



Office of the Public Defender State of Hawaii



Timothy Ho, Chief Deputy Public Defender

Testimony of the Office of the Public Defender,

State of Hawaii to the Senate Committee on Judiciary and Government Operations

February 13, 2009, 9:30 a.m.

RE: S.B. 1188: Relating To Animals

Chair Taniguchi and Members of the Committee:

This measure would amend section 711-1109 by adding a new section which will prohibit the tethering, fastening, chaining, tying or otherwise restraining of any dog or cat. The Office of the Public Defender opposes S.B. 1188.

A pet owner may have legitimate reasons to tether or chain their pets in a safe and humane manner. Many homeowners, particularly those who live on the neighbor islands, do not have yards that enclosed by fences or other such structures. Some dogs are able to jump over the fences or walls that enclose their homes. If these animals are not chained or tethered, they will be free to roam the streets, creating a potentially dangerous situation. Recently, there have been cases reported in the news media about people being bitten by dogs that had somehow been able to free themselves from their enclosures. A homeowner may have to resort to tethering his or her dog in order to prevent it from harming other people or animals. A homeowner may need to restrain their dog for the duration of repair work that is being done on their home. The duration of repair work to a home in many cases exceeds three hours.

We oppose S.B. 1188. Thank you for the opportunity to comment on this bill.

From: Joel Fischer [jfischer@hawaii.edu]
Sent: Wednesday, February 11, 2009 1:08 PM
To: JGO Testimony
Subject: SB1188;JGO;2/13/09;9:30AM;Rm016

Importance: High

SB1188, Relating to Animals
JGO; Chair, Sen Taniguchi

PLEASE PASS THIS BILL!

Because this bill is similar in intent to SB488, please forgive me for submitting the same testimony.

Sen Taniguchi and Committee: I am sorry I cannot be at the hearing this morning. I am at home watching my dog who is dying of heart disease.

My dog is a *therapy dog* who goes to hospitals to make unbelievable impacts on peoples' lives. She also is a beloved part of our family.

None of that could have happened had she been a dog left outside tethered to a leash or chain as so many dogs are here in Hawai'i. In fact, I visualize that situation with horror!

Long-term tethering is cruel and unusual punishment for these sensitive and loving creatures. It is damaging to their minds and emotions. It also is damaging to families who are missing out on one of the great joys of life: living with a dog.

I know you will hear and read testimony on this issue documenting how tethering is illegal in other US locations, and how tethering can produce aggressive animals. So there is no need to remind you of those factors. So, my testimony is devoted to making this simple point: Please do what you can to enhance the lives of families and their pets. You will never be sorry.

Thank you.


Aloha, joel

Dr. Joel Fischer, ACSW
President, 19-3, Democratic party

Professor
University of Hawai'i, School of Social Work
Henke Hall
Honolulu, HI 96822

"It is reasonable that everyone who asks justice should DO justice."
Thomas Jefferson

"There comes a time when one must take a position that is neither safe, nor politic, nor popular, but one must



From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 09, 2009 10:39 PM
To: JGO Testimony
Cc: janisnelson@hawaii.rr.com
Subject: Testimony for SB1188 on 2/13/2009 9:30:00 AM

Testimony for JGO 2/13/2009 9:30:00 AM SB1188

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Janis Nelson
Organization: Individual
Address: 660 Milokai Street Kailua, HI
Phone: 808-254-4012
E-mail: janisnelson@hawaii.rr.com
Submitted on: 2/9/2009

Comments:

I would like to have on record my support for this bill. Too many animals have been the victims of their owners negligence. If you love animals, please pass this bill, but most of all, enforce it.

Donna Goldcamp
45 Kai Nani Place
Kailua, HI 96734
February 9, 2009

Sen. Fred Hemmings
RE: SB #1188
(Anti Tethering of Animal Bill)
State of Hawaii Senate
Honolulu, Hawaii

Dear Senator:

I have personally known of a dog which lost the ability to walk and was subsequently so weakened as the result of being tethered by an unfeeling, irresponsible individual that he was euthanized. It was understood that when the dog's owner, a priest friend of ours, had to study in Europe the dog would be in the care of an acquaintance. However, when the owner returned from his studies abroad he learned that the dog had been entrusted to a third party. This man had put the poor dog on such a short leash it resulted in atrophying the dog's legs. When it saw his beloved master it literally attempted to and couldn't walk to him. The middle aged man wept to see his dear dog had been the victim of such neglect. The dog had health effects so severe that he was euthanized. It is an example of the extreme neglect tethering is conducive to promoting. Please help give animal protection agencies the legal means to rescue an animal observed to be inhumanely neglected, as this one was, before it loses it health or life.

