The DLE and the DAB intend to continue collaborative training efforts.

Additionally, in 2025, the DLE created a short training module to instruct staff who traditionally have never received agricultural law training in their basic police academy training. This is because the DLE has been actively responding to agricultural crime complaints since July 2025.

## **V. Potential New Statutes:**

The DLE believes that the passage of Duke's Law was an extremely powerful effort to confront the problem of agricultural crime in Hawaii. As Duke's Law has only just been implemented, it will take some time to observe the impact that Duke's Law will have. However, to support the implementation of Duke's Law, both the DAB and DLE have been attending numerous community meetings and events to spread the word about the new law and to send a strong message to those who may consider committing an agriculture crime. Duke's Law is powerful and contains a progressive set of penalties that includes mandatory jail time, felony provisions and asset forfeiture.

## **VI. Review of Effectiveness**

As time passes, the implementation of Duke's Law by law enforcement, prosecutors, and the courts is expected to make strong difference and lower agriculture crime incidents in Hawaii. Duke's Law, the pilot project contained within, and the budget for the project was only implemented since its passage in July 2025. Consequently, it will take time to measure the ultimate effectiveness of the new law. However, this said, the new recordkeeping and reporting app and the work to set up the new enforcement unit has been done. Therefore, the next step is to operationalize the initial efforts and we expect the Governor to authorize the special project very soon.

## **CONCLUSION**

In 2025, the DLE modernized agricultural crime reporting and recordkeeping through its electronic app and completed the infrastructure required to support the new agriculture enforcement unit authorized in Duke's Law. The DLE has asked the Governor to authorize the special project. Finally, the DLE notes that its collaboration with the DAB is very strong. The DAB has stood with the DLE at numerous agriculture related events lending its expertise and support. Moreover, the DAB has provided expertise and support for criminal investigations already and as enforcement efforts continue and mature, the DLE expects cooperation to remain strong.