

**From:** Kawehi Yim [kyim@hawaiianhumane.org]  
**Sent:** Thursday, February 12, 2009 5:32 PM  
**To:** JGO Testimony  
**Subject:** SB1222 -- RELATING TO THE HUMANE TREATMENT OF PET ANIMALS  
**Attachments:** att62e6c.jpg



HAWAIIAN  
HUMANE  
SOCIETY

Senator Brian T. Taniguchi, Chair  
Committee on Judiciary and Government Operations  
February 13, 2009, 9:30 a.m.

**SUBJECT:** SB1222 -- Relating to the Humane Treatment of Pet Animals  
**POSITION:** OPPOSE.

The Hawaiian Humane Society OPPOSES SB1222.

The definition of public property is very vague so an assumption would be that the definition of public property is any property owned by the Federal, State or County governments. As a result, the unintended consequences of this legislation would make any dog or cat held in a cage on public property illegal, such as:

- K-9 dogs kept at HPD holding facility;
- the State Quarantine Facility at Halawa;
- Dept. of Agriculture dogs held at the airport ;
- the Hawaiian, Maui and Kona Humane Societies ;
- the homeless population who live on county/state beaches and parks;
- companion animals kept in carriers where their owners live in public housing developments, such as the Department of Hawaiian Home Lands and the various public housing complexes located throughout the State;
- any pet-friendly emergency shelter during a natural and/or manmade disaster since most shelters are located at state or county facilities; and
- Any county and/or state agency involved in actively trapping animals for removal .

As stated in this bill, the language pertaining to public property would make all of these illegal.

Another concern that is shared by all the Hawaii humane societies is the enforcement of this bill. As stated in Section (2) this bill would allow for any society or organization that claims to be a "duly incorporated humane society" or organization formed for the prevention of cruelty" to enforce laws . Clearly, this is giving enforcement authority to organizations that do not have this authority -- this basically allows for an individual or group of individuals to come forward, identify themselves as an SPCA and basically take a pet animal that they feel is being inhumanely treated.

Of concern to us, and one that is at the basis of all laws throughout our country, are the basics of constitutional law and due process. The confiscation of animals goes against the basic tenets of constitutional law. Pets are considered to be private property and as such the taking or private property is illegal.

There are current laws in place which addresses issues as they relate to animals being kept in inhumane confinements, such as the animal cruelty law, where the basics of "necessary sustenance" are clearly and distinctly defined. We ask the Judiciary Committee to review this bill and clearly ask themselves is this a bill that 1) makes sense; 2) if enforced, what the ramifications may be; and 3) is this really an issue that should be addressed through legislation?

Sincerely,

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

Phone: 808.356.2212

E-Mail: [kyim@hawaiianhumane.org](mailto: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](http://www.hawaiianhumane.org)



Mailing Address  
46-304 Kahuhipa St.  
Kaneohe, HI 96744

Phone: (808) 542-9257

TO: Senator Brian Taniguchi, Chair of Judiciary and Government Operations  
Committee

WHERE: Conference Room 016

HEARING DATE & TIME: February 13, 2009, 9:30 a.m.

FROM: Christy Deutsch

**LATE**

I am writing this letter to express my support of SB 1222- Relating to the Humane Treatment of Pet Animals.

For approximately 8 years, I have witnessed a homeless woman in Honolulu keeping many cats and other animals in small cages and traps in very cruel conditions. The first complaint I made to the Hawaiian Humane Society was about 8 years ago. It was the first time I saw this woman, and she had around 8 cats crammed in 3 small carriers in her shopping cart. The cats were clearly distressed from being in the sun and were panting and lying on their sides with their eyes closed. They did not have any water and looked as if they were going to die. I called the Hawaiian Humane Society to inform them of the situation. A couple of weeks later, I saw the same homeless lady with the same cats! I called the Humane Society to find out what had happened and they told me the law did not allow them to remove the cats from her. I assumed they would have been removed because the cats were being treated so cruelly, but I was wrong.

This situation has gone on for too long, and I have heard many complaints from concerned citizens about her. As more and more attention has been called to this one particular person- it's important to note that this is an issue that is going on in other areas of Hawaii as well. People should not be able to keep animals caged up on public property... period.

It's not fair for Hawaii citizens and tourists to have to witness the unsanitary and cruel conditions these animals are subjected to, while the Hawaiian Humane Society claims there is nothing they can do because of the way the law is written.

While I firmly believe this bill must be passed, there is one area of the bill which I do not support, and that is changing the number from 20 dogs and cats to 10 in order to constitute hoarding. There are many individual animal rescuers who would be adversely affected by this change. There's a lot of caring people in Hawaii who take excellent care of their animals, and the numbers often go beyond 10.

Again, I humbly ask for your support and passing of SB 1222.

