

Testimony of the
Office of the Public Defender, to
The House Committee on Judiciary

February 20, 2009

Re: H.B. No. 1512: Relating to Temporary Restraining Orders.

Rep. Karamatsu and Members of the Committee:

The Office of the Public Defender opposes the proposed changes to our current Temporary Restraining Order (TRO) statute, Hawaii Revised Statutes (HRS) §586-4. They are cumulative to other offenses already in our statutes and would create unintended consequences.

The bill provides that a court will be able to ex parte “grant exclusive care of a pet animal, as defined by section 711-1100, to a party”. This means that one party can fill out a form, make uncorroborated accusations and, as a result, be awarded “exclusive” care and control of a pet. The proposed change ignores the fact that the party sought to be restrained has no opportunity to contradict the information asserted by the filing party. It ignores the fact that the information contained in the paperwork may not be correct, such as who the animal may have belonged to prior to the parties residing together, or, who provides the primary care for the animal.

Indeed, we know that temporary restraining orders are sometimes misused by parties seeking to gain an advantage in divorce proceedings. This proposed law gives the party with better access to legal advice, for example, the opportunity to go into court to seek “exclusive” care and control of a pet to get back at the other party, without the party seeking to be restrained having any opportunity to present their side of the story.

There is a significant difference between “exclusive care and control of a pet” and the other acts that may be temporarily restrained ex parte under our existing statute. When one party asserts the type of problems that merit a TRO, if true, the conduct which may be restrained makes sense on a temporary basis: prohibiting contact, threats, physical abuse, and entering/visiting the protected party’s residence. But our current statute does NOT temporarily award custody of anything, property or otherwise.

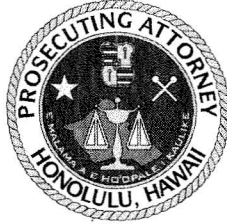
In fact, our current statute does NOT even allow for a temporary award of custody of children. Currently, a TRO can only affect visitation of children. Our current statute doesn’t even provide that the sole vehicle or other important property may be temporarily awarded to one party. It does not make sense as a policy issue to single out pet custody for TROs.

An equal concern is that the conduct in this Bill is covered in existing statutes. How would the restrained party “visit”, “take” and then “conceal” the pet animal without “entering or visiting” the protected party’s residence, which is already prohibited in (a)(3) of the current statute? It is also already a crime to “physically abuse” an animal under Chapter 711. Legislation should not create duplicate statutes, i.e. laws that prohibit the same conduct. However well intended, this bill would create such a result.

For these reasons, we oppose H.B. 1512. Thank you for the opportunity to comment on this measure.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET, HONOLULU, HAWAII 96813
AREA CODE 808 • 527-6494



PETER B. CARLISLE
PROSECUTING ATTORNEY

DOUGLAS S. CHIN
FIRST DEPUTY
PROSECUTING ATTORNEY

THE HONORABLE JON RIKI KARAMATSU, CHAIR
HOUSE JUDICIARY COMMITTEE
Twenty-fifth State Legislature
Regular Session of 2009
State of Hawai'i

February 20, 2009

RE: H.B. 1512; RELATING TO TEMPORARY RESTRAINING ORDERS.

Chair Karamatsu, and members of the House Committee on Judiciary, the Department of the Prosecuting Attorney submits the following testimony in support of HB 1512.

The purpose of HB 1512 is to amend Hawaii Revised Statutes (HRS) section 586-4 regarding temporary restraining orders to specifically permit family court judges to include conditions concerning the care, custody, visitation, treatment and disposition of pet animals.

We are in support of this bill as we have had numerous cases where an abuser uses the domestic violence victim's pets to control the victim. These abusers have in many instances threatened to harm or actually injured or killed the victim's pets in order to frighten the victim into remaining in the relationship. We believe this bill will greatly assist domestic violence victims when they decide to leave the abusive relationship; they will be able to obtain exclusive care of the pet with conditions for the abuser which will restrict access to the pet.

For this reason we support the passage of HB 1512 and thank you for this opportunity to testify.

PO Box 44571
Kamuela, HI 96743
February 19, 2009

Honorable Chair Jon Riki Karamatsu,
Vice Chair Ken Ito
House Judiciary Committee
Friday, February 20, 2009 3:00 pm

Dear Sirs:

Thank you for introducing HB 1512, Pet Protective Orders. It is a sad commentary on some families today where adults cannot amicably settle disputes. Abuse becomes a way of life for some people and when a protective order is placed on the victim, the perpetrator often goes after the victim's beloved pet. Pets are often the source of comfort to children in abusive families (as well as to the victim). Threats to harm or kill the pet is used to control others in the family. As a Volunteer Guardian Ad Litem for the Family Court here on the Big Island, I am familiar with such behavior. This bill would go a long way to prevent this

Please support HB 1512 to reduce violence against families and pets.