Sincerely,

Donna Goldcamp
(Red Cross Therapy dog volunteer at Tripler Army Medical Center for 8 years)

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2009 11:23 AM
To: JGO Testimony
Cc: cathybrigham@hawaii.rr.com
Subject: Testimony for SB1188 on 2/13/2009 9:30:00 AM

Testimony for JGO 2/13/2009 9:30:00 AM SB1188

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Cathy V Brigham
Organization: Individual
Address: 116 Kailuana Loop Kailua, HI 96734
Phone: 8086641594
E-mail: cathybrigham@hawaii.rr.com
Submitted on: 2/10/2009

Comments:

I support the bill this bill. it is sinful to tie animals to chains and ropes or keep them in cages. This is barbaric and inhumane. It causes animals to become aggressive and does not provide the love and respect domestic animals require to exist in our society. It does create an unsafe situation for humans and animals alike.

TESTIMONY OF ROSEMARY T. FAZIO

TWENTY-FIFTH LEGISLATURE, 2009

On the Following Measure:

S.B. NO. 1188, RELATING TO ANIMAL WELFARE.

Before the:

JUDICIARY AND GOVERNMENT OPERATIONS COMMITTEE

Date: Friday, February 13, 2009

Time: 9:30 a.m.

Location: State Capitol, Room 16

Testifier: Rosemary Fazio, 2150 Mauna Place, Honolulu, HI 96813 (rfazio@awlaw.com)

Chair Taniguchi, and members of the Committee.

I am testifying in support of SB1188 which prohibits the unreasonable or unsafe restraint of dogs and cats.

From: WinSheltie [winsheltie@aol.com]
Sent: Wednesday, February 11, 2009 11:59 AM
To: JGO Testimony
Subject: SB1188

While I support the intent of this bill, you still open up a whole can of worms as with SB488. Animals will flood Humane groups or be turned loose on the public when people can not afford to put up fencing or other holding facility.

S. Keleher

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2009 10:05 PM
To: JGO Testimony
Cc: DogsOnly@hawaii.rr.com
Subject: Testimony for SB1188 on 2/13/2009 9:30:00 AM

Testimony for JGO 2/13/2009 9:30:00 AM SB1188

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Denise A. Okuhara
Organization: DOGS ONLY!
Address: 1102 Prospect Place Honolulu, Hawaii
Phone: 808-538-3647
E-mail: DogsOnly@hawaii.rr.com
Submitted on: 2/10/2009

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 12, 2009 7:58 AM
To: JGO Testimony
Cc: kailuaangel@gmail.com
Subject: Testimony for SB1188 on 2/13/2009 9:30:00 AM

Testimony for JGO 2/13/2009 9:30:00 AM SB1188

Conference room: 016
Testifier position: support
Testifier will be present: Yes
Submitted by: Ginger Westerman
Organization: Individual
Address: P.O. Box 44 Kailua, HI
Phone: 8083866544
E-mail: kailuaangel@gmail.com
Submitted on: 2/12/2009

Comments:

From: Jennifer Chiwa [jenniferchiwa@oha.org]
Sent: Thursday, February 12, 2009 8:19 AM
To: JGO Testimony
Subject: TESTIMONY IN SUPPORT OF SB 1188

LEGISLATIVE TESTIMONY

SB 1188 RELATING TO ANIMALS

SENATE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

February 13, 2009
Conference Room 016

9:30 a.m.

Aloha, Chairperson Taniguchi, Vice Chairperson Takamine and Committee Members. I am Jennifer Chiwa. I strongly support Senate Bill 1188.

I agree with everything that is stated in section 1 of this bill. It is cruel to restrain sentient creatures for more than a few hours. Furthermore, restraint of animals for prolonged periods of time increases frustration for these animals and often causes them to be more aggressive. The incidents where restrained animals have bitten humans are directly related to the condition of continual restraint. I strongly feel that the intent of this bill - to improve public safety and animal welfare by restricting the practice of tethering – would be realized by its passage.

I urge Committee Members to do what is right and respond favorably to this bill. Hawaii will be a better place to live for both humans and animals with the passage of this bill.

Mahalo for the opportunity to testify.

Jennifer Chiwa

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 12, 2009 1:56 PM
To: JGO Testimony
Cc: punahoupoidog@hawaii.rr.com
Subject: Testimony for SB1188 on 2/13/2009 9:30:00 AM

Testimony for JGO 2/13/2009 9:30:00 AM SB1188

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: peggy fern
Organization: Individual
Address:
Phone:
E-mail: punahoupoidog@hawaii.rr.com
Submitted on: 2/12/2009

Comments: