

House Committee on JUD
February 20, 2009 at 3:00 PM – CR 325
In Support of HB 1513 – Relating to designed Sharp objects

Aloha Chair Jon Karamatsu and Vice Chair Ken Ito, and members of JUD.

I am Elizabeth Royos, an officer of the Hawaii Game Breeders Association. I strongly oppose HB 1513 that would criminalize sharp objects and could be attached to a cock's foot.

This bill should be held and should be void for vagueness. How do you enforcement something that requires the police to enter the mind of the manufacturer to determine what an object was designed for?

What it was subsequently modified to be use for another productive purpose, should they be criminalized.

This bill is too vague to withstand constitutional scrutiny. It also violates the Hawaii Constitution because it is in violation of the cultural exception that protects cockfighting that is a well established cultural practice.

I am a Filipino American and I should have the right to preserve and protect my cultural heritage. This is getting increasing hard to do since in even predominantly Filipino districts, there is no Filipino representation. Our culture, language, customs and traditions are slowly being eroded as Hawaiians and Filipinos are under-represented.

Thank you for allowing me the opportunity to testify.

I OPPOSE HOUSE BILL 1513

HERE IS MY TESTIMONY

I'M HERE TO JUSTIFY THAT COCKFIGHTING IS A CULTURE AND HAS BEEN FOR MAY YEARS UP MANY CULTURES INCLUDING THE HAWAIIANS. IT'S HIGHLY EMBRACED IN HAWAII BY MANY, MANY PEOPLE WHO ARE HONORABLE PERSONS OF THE COMMUNITY. SOME PEOPLE DO NOT UNDERSTAND THAT IT'S BEEN A WAY OF LIFE FOR MANY AND THEY DON'T KNOW ANYTHING ELSE. NOT TO SAY THEY HAVE ANY LACK OF RESPECT FOR LIFE, LAW OR RIGHTS.. ITS JUST AWAY OF LIFE AND EMBRACING A ONCE GREAT ACTIVITY THAT HAS HORRIBLY TURNED INTO A MISUNDERSTOOD EVIL. MANY OF US LIKE MYSELF HAVE WONDERFUL MEMORIES, FAMILY MEMORIES OF COCKFIGHTING BELIEVE OR NOT. THERE ARE MANY OF US WHO WANT TO KEEP THESE MEMORIES ALIVE IN THE POSTTIVE LIGHT AND NOT THE NEGATIVE ONE THAT A LOT OF PEOPLE HAVE MISUNDERSTOOD COCKFIGHTING TO BE. YOU WOULD BE AMAZED AT HOW MANY GREAT GRANDPARENTS, GRANDPARENTS, AND IMPORTANT FIGURES OF THE COMMUNITY WHO HAVE FOND MEMORIES AS WELL. WE WANT OUR YOUTH AND THE PEOPLE WHO HAVE NOT GROWN UP AROUND COCKFIGHTING TO KNOW WHAT WE KNOW. COCKFIGHTING BACK IN OLD HAWAII WAS NOT ILLEGAL. WHEN THE MISSIONARIES ARRIVED IN THE ISLANDS THEY PERSUADED KINGDOM LAW TO RECONGNIZE GAMING AS ILLEGAL. THUS MAKING GAMING IN COCKFIGHTING ILLEGAL AND NOT THE ACTIVITY. THE COMMUNITY THAT DOES NOT UNDERSTAND THE CULTURE OF COCKFIGHTING NEEDS TO REALIZE THAT COCKFIGHTING BECAME CORRUPTED BY INDIVIDUALS WHO DECIDED TO USE COCKFIGHTING AS A VENUE TO DEAL DRUGS. BUT WE HAVE DRUG DEALING AND GAMBLING LINKED TO EVERY OTHER SPORT YOU CAN THINK OF BUT ITS NOT MADE INTO SUCH A HUGE DEAL BECAUSE FOOTBALL, HORSE RACES, BOXING TO NAME A FEW IS NOT CONSIDERED ILLEGAL. WHAT IF THEY WERE? HULA AT ONE TIME WAS BANNED FROM THE HAWAIIANS AND BECAME AND UNDERGROUND ACTIVITY FOR ITS SO CALLED, "PORNOGRAPHIC" NATURE BUT WAS KEPT ALIVE BUT THOSE WHO BELIEVED IN IT. CAN YOU IMAGINE IF WE HAD NO HULA? COCKFIGHTING NEVER WAS BANNED IN HAWAII. COCKFIGHTING HAS BECOME MISUNDERSTOOD AND MISREPRESENTED.