Sincerely,

Barbara C. Sterne
HI Coordinator
American Bouvier Rescue League



Domestic Violence Action Center

Formerly the *Domestic Violence Clearinghouse and Legal Hotline*

PO Box 3198 ● Honolulu, Hawaii 96801 ● Ph:808/534-0040 ● Fax:808/531-7228

TO: Chair Karamatsu
Vice Chair Ito
Members of the Committee

FR: Nanci Kreidman, M.A.
Chief Executive Officer

RE: H.B. 1512

Aloha. Please accept this testimony in support of H.B. 1512. The care and safety of pets as it pertains to family violence has long been overlooked in our community response. We have learned that victims are forced to make decisions about their safety and the safety of their children due to uncertainty about the safety and care of family pets.

It has also become apparent that family pets are used as strategies for inflicting harm, terror and emotional suffering on the family members by an abuser. We believe it is important to eliminate this tactic that is effectively used to silence or immobilize victims.

We would like to make certain that when victims are seeking protection from our courts, that all issues impacting a family are given consideration. H.B. 1512 assists us in providing options that are crucial when making plans to escape violence.

We appreciate your favorable action on this measure. Thank you.

House Judiciary Committee
Honorable Chair Jon Riki Karamatsu, Vice-Chair Ken Ito
February 20, 2009
3:00pm

Submitted by: Inga Gibson, Hawaii State Director
The Humane Society of the United States
In support of H.B. 1512

Dear Honorable Chair Karamatsu and Committee Members:

On behalf of our 47,704 members and supporters of the Humane Society of the United States in Hawaii, I would like to thank you for this opportunity to speak in favor of H.B. 1512; Pet Protective Orders. The HSUS is in strong support of this bill and we thank Chair Karamatsu for his introduction of this measure.

More than 64 million households in the United States have one or more companion animals and 70% of U. S. households with minor children include pets. More than 60 percent of Hawaii households also have pets that are considered part of the family. Most of the time this is for the good, but not all families function well all of the time. According to the Department of Justice, there were 3.5 million victims of family violence between the years 1998 to 2002. Ask any domestic violence counselor, or hot line operator, and she will tell you that domestic violence almost never occurs in isolation.

The Link between Pet Abuse and Domestic Violence

Domestic violence experts note that a batterer is motivated by the need for absolute power and control, and to achieve this power and control, the batterer will use any leverage they can get their hands on—including the children and the family pets. Children and animals in the family are threatened, or actually harmed, as a way to manipulate and coerce others in the family. Experts in domestic violence were writing about the link between pet abuse and domestic violence as early as 1984, over twenty years ago (Walker, 1984, 1989). Animal cruelty is included as a form of intimidation in the “power and control wheel” used by advocates to explain the dynamics of domestic violence (Shepard & Pence, 1999, p. 275).

Reinforcing these observations of domestic violence advocates, is a growing body of research, which over the last twenty years, has firmly established a significant link between domestic violence and animal abuse. Five different studies determined that from 48.8% to 71% of battered women reported that their pets had been threatened, harmed, or killed by their partners. (Ascione, 1998; Flynn, 2000; Faver and Strand, 2003; Loring and Bolden-Hines, 2004; Carlisle-Frank, Frank, and Nielsen, 2004). In a national survey of battered women’s shelters, 85% of the shelters surveyed affirmed that women seeking shelter at safe houses reported incidents of pet abuse (Ascione, Weber, and Wood, 1997).

Dr. Jacquelyn Campbell, Public Health Department, The Johns Hopkins University is a nationally recognized research expert on domestic violence. A study conducted by her and

members of her team from 1994 to 2000 in eleven USA metropolitan cities, sought to find out what characteristics could predict intimate partner violence. Pet abuse was identified as one of the four significant predictors for determining who was at highest risk for becoming a batterer (Walton-Moss, B. J., Manganello, J.; Frye, V., Campbell, J. C. 2005)..

Why the link between domestic violence and pet abuse is important

Animal abuse may be the first sign of family violence—or the first indication to others that there is a family in trouble. Paying close attention to animal cruelty allows agencies to make earlier identifications and offer more effective interventions for the protection of families and the animals that live in them.

Because of the often close ties between women, children, and their pets, domestic violence victims delay leaving because they fear for their pets' safety. From 18 to 48% of battered women delayed leaving a dangerous situation out of concern for their pets safety (Ascione, 2000; Carlisle-Frank, et al., 2004); Faver & Strand, 2003; Flynn, 2000; Ascione, 2006). When the pets also had been abused, the percentage of women who delayed leaving rose to 65%.

At least ten states have enacted similar legislation (Maine, California Connecticut, Colorado, Illinois, Indiana, Nevada, New York, Tennessee and Vermont) and another 5 states are currently considering similar legislation.

We respectfully urge your passage of HB 1512

Please contact me at (808)922-9910 or igibson@humanesociety.org if I may provide additional information.

HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE

Hearing date and time: February 20, 2009, 3:00 p.m.

RE: H.B. 1512 Relating to Pet Animals

TO: Chair Representative Karamatsu, Vice Chair Representative Ito and members of the Committee on Judiciary

FR: Carol Lee (clee@hscadv.org), Hawaii State Coalition Against Domestic Violence

Aloha, my name is Carol Lee. HSCADV is a private non-profit agency which serves as a touchstone agency for the majority of domestic violence programs throughout the state. For many years HSCADV has worked with the Hawaii Legislature by serving as an educational resource and representing the many voices of domestic violence programs and survivors of domestic violence.

HSCADV supports the intent of HB1512 with comments.

Domestic violence is when one person in a relationship seeks to gain and maintain power and control over their intimate or former intimate partner. Batterers will use a variety of tactics to maintain this control including verbal, psychological and physical abuse. One tactic is to abuse or kill the family pets to demonstrate and confirm power and control over the family, to teach submission, to perpetuate terror and or to prevent the victim from leaving or coerce her to return. Due to the threat of violence against their pets many victims will not leave the abusive situation.

SB1086 attempts to remedy this by including the custody of pets in HRS 586. The proposed language is vague and may allow the batterer to obtain custody of the animals. We would like to suggest the following language:

“would authorize a court to order the determined primary aggressor to remain away from a specified pet or to refrain from cruelty or aggravated cruelty toward the pet.”

Mahalo for allowing us to testify on this matter.

karamatsu3-Leanne

From: Kawehi Yim [kyim@hawaiianhumane.org]
Sent: Thursday, February 19, 2009 5:25 PM
To: JUDtestimony
Subject: HB1512 - Relating to Temporary Restraining Orders

**Kawehi Yim
Community Relations Director
Hawaiian Humane Society**

Judiciary Committee

**Measure: HB1512 - Relating to Temporary Restraining Orders
Position: SUPPORT**

Dear Chair Karamatsu and Members of the Committee,

I am Kawehi Yim, the Community Relations Director with the Hawaiian Humane Society, and on behalf of the Society and our 20,000+ supporters, we strongly support HB 1512 which amends the family court temporary restraining orders statute to include the care and treatment of pets and ask that the House Judiciary Committee support this bill.

By providing TRO protection to family pets, judges are prompted to include pets in their domestic violence protective orders, thereby ensuring their safety. Without such court-ordered means, human victims often remain in violent households in an attempt to protect their pets from harm. This type of legislation is the result of decades of research and increased public awareness about the "link" between animal cruelty and human violence.

The nay-sayers of this type of legislation often say that "this is just a bill about animals." This is farthest from the truth, in fact this bill addresses the entire dynamic of violence, including physical and emotional abuse to children, elders, spouses and animals. Deliberate abuse of a companion animal rarely occurs in a vacuum. Animal abuse is a part of a vicious cycle of violence that escalates to human abuse. Please, stop this cycle by SUPPORTING HB 1512.

Sincerely,
Kawehi Yim
Community Relations Director
Hawaiian Humane Society

Kawehi Yim
Community Relations Director
Hawaiian Humane Society
2700 Waialae Avenue
Honolulu, HI 96826

Phone: 808.356.2212
Cell: 808.358.1960
E-Mail: kyim@hawaiianhumane.org

When it comes to giving, go local. On Oahu, Hawaiian Humane Society is the only animal welfare organization that shelters, rescues, adopts and welcomes all animals – all day and every day. 100% of your gift stays in the islands for the benefit of Hawaii's animals and people.

www.hawaiianhumane.org

ADVOCATES

To: Representative Jon Riki Karamatsu and Members of the House Committee on Judiciary

From: Bob Toyofuku on behalf of the Hawaiian Humane Society 

Date: February 20, 2009

Re: HB 1512, Relating to Temporary Restraining Orders

Dear Representative Karamatsu and Members:

After reviewing the provisions of this bill more closely, on behalf of the Hawaiian Humane Society, we feel that the bill should be amended with the suggestions below. The original draft of this bill which was suggested by us is based on a California statute and sets forth the intent of the bill, but the suggested amendments make it clear as to what can or should be done by a court regarding a TRO and the suggested language is more appropriately drafted to conform to the existing HRS statute.

I would appreciate if you and the committee would consider these amendments. Thank you.

Suggested Amendments to HB 1512

1. Define "pet animal" in section 586-1 by reference to the definition in section 711-1100.
2. Delete the new language in lines 7 and 8 on page 1.
3. Insert new language (paragraph) after line 5 on page 2 as follows:

The ex parte temporary restraining order may grant exclusive care of a pet animal to a party, and if so, shall enjoin the respondent or person to be restrained from visiting, taking, concealing, threatening, physically abusing, or otherwise disposing of any pet animal whose exclusive care has been granted to the protected party.

4. Delete the new language on lines 6 to 8 on page 2.

Robert S. Toyofuku, Esq.

GOVERNMENT AFFAIRS CONSULTING

1000 Bishop St., Suite 902, Honolulu, Hawaii 96813 Tel: (808) 524-4155, Fax: (808) 524-0573, Email: toyofuku@pixi.com

- 5. Delete the new language on lines 18 and 19 on page 2.
- 6. Insert new language after the word "members" on line 4 on page 3 as follows:

members , or from visiting, taking, concealing, threatening, physically abusing, or otherwise disposing of a pet animal that is in the exclusive care of the protected party.



karamatsu3-Leanne

From: barbara ikeda [barbaraikeda@yahoo.com]
Sent: Wednesday, February 18, 2009 11:48 PM
To: JUDtestimony
Subject: testing

H.B. 1512 will protect pets from abuse. Hawaii's animals need all the help they can get. Please do what you can to further this bill. Barbara Ikeda 95269 Waikalani Dr. 723-2207

karamatsu3-Leanne

From: Vito Makauskas [alohavito@hawaii.rr.com]
Sent: Thursday, February 19, 2009 7:03 AM
To: JUDtestimony
Subject: H.B. 1512 (Karamatsu) Pet Protective Orders

Dear Honorable Chair Jon Riki Karamatsu, Vice-Chair Ken Ito,

H.B. 1512 (Karamatsu) Pet Protective Orders: *Thank you for introducing this important bill. Pets are considered members of the family, but if the family is experiencing violence they can become targets as well. Pets are often an important source of comfort and stability to the victims of abuse, particularly children. But sadly, abusive family members may threaten, injure, or kill pets, often as a way of threatening or controlling others in the family. Please support H.B.1512 to reduce violence against families and pets.*

Aloha,

*Vito N. Makauskas
Ohia Construction
Ohia Design
B.I.A. Overall Grand Award Winner
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808.291.1851 cellular
808.373.4979 office
808.373.4460 fax*

From: Sandi Hino [SandraHino@hawaii.rr.com]
Sent: Thursday, February 19, 2009 9:25 AM
To: JUDtestimony
Subject: Please Support HB1512 and HB 1513

Please support HB 1512 and HB 1513!

Mahalo,

Sandra Hino, 46-078 Emepela Place, #E-103, Kaneohe, HI 96744

HB1512 - Relating to Temporary Restraining Orders. Authorizes family court, when issuing a temporary restraining order, to award exclusive care of a pet animal and enjoin the restrained party from having any contact with the pet animal.

http://www.capitol.hawaii.gov/session2009/Bills/HB1512_.pdf

- I strongly **SUPPORT HB1512**, which amends the family court temporary restraining orders statute to include the care and treatment of pets and ask that the House Judiciary Committee support this bill.
- By providing TRO protection to family pets, judges are prompted to include pets in their domestic violence protective orders, thereby ensuring their safety. Without such court-ordered means, human victims often remain in violent households in an attempt to protect their pets from harm.
- When the victim has left the situation, the perpetrator will often turn his or her aggression and violence on the family pet as a form of control and revenge.
- Decades of research have shown that individuals who commit acts of cruelty against animals will often escalate their violence towards humans.
- This type of legislation is the result of increasing public awareness about the link between animal cruelty and human violence. Animal cruelty is family violence and we as a society will no longer tolerate these heinous acts.

HB1513 - Relating to Offenses Against Public Order. Prohibits possession of gaff designed to be attached to gamecock or other fighting fowl.

http://www.capitol.hawaii.gov/session2009/Bills/HB1513_.pdf

- I strongly **SUPPORT HB1513**, which provides for a statewide prohibition on the possession of gaffs and slashers, sharp knife-like instruments only used in cockfighting.
- Hawaii was recently blasted as ranking 48th out of 50 states for its laws related cockfighting.
- Hawaii is ranked as one of the weakest states when it comes to animal fighting protection laws.
- Cockfighting is animal fighting and the community is no longer tolerating this bloodsport.
- The activities surrounding cockfighting derbies include illegal firearms possession, gambling, narcotics and drug possession and in some cases, homicide. Legislators can no longer turn a

blind eye to these illegal activities -- we must make a stand and end this barbaric form of animal fighting immediately.

- Oahu county is the only county that has ordinances related to possession of gaffs as a misdemeanor -- which basically is a slap on the hand to individuals who are making hundreds of un-taxed, illegal dollars in the cockfighting arena.
- We have Federal legislation that prohibits the transport and/or possession of gaffs across state lines. With State legislation in place this will provide our law enforcement officials with the tools they need to put these people behind bars and bring an end to cockfighting in Hawaii.

karamatsu3-Leanne

From: C. F. Gregorio [crisologo@earthlink.net]
Sent: Thursday, February 19, 2009 9:56 AM
To: JUDtestimony
Subject: HB 1513 and HB 1512

H.B. 1513 (Karamatsu) Possession of Gaffs/Slashers: Thank you for introducing this important bill. Cockfighting goes hand in hand with illegal gambling, drug distribution, illegal firearms possession and human violence. Prohibiting possession of implements used exclusively for this cruel activity will help law enforcement crack down on cockfighters. Please support H.B. 1513 to reduce cruel, illegal cockfighting activity and its associated crimes. My parents currently live in the Philippines, my grandfather made a living cockfighting, and I find it repulsive. Make it illegal here please, as any form of gambling is illegal anyway, passage of this measure would solidify the state's position.