Sincerely,  
Christy Deutsch  
Compassion for Animals

*An act of compassion, no matter how small, is never wasted.*

**LATE**

# **PLEASE PASS THIS BILL!**

**SB 1222**  
**(AMENDS ANIMAL HOARDING BILL)**  
Friday, February 13, 2009, 9:30 a.m.  
State Capitol, Rm. 016

**COMMITTEE ON JUDICIARY & GOVERNMENT OPERATIONS**  
**Sen. Brian Taniguchi, Chair**  
**Sen. Dwight Takamine, Vice Chair**

Dear Senators:

I **SUPPORT SB1222**, which prohibits the tethering/confinement of animals on public property for long periods of time and also calls for some amendments to some current animal hoarding laws in Hawaii. A recent documentary airing on OIlelo and produced by *Animal Advocate Inc.* about animal hoarding by the "**Cat Lady of Hawaii**" is very sad and makes it questionable why there are no clearer laws in place to prevent such an obvious case of **mental instability coupling with animal possession and abuse** from happening in the first place. This documentary can be seen here:  
<http://www.animaladvocateinc.org/HHSfailure.htm>.

And as in many cases of hoarding, it is doubly tragic for the animals involved. **After spending their lives in cramped, filthy cages as somebody else's "collection", they get "rescued" by humane societies only to be euthanized/put down as most shelters are already overflowing with unwanted and unsocialized pets.** This is a tragedy that should have been amended many times over by not just animal hoarding laws but also with others in conjunction.

**It is important that the laws protecting our most defenseless members of society reflect logic and moderation, be proactive instead of reactive.** A case like the "Cat Lady of Hawaii" should never have happened in the first place... but for it to continue on unchecked is worse. Please pass **SB1222**.

Thank you,

**Anjie Pham**

Committee on Judiciary and Government Operations  
Feb 13, 9:30 a.m., Room 016

In Support of SB 1222

Dear Chair Taniguchi and Members of the Committee:

The "Cat Lady of Honolulu" has been hoarding and breeding cats on public property for over 10 years. The Hawaiian Humane Society and the Hawaii State Department of Health have failed to put a stop to this disturbing situation. Your help is needed!

Continuously confining pet animals in small, crowded cages on the side of public streets and within sidewalk areas is not only inhumane to the animals, but also poses a public health threat to citizens.

I have been a zookeeper for 16 years, and am knowledgeable in the care of caged animals and zoonotic diseases. The minimum sanitation need of multiple caged animals is running water so that cross contamination between sick and healthy animals is minimized. Hand washing and the use of disinfectants play an important role in keeping a population of animals healthy.

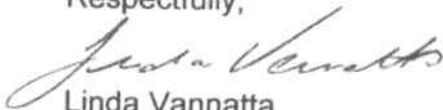
The Hawaiian Humane Society says that an Animal Control Officer inspects the caged cats once a week, and encourages the "Cat Lady" to give up any animals to him that are in distress.

Animal hoarders will quickly fill up any space that becomes available. This is especially true in this situation because the "Cat Lady" believes God wants her to breed cats.

Although, this bill is targeted at one specific individual please take into consideration that hundreds, possibly thousands, of compassionate citizens have been negatively affected by this situation over the years.

I am not opposed to people who live on public property having a companion animal or two. I am opposed, however, to people who confine animals in small cages on public property for the purpose of collecting and breeding them.

Respectfully,



Linda Vannatta  
5568 Haleola St  
Honolulu, Hawaii 96821

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**From:** scott davis [scottdavis1983@hotmail.com]  
**Sent:** Thursday, February 19, 2009 10:26 PM  
**To:** JGO Testimony  
**Subject:** SB1222 Testimony (second attempt to send)

**LATE**

**\*\* (THIS IS MY SECOND SUBMITTAL OF THIS WRITTEN TESTIMONY REGARDING SB1222. THE FIRST SUBMITTAL WAS ON-TIME, BUT WAS APPARENTLY NOT RECEIVED Feb. 9, 2009).**

**TO:** Senator Brian Taniguchi, Chair of Judiciary and Government Operations Committee

**FROM:** Scott Davis, Animal Advocate Inc. member

My name is Scott Davis, a member of Animal Advocate, Inc. I am writing this letter in support of SB1222, which will be heard in front of the Judiciary and Government Operations Committee this Friday, February 13, 2009, at 9:30 a.m.

I support this bill because it will help prevent the miserable living conditions of animals hoarded by the "cat lady." It will allow the animals (cats, chickens, rabbits, and maybe more) to be free from living in their own urine and waste with as many as 19 other animals living in adjacent cages, traps or carts. It will give explicit permission for the Hawaiian Humane Society, which has received complaints for many years about this issue and refuses to confiscate the animals, to take direct action.

We must strengthen the animal cruelty law so these animals can be helped. Instead of allowing them to be hoarded, confined and bred under the watch of a homeless person, the animals should be humanely spayed and neutered to prevent overpopulation. This would be possible for the Humane Society to do if this stronger, more clear law is approved.

I would also like to add that I participated in the making of Animal Advocate Inc.'s documentary, "The Failure of the Hawaiian Humane Society," which premiered on 'Olelo last Thursday, February 5, 2009. This law is the only way that inhumane public confinement of animals can be stopped on O'ahu. It will be a call to the Humane Society to do its job to prevent animal cruelty and will benefit the local community holistically. For the aforementioned reasons, I ask that you please vote in favor of SB1222 this Friday, February 13, 2009. Mahalo.

Sincerely,  
Scott K. Davis

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