I AM A MAN WITH INTEGRITY AND PRIDE. I CONSIDER MYSELF TO BE A POSITIVE CONTRIBUTION TO THE COMMUNITY. THERE ARE MANY PEOPLE LIKE ME WHO CAN RELATE TO WHAT I AM TALKING ABOUT. IN MY FIFTY-SIX YEARS OF SEEING ACTUAL CHICKEN FIGHTS I HAVE NOT ONCE WITNESS DRUG USE OR DRUG TRANSACTIONS. THE PEOPLE THAT ATTEND THE CHICKEN FIGHTS I HAVE ATTENDED ARE ALL PEOPLE LIKE ME, HONEST HARD WORKING AND GENUINELY GOOD PEOPLE WITH A GREAT PASSION FOR CHICKENS. IN A 2002 ARTICLE IN THE MAUI NEWSPAPER THERE WAS A YEAR LONG SURVEILANCE OF COCKFIGHTS AND DURING THAT TIME QUOTED BY OFFICER KIYOTO OF THE MAUI POLICE SAID, OFFICERS DIDN'T OBSERVE ILLEGAL DRUG TRANSACTIONS AT THE COCKFIGHTS, "BUT THERE WERE KNOWN DRUG PEOPLE THAT ATTEND."

YES COCKFIGHTING IS A PART OF THE FILIPINO CULTURE AS IT IS MANY. YOU ARE SADLY MISTAKEN WHEN YOU SAY THERE IS NO EVIDENCE THAT IT'S NOT APART OF THE HAWAIIAN CULTURE. YOU OBVIOUSLY DO NOT KNOW YOUR HAWAIIAN HISTORY. THE ROOSTER OR MOA WAS USED AS MANY ANCIENT HAWAIIANS AMAKUAS, THEY STRONGLY BELIEVED THAT THERE TRUE WARRIORS SHOULD BE AS ADVANTAGEOUS AS THE ROOSTER. THE ALI'S USED A FEATHER HEAD DRESS OR MAHIOLE WHICH IS LIKE THE COMB OF THE COCK. THERE WEAPONRY THE KAKALA OR SPUR WAS USED IN BATTLE AND MANNERISM IN BATTLE WERE ALL THE SAME AS A ROOSTER AS WELL. ON THE BIG ISLAND THE MOST NOTED ALII, "UNI" YOU CAN FIND ACTUAL ARCHAEOLOGICAL OR SACRED SITES TODAY AND SEE, WHAT YOU CALL THE PENS OR THE CHICKENS PENS THAT CHICKENS WERE KEPT IN TRAINED. THEY ARE STILL LOCATED ON MAPS AND IN FACT ON THE STATE RESERVATION MAPS. SO THERE IS PHYSICAL EVIDENCE THAT THAT CHICKENS WERE APART OF TRADITIONAL HAWAIIAN SOCIETY

OF KAAUMOA.

PALOLO VALLEY ON OAHU WHICH WE CALL TODAY PUA KAAU OR KAAU CRATER IN PALOLO VALLEY ITSELF IS NAMED AFTER THAT FAMOUS ROOSTER WHO IS AN ANCESTRAL GUARDIAN OF THE ALII CLASS. THERE IS SO MUCH TO THE HISTORY OF THE ROOSTER AND COCKFIGHTING THAT STEMS TO THE GREAT KAMEHAMEHA WHICH DENOTES HIS GREAT WARRIOR SPIRIT. THIS IS SOMETHING THAT COCKFIGHTING AND THE ROOSTER SHOULD BE KNOWN FOR AND NOT IT'S ABUSED OUT COME OF DRUGS AND GAMING. I ASK YOU TO LOOK UP GREAT HISTORIANS LIKE DAVID MAO, ABRAHAM FORNANDA, KAMA KAO, HOI PID WHO WRITTEN TEXT IN THE 1800'S; YOU CAN FIND SECTIONS OF PAA'ANI OR MEA PA'ANI OR PLAY OR LEISURE. THEY WILL CLEARLY STATE HOW COCKFIGHTING WAS RECOGNIZED AS CULTURAL PRACTICES OF LEISURE AND GAME.