H.B. 1512 (Karamatsu) Pet Protective Orders: Thank you for introducing this important bill. Pets are considered members of the family, but if the family is experiencing violence they can become targets as well. Pets are often an important source of comfort and stability to the victims of abuse, particularly children. But sadly, abusive family members may threaten, injure, or kill pets, often as a way of threatening or controlling others in the family. Please support H.B.1512 to reduce violence against families and pets.

Crisologo F. Gregorio
808-284-1843
crisologo@earthlink.net

From: Jennifer Chiwa [jenniferc@oha.org]
Sent: Thursday, February 19, 2009 10:22 AM
To: JUDtestimony
Subject: LEGISLATIVE TESTIMONY IN SUPPORT OF HB 1512

LEGISLATIVE TESTIMONY

**HB 1512
RELATING TO INCLUDING PETS IN PROTECTIVE ORDERS**

HOUSE COMMITTEE ON JUDICIARY

**February 20, 2009
State Capitol, Room 325**

3:00 p.m.

Aloha, Chairperson Karamatsu, Vice Chairperson Ito and Members. I am Jennifer Chiwa. I strongly support House Bill 1512 relating to including pets in protective orders.

Thank you for considering this important bill. Pets are often considered members of a family, and therefore, deserve the same protection afforded to its human members. When family members become a target for violence, their pets become targets as well. Pets are injured or killed to cause suffering for other family members.

Please support House Bill 1512 to reduce violence against families and their pet members.

Thank you for the opportunity to testify.

Jennifer Chiwa

karamatsu3-Leanne

From: jacqueline just [jacquelinejust@yahoo.com]
Sent: Thursday, February 19, 2009 10:20 AM
To: JUDtestimony
Subject: HB1512

I strongly support HB 1512 for the TRO protection and care of pets in instances of restraining orders. In cases of violence, as we now realize through increased public awareness, aggression and rage includes all members of a family including cherished pets.

Animal cruelty is family violence and should not be tolerated.

Jacqueline Just

karamatsu3-Leanne

From: Annie Sherman [annie96745@yahoo.com]
Sent: Thursday, February 19, 2009 10:46 AM
To: JUDtestimony
Subject: House Bill 1513 and House Bill 1512

**Honorable Chair Jon Riki Karamatsu, Vice-Chair Ken Ito
House Judiciary Committee**

Friday, February 20, 3:00pm

H.B. 1513 (Karamatsu) Possession of Gaffs/Slashers: Thank you for introducing this important bill.

Cockfighting goes hand in hand with illegal gambling, drug distribution, illegal firearms possession and human violence. Prohibiting possession of implements used exclusively for this cruel activity will help law enforcement crack down on cockfighters. Please support H.B. 1513 to reduce cruel, illegal cockfighting activity and its associated crimes.

H.B. 1512 (Karamatsu) Pet Protective Orders: Thank you for introducing this important bill. Pets are considered members of the family, but if the family is experiencing violence they can become targets as well. Pets are often an important source of comfort and stability to the victims of abuse, particularly children. But sadly, abusive family members may threaten, injure, or kill pets, often as a way of threatening or controlling others in the family. Please support H.B.1512 to reduce violence against families and pets.

Submitted by:

Annie Sherman
P.O. Box 9036
Kailua-Kona, HI 96745-9036
Phone: (808) 325-7818

From: Rosita Sipirok-Siregar [RSipirok-Siregar@ahldesign.com]
Sent: Thursday, February 19, 2009 11:31 AM
To: JUDtestimony
Subject: MY TESTIMONY TO BILL HB 1512 AND 1513

PLEASE ACCEPT THIS CORRESPONDENCE AS MY TESTIMONY TO SUPPORT THESE TWO BILLS. SHOULD YOU NEED FURTHER INFORMATION, I CAN BE REACHED AT (808) 523-9636 DURING OFFICE HOURS.

- **HB1512 - Relating to Temporary Restraining Orders. Authorizes family court, when issuing a temporary restraining order, to award exclusive care of a pet animal and enjoin the restrained party from having any contact with the pet animal.**

I strongly **SUPPORT HB1512**, which amends the family court temporary restraining orders statute to include the care and treatment of pets and ask that the House Judiciary Committee support this bill.