AS FAR AS GOOD OLE ABE, I KNOW IT'S NOT A STORY BOOK ENDING AND OF COURSE WHAT PERSON WOULD WANT TO BELIEVE THAT HONEST ABE WAS CHICKEN FIGHTING REFEREE. NOT A PICTURE PERFECT ENDING FOR SOME BUT HEY, HE LIVED IN THE FOREST SURROUNDED BY WILDLIFE AND GAME CHICKEN FIGHTING WASN'T ILLEGAL THEN. A STORE CLERK NOW SEEMS LIKE THE PRESIDENTIAL WAY OF GETTING HIS NICKNAME BUT TELL ME WHAT PRESIDENT DIDN'T HAVE SOME KIND OF PAST? YOU MAKE THE DECISION. GOD BLESS THERE SOULS, BEFORE PASSING ON, MY SONS FATHER IN LAW AND UNCLE REQUESTED TO HAVE CHICKEN SCULPTURES ON THIER HEADSTONES BECAUSE OTHER THAN THIER FAMILY THATS ALL THEY KNEW. CHICKENS WERE A WAY OF LIFE.

HARVEY GARCIA
KALAEHO

Harvey Garcia
IF YOU HAVE FURTHER QUESTIONS OR WOULD LIKE TO LEARN THE REAL MEANING AND CULTURAL SIDE OF CHICKEN FIGHTING PLEASE FEEL FREE TO CALL ME. (808) 835-3531

I O P P O S E H O U S E B I L L 1 5 1 3

Complete
Total: 786

NAME ADDRESS CITY PHONE # IN HOUSEHOLD IN NEIGHBORS SIGNATURE

NAME	ADDRESS	CITY	PHONE #	IN HOUSEHOLD	IN NEIGHBORS	SIGNATURE
Alvin Williams	4354 Milk Avenue Pl	Amakola	873-9604	5	3	Alvin Williams
Randy Silverman	61358 Malinae Road Pl	Amakola	823-9604	5	3	Randy Silverman
PENNIS T FEATHERS SR	PO BX 31079	Amakola	651-9221	5		PENNIS T FEATHERS SR
Kurt Johnson	PO BX 31079	LIHUE	689-4130	2		Kurt Johnson
Jerry Johnson	PO BX 31079	LIHUE	689-4131	2		Jerry Johnson
Devin D. Hys	P.O. Box 724	Amakola		2	3	Devin D. Hys
Earl Debb	4430 Klaw St	LIHUE		3		Earl Debb
Mark White	4319 Hakuaia	Amakola	645-7724	2		Mark White
FEA SPURS	4016 POUKEN ST	LIHUE	651-4355	5		FEA SPURS
Devi. Hous	PO Box 43	Lihue	652-8218	2		Devi. Hous
Wesley M Pagan	7202 AINA ROAD ST	Kapa	659-0040	2	3	Wesley M Pagan
Eugene Jimenez	4457 Piina'i Pl	Koloa	742-9125	2		Eugene Jimenez
RASHIDA BENNIS	PO BOX 662236	LIHUE	652-4924	1		RASHIDA BENNIS
VALLA VERASOO	3303 ELING ST LIHUE	LIHUE	694-2985	8		VALLA VERASOO
Jesse, Buegero	4402 KOLA ST	Lihue	846.0783	2		Jesse, Buegero
Franklin Gardner	3224 Palai St. LIHUE	L IHUE	246-2081	8		Franklin Gardner

TOTAL # OF REGISTERED VOTERS:

February 20, 2009

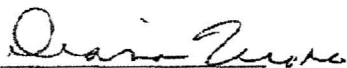
Attn: Representative Jon Karamatsu/Chairperson

RE:Bill #1513

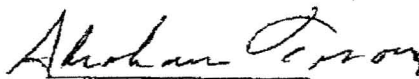
We are against said Bill due to the following reasons:

- 1) It is a need to practice our CULTURE which has been in our family tradition for 50 years.
- 2) It is a need to supplement our income.
- 3) It is a need for food (eggs, chicken).
- 4) It is a need for hobbies (feathers).
- 5) It is a need for fertilizer (droppings).
- 6) It is a need for our livelihood and survival.

We are both registered voters.



Diana Tesoro
P. O. Box 1238
Haleiwa, Hawaii 96712



Abraham Tesoro
P. O. Box 1238
Haleiwa, Hawaii 96712

I OPPOSE HOUSE BILL 1513

Hi! My name is Russell Garcia. I am a registered voter and I'm writing to oppose House Bill 1513. This bill affects me, my feedstore business (Harvey & Sons Feed Store, Inc.) and the whole family. In my business, I sell 80% gamecock mixes because horses, cattles, sheeps, goats & donkeys can all eat grass. You don't need to buy grass, its all out in their pastures. With pigs, most companies buy direct from the mills because feed consumption is a lot. Dogs & cats food, all the stores sell it like Star Market, Ace Hardware, Walmart, K-Mart, Longs, Costco & etc. The chicken business have kept my store open all these years. If for any reason this bill is passed or any other bill that makes cockfighting a felony, thousands of people will stop raising chicken. Fighting chicken has been here from the old Hawaiian days. It has been a culture for many ethnic groups which makes Hawaii what it is today. I have so many people, customers or not, calling or coming in person applying for a job. It sickens me to see all the people without a job. I do not want to be one of them because of animal activist. This senate bill will devastate my family, my workers, myself & my devoted customers. I've been in business since November of 1995 and I myself raise & sell roosters. I also organize the Hawaii Gamefowl Breeders Association Show on the island of Kawaii with the help of my family & many friends. I am proud & not ashamed of what I do as advocate of cockfighters. It is the way I was raised, my father was raised, my grandfather was raised & my great grandfather was raised. All of us has a strong Christian upbringing and our passion is Christ first, family second, work third & fourth is chicken. If House Bill 1513 is passed, how will I vote if I get caught. I will be a felon and a felon can't vote. I know many people like myself who helped politicians with

monetary donations, holding signs and waiving every few years. I hope in my heart that you all will oppose House Bill 1513.

ALOHA & GOD BLESS.

Feed Store owners:

Harvey, Nelson, Leroy & Russell Garcia

Let's worry about people who are losing their jobs daily!

Russell Garcia

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org

MUFI HANNEMANN
MAYOR



BOISSE P. CORREA
CHIEF

PAUL D. PUTZULU
KARL A. GODSEY
DEPUTY CHIEFS

OUR REFERENCE LK-TA

February 20, 2009

The Honorable Jon Riki Karamatsu, Chair
and Members
Committee on Judiciary
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Karamatsu and Members:

Subject: House Bill No. 1513, Relating to Offenses Against Public Order

I am Louis Kealoha, captain of the Narcotics/Vice Division of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department strongly supports House Bill No. 1513, Relating to Offenses Against Public Order.

In 1983, the City and County of Honolulu enacted an ordinance prohibiting the possession of gaffs or slashers that are commonly used in cockfighting. However, the other counties in this state still do not have any laws specific to the possession of gaffs or slashers. They currently arrest individuals in possession of gaffs or slashers under "possession of a gambling device."

Passage of this bill will bring continuity to the charging criteria regarding gaffs or slashers. It will also assist law enforcement by streamlining the identification of repeat offenders.

In Hawaii, it is not illegal to attend a cockfighting event, and it is not illegal to possess a fighting bird. According to the Humane Society of the United States, Hawaii ranks 46 out of 50 in the nation regarding cockfighting laws.