- By providing TRO protection to family pets, judges are prompted to include pets in their domestic violence protective orders, thereby ensuring their safety. Without such court-ordered means, human victims often remain in violent households in an attempt to protect their pets from harm.
- When the victim has left the situation, the perpetrator will often turn his or her aggression and violence on the family pet as a form of control and revenge.
- Decades of research have shown that individuals who commit acts of cruelty against animals will often escalate their violence towards humans.
- This type of legislation is the result of increasing public awareness about the link between animal cruelty and human violence. Animal cruelty is family violence and we as a society will no longer tolerate these heinous acts.

HB1513 - Relating to Offenses Against Public Order. Prohibits possession of gaff designed to be attached to gamecock or other fighting fowl.

I strongly **SUPPORT HB1513**, which provides for a statewide prohibition on the possession of gaffs and slashers, sharp knife-like instruments only used in cockfighting.

- Hawaii was recently blasted as ranking 48th out of 50 states for its laws related cockfighting.
- Hawaii is ranked as one of the weakest states when it comes to animal fighting protection laws.
- Cockfighting is animal fighting and the community is no longer tolerating this bloodsport.
- The activities surrounding cockfighting derbies include illegal firearms possession, gambling, narcotics and drug possession and in some cases, homicide. Legislators can no longer turn a blind eye to these illegal activities -- we must make a stand and end this barbaric form of animal fighting immediately.

- Oahu county is the only county that has ordinances related to possession of gaffs as a misdemeanor -- which basically is a slap on the hand to individuals who are making hundreds of un-taxed, illegal dollars in the cockfighting arena.
- We have Federal legislation that prohibits the transport and/or possession of gaffs across state lines. With State legislation in place this will provide our law enforcement officials

THANK YOU.

Rosita Sipirok-Siregar, CSI, CDT
Construction Administration
Architects Hawaii Ltd
ASB Tower, Suite 200
1001 Bishop Street
Honolulu, Hawaii 96813
Phone: (808) 523-9636 ext. 400
email: rsipirok@ahldesign.com

This message is intended solely for the recipient identified above and should not be opened, read or utilized by any other party. This message is intended as above and shall not be construed as official project information or direction except as expressly provided in the contract documents.

From: Liza Souza [liza.souza@royalhawaiianmovers.com]
Sent: Thursday, February 19, 2009 11:55 AM
To: JUDtestimony
Subject: My written testimony

Importance: High

Aloha,

I strongly support the follow bills...

HB1512, which amends the family court temporary restraining orders statute to include the care and treatment of pets and ask that the House Judiciary Committee support this bill.

- By providing TRO protection to family pets, judges are prompted to include pets in their domestic violence protective orders, thereby ensuring their safety. Without such court-ordered means, human victims often remain in violent households in an attempt to protect their pets from harm.
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- Oahu county is the only county that has ordinances related to possession of gaffs as a misdemeanor -- which basically is a slap on the hand to individuals who are making hundreds of un-taxed, illegal dollars in the cockfighting arena.
- We have Federal legislation that prohibits the transport and/or possession of gaffs across state lines. With State legislation in place this will provide our law enforcement officials with the tools they need to put these people behind bars and bring an end to cockfighting in Hawaii.

Not only am I a pet owner and a concern citizen, I have worked with domestic violence victims and helped them find a foster family for their beloved pet while they seek help. I see what pets go through because they too are victims of domestic violence. I hope you will consider in favor of this testimony to help support and pass these bills.

Thank you,

Liza Souza
Safety Officer/Maintenance Assistant
Royal Hawaiian Movers, Inc.

3005 Ualena Street
Honolulu, HI 96819
Tel: (808) 432-9549
Cel: (808) 368-1289
Fax: (808) 836-7786

karamatsu3-Leanne

From: Steve Slater [kipuka@hawaii.rr.com]
Sent: Thursday, February 19, 2009 12:34 PM
To: JUDtestimony
Subject: house rules
Attachments: logocam.jpg; ATT00001.htm

Aloha,

I strongly **SUPPORT HB1512**, which amends the family court temporary restraining orders statute to include the care and treatment of pets and ask that the House Judiciary Committee support this bill.

I strongly **SUPPORT HB1513**, which provides for a statewide prohibition on the possession of gaffs and slashers, sharp knife-like instruments only used in cockfighting.

Thanks, Steve Slater, Maui

karamatsu3-Leanne

From: Lynn [lynnlally@yahoo.com]
Sent: Thursday, February 19, 2009 12:20 PM
To: JUDtestimony
Subject: Temporary Restraining Orders and Animals

- I strongly SUPPORT **HB1512**, which amends the family court temporary restraining orders statute to include the care and treatment of pets and ask that the House Judiciary Committee support this bill.
- By providing TRO protection to family pets, judges are prompted to include pets in their domestic violence protective orders, thereby ensuring their safety. Without such court-ordered means, human victims often remain in violent households in an attempt to protect their pets from harm.
- When the victim has left the situation, the perpetrator will often turn his or her aggression and violence on the family pet as a form of control and revenge.
- Decades of research have shown that individuals who commit acts of cruelty against animals will often escalate their violence towards humans.
- This type of legislation is the result of increasing public awareness about the link between animal cruelty and human violence. Animal cruelty is family violence and we as a society will no longer tolerate these heinous acts.

karamatsu3-Leanne

From: Peggy [punahoupoidog@hawaii.rr.com]
Sent: Thursday, February 19, 2009 12:49 PM
To: JUDtestimony
Subject: RE: HB1513 and HB1512

Subject: HB1513 and HB1512

Good afternoon,

I STRONGLY SUPPORT HB1513

Hawaii was recently blasted as ranking 48th out of 50 states for its weak laws related to protection against animal fighting. Aloha state with little aloha for our animals. While this might be the case for now, I know our community has tremendous aloha for our animals, as indicated by the large % of families that own pets. We just need to change some of our laws to reflect the majority of the community wish to stop animal fighting.

The activities surrounding cockfighting include illegal gambling, narcotics, and illegal firearms. There has even been homicide in some cases. They don't fight cocks without the gambling.

Legislators can no longer turn a blind eye to these illegal activities. Oahu county is the ONLY county that has ordinances related to gaffs as a misdemeanor, which is a slap on the hand, for those people making tons of illegal dollars, un-taxed, and adding to our crime, not to mention the unnecessary cruelty.

I urge your support, and please help put an end to cockfighting in Hawaii.

I also ask your support on HB1512.

When a victim of abuse tries to leave the situation, the perpetrator will often turn his/her aggression on the family pet as revenge. Victims will often remain in violent households, to protect the family pet. Providing TRO protection to family pets, not only safeguard animals, but help human victims to leave an abusive household without fear of retribution to their beloved pets.

Thank you for your attention to the matter.

P. Fern

karamatsu3-Leanne

From: Giovanni, Naomi [ngiovanni@kiuc.coop]
Sent: Thursday, February 19, 2009 2:47 PM
To: JUDtestimony
Subject: HB 1512 & HB1513

2-19-09

Dear House Judiciary Committee,

I am humbly requesting your support of HB1512 & HB1513, and to pass these 2 important bills out of committee.

HB1512 ensures protection for all victims of domestic violence which often times includes pets. I personally know someone whose dog was strung up in retaliation. We know so well the link between animal cruelty and domestic violence.

By passing HB1513 we can prevent accessibility to the "tools of the trade" for the horrible "sport" of animal fighting. It is our responsibility to work towards ending this barbaric sport.

Thank you for your consideration,
Naomi Y. Giovanni
PO Box 1001
Lawai, HI 96765

karamatsu3-Leanne

From: Toni Bennett [aftonb83@yahoo.com]
Sent: Thursday, February 19, 2009 4:06 PM
To: JUDtestimony
Subject: Laws HB1512 and HB1513

Dear Judge,

I am a long-time resident of Kihei, Hi. I would like to see our quality of life improve with the passage of this bill.

Thank you, Toni Bennett

karamatsu3-Leanne

From: Jennifer and Steve Rappenecker [therapps@hawaii.rr.com]
Sent: Thursday, February 19, 2009 8:00 PM
To: JUDtestimony
Subject: Testimony for HB1512 & HB1513- Bills to be heard on FRIDAY, FEBRUARY 20

Importance: High

Please consider my testimony IN SUPPORT of these two bills: **HB1512**, which extends TRO protection to companion animals involved in domestic violence situations; and **HB1513**, which provides for a statewide prohibition on the possession of gaffs and slashers.

HB1512 - Relating to Temporary Restraining Orders. Authorizes family court, when issuing a temporary restraining order, to award exclusive care of a pet animal and enjoin the restrained party from having any contact with the pet animal.

<http://www.capitol.hawaii.gov/session2009/Bills/HB1512 .pdf>

- I strongly SUPPORT **HB1512**, which amends the family court temporary restraining orders statute to include the care and treatment of pets and ask that the House Judiciary Committee support this bill.
- By providing TRO protection to family pets, judges are prompted to include pets in their domestic violence protective orders, thereby ensuring their safety. Without such court-ordered means, human victims often remain in violent households in an attempt to protect their pets from harm.
- When the victim has left the situation, the perpetrator will often turn his or her aggression and violence on the family pet as a form of control and revenge.
- Decades of research have shown that individuals who commit acts of cruelty against animals will often escalate their violence towards humans.
- This type of legislation is the result of increasing public awareness about the link between animal cruelty and human violence. Animal cruelty is family violence and we as a society will no longer tolerate these heinous acts.

HB1513 - Relating to Offenses Against Public Order. Prohibits possession of gaff designed to be attached to gamecock or other fighting fowl.