The Honorable Jon Riki Karamatsu, Chair
and Members
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In 2007, the federal government enacted an animal fighting prohibition law that makes it a felony to illegally sell, purchase, or transport any knives, gaffs, or sharp objects between states that are designed and intended to be attached to the leg of a bird for use in an animal fighting venture. Passage of this bill will ensure consistency in the regulation of gaffs and slashers in the four counties.

Lastly, the proposed penalties include animal cruelty education or a prevention program. We support this as a means to prevent future violations.

The Honolulu Police Department urges you to support House Bill No. 1513, Relating to Offenses Against Public Order.

Thank you for the opportunity to testify.

Sincerely,


LOUIS KEALOHA, Captain
Narcotics/Vice Division

APPROVED:

for: 
BOISSE P. CORREA
Chief of Police

Mr. Chairman & members of the JUD committee.

My name is Jose Royos and I'm here to testify against this no good bill #1513. This bill is no good because it's affecting our culture. We're not asking something extravagant, all we want is for the Legislature to preserve our culture because this is our culture no matter how you look at it, it still our culture. Like the saying goes "No matter how you cut a baloney, it's still a baloney".

I am a veteran like most of us, putting our lives on the line for freedom and if I have to do it, I'll do it all over again. To me, freedom means protecting our constitutional right which is to life, liberty and the pursuit of happiness for all of us.

This bill deprives us of our culture which us veteran fought for. If you remember the preamble of the United States, which the first line stated, "We the people of the United States in order to form a more perfect union, establish justice". Before introducing this no good bill, we have justice, but reading this bill it re-establish injustice and this is the truth. Just imagine being fine for practicing our culture. That is an insult & a slap on the face. This culture has been in this state before anyone of us was born. All this time we've been harassed by the law for practicing our culture. Some Lawmen is a strong believer of culture. They even say they're sorry for breaking up our cultural gathering. Some told us that their families is affiliated with this culture way back in the good old days, and they still doing it now.

Going back of being fine for practicing our culture on this no good bill SEC. 1 chapter 711 is just like saying that I'm a citizen of the US and if I hold sign or vote for any politician I'm supporting I'm going to be penalized or pay a fine & do community service in doing so. So, do we get the message are we on the same page.

So in closing I'll share a quotation to each of you as a leader of our 50th state.

NO MATTER WHERE THEY MAY LIVE THROUGHOUT THIS CIVILIZED WORLD, PEOPLE ARE HUMAN BEINGS WITH THE EMOTION, THE LONGING AND THE STRIVING TO ENJOY FOR THEMSELVES AND TO HELP OTHERS ENJOYS THE PLEASURES AND JUST SATISFACTION OF LIFE.

All in all I look at this bill and it's really a cultural and racial discrimination. Think it over. I hope this is not a done deal passing this no good bill.

Once again I'm opposing Bill 1513 and I approved this testimony. God Bless

Aloha Representatives,

I Strongly Oppose HB 1513 and any other bills that would come before you that would prohibit the **Ancient, Traditional and Cultural Heritage** practices of Hawaii. These are similar types of bills which has been introduced and proposed by this same nonprofit groups in the pass years, you as our representatives should know that they are in **violation** of the Hawaii nonprofit tax exempt laws in which **proposing or lobbying** of any **State Laws** against the people of Hawaii is prohibited, and these groups should lose their Hawaii nonprofit tax exempt status. These groups are paid with our tax dollars for animal control only, and not to be used for lobbying their animal rights agendas

I request an investigation into this matter by the Attorney Generals Office at once and remove all bills which has been proposed and lobbied for by all the Humane Societies of Hawaii. They are not above the **Law**. These nonprofit groups are the **Hypocrites**, they kill without need thousands of pet dogs and cats yearly in Hawaii, that is in violation our Hawaii Animal Cruelty law. Kill without need.

I'm sending a Resolution from Maui County that was certified and adopted 37 years ago that stated:

**Requesting the Recognition, Preservation
and Acceptance of Cockfighting in the
State of Hawaii as a Cultural Heritage.**

Mahalo
Ke Akua
Alton De Gama