<http://www.capitol.hawaii.gov/session2009/Bills/HB1513 .pdf>

- I strongly SUPPORT **HB1513**, which provides for a statewide prohibition on the possession of gaffs and slashers, sharp knife-like instruments only used in cockfighting.
- Hawaii was recently blasted as ranking 48th out of 50 states for its laws related cockfighting.
- Hawaii is ranked as one of the weakest states when it comes to animal fighting protection laws.
- Cockfighting is animal fighting and the community is no longer tolerating this bloodsport.
- The activities surrounding cockfighting derbies include illegal firearms possession, gambling, narcotics and drug possession and in some cases, homicide. Legislators can no longer turn a blind eye to these illegal activities -- we must make a stand and end this barbaric form of animal fighting immediately.

- Oahu county is the only county that has ordinances related to possession of gaffs as a misdemeanor -- which basically is a slap on the hand to individuals who are making hundreds of un-taxed, illegal dollars in the cockfighting arena.
- We have Federal legislation that prohibits the transport and/or possession of gaffs across state lines. With State legislation in place this will provide our law enforcement officials with the tools they need to put these people behind bars and bring an end to cockfighting in Hawaii.

Thank you,

Jennifer & Steve Rappenecker

karamatsu3-Leanne

From: Bobbie Becker [bobbibecker@mindspring.com]
Sent: Thursday, February 19, 2009 8:34 PM
To: JUDtestimony
Subject: I strongly SUPPORT HB1512
Attachments: Bobbie Becker.vcf

I strongly SUPPORT **HB1512** because I have seen the abuse, pain and physical neglect (starvation and lack of water) that is frequently inflicted on family pets when domestic violence is brewing.

I worked as a veterinary technician for many years and I have witnessed the incredible mental and physical neglect that family pet(s) are subjected to. It is no fault of theirs that the family is having difficulties, and yet because they have no voice, they most often suffer in silence. This bill would remove the pets from the households where domestic violence against animals and/or people are most likely to occur. Please enact legislation that would ensure humane treatment of these animals by approving HB 1512.

Thank-you for considering my request.

Bobbi Becker
Makawao, Maui, 96768

karamatsu3-Leanne

From: Bonnie Nelson [mauicheetah@aol.com]
Sent: Friday, February 20, 2009 6:26 AM
To: JUDtestimony
Subject: In strong support of HB1512 and HB1413

http://www.capitol.hawaii.gov/session2009/Bills/HB1512_.pdf

- I strongly **SUPPORT HB1512**, which amends the family court temporary restraining orders statute to include the care and treatment of pets and ask that the House Judiciary Committee support this bill.
- By providing TRO protection to family pets, judges are prompted to include pets in their domestic violence protective orders, thereby ensuring their safety. Without such court-ordered means, human victims often remain in violent households in an attempt to protect their pets from harm.
- When the victim has left the situation, the perpetrator will often turn his or her aggression and violence on the family pet as a form of control and revenge.
- Decades of research have shown that individuals who commit acts of cruelty against animals will often escalate their violence towards humans.
-
- This type of legislation is the result of increasing public awareness about the link between animal cruelty and human violence. Animal cruelty is family violence and we as a society will no longer tolerate these heinous acts.

HB1513 - Relating to Offenses Against Public Order. Prohibits possession of gaff designed to be attached to gamecock or other fighting fowl.

http://www.capitol.hawaii.gov/session2009/Bills/HB1513_.pdf

- I strongly **SUPPORT HB1513**, which provides for a statewide prohibition on the possession of gaffs and slashers, sharp knife-like instruments only used in cockfighting.
- Hawaii was recently blasted as ranking 48th out of 50 states for its laws related cockfighting.
- Hawaii is ranked as one of the weakest states when it comes to animal fighting protection laws.
- Cockfighting is animal fighting and the community is no longer tolerating this bloodsport.
- The activities surrounding cockfighting derbies include illegal firearms possession, gambling, narcotics and drug possession and in some cases, homicide. Legislators can no longer turn a blind eye to these illegal activities -- we must make a stand and end this barbaric form of animal fighting immediately.
- Oahu county is the only county that has ordinances related to possession of gaffs as a misdemeanor -- which basically is a slap on the hand to individuals who are making hundreds of un-taxed, illegal dollars in the cockfighting arena.
- We have Federal legislation that prohibits the transport and/or possession of gaffs across state lines. With State legislation in place this will provide our law enforcement officials with the tools they need to put these people behind bars and bring an end to cockfighting in Hawaii.

I have lived in Hawaii for over twenty one years. I have been incensed for many years at the cruelty exhibited to animals to have them fight with one another for entertainment. I have heard it said that cock fighting is part of our culture. So

was human sacrifice at one time. It is time for this culture to evolve and if it takes putting people behind bars to stop them for exploiting our animals, so be it.

Bonnie j Nelson
Lahaina, Maui, Hawaii