



The Judiciary, State of Hawaii

Testimony to the Senate Committee on Judiciary and Government Operations

The Honorable Brian T. Taniguchi, Chair
The Honorable Dwight Y. Takamine, Vice Chair
Thursday, April 2, 2009, 10:00 a.m.
State Capitol, Conference Room 016

by
Elizabeth Kent
Director
Center for Alternative Dispute Resolution

WRITTEN TESTIMONY

Bill No. and Title: Senate Concurrent Resolution No. 165 / Senate Resolution No. 114, Requesting the Governor to Establish a Task Force on Humane Restraint and Confinement of Pet Animals.

Purpose: Requests the Governor to establish a task force on humane restraint and confinement of pet animals.

Judiciary's Position:

Senate Concurrent Resolution 165 / Senate Resolution 114 requests that the Judiciary's Center for Alternative Dispute Resolution (Center) provide administrative assistance (facilitation services) to the task force (see page four, lines 24 through 26). The Judiciary notes that naming the Center in the resolution restrains options for such services that may be provided by other entities. Additionally, due to budget reductions, the Center was unable to fill a position that would normally be staffed by a facilitator. This has resulted in a drastic reduction in the Center's ability to provide facilitation services, which has necessitated a current hold on accepting new requests for direct services.

Thank you for the opportunity to testify on this measure.



**THE HUMANE SOCIETY
OF THE UNITED STATES**

**Senate Committee on Judiciary and Government Operations
Honorable Chair Brian Taniguchi, Vice-Chair Dwight Takamine
April 2, 2009, 10:00am, Rm 016**

**Submitted by: Inga Gibson, Hawaii State Director
The Humane Society of the United States**

**In support of SCR 165/SR 114; Requesting the Governor to establish a task force on
humane confinement and restraint of pet animals.**

Dear Honorable Chair Taniguchi, Vice-Chair Takamine and Committee Members:

On behalf of our 47,704 members and supporters of the Humane Society of the United States in Hawaii, thank you for the opportunity to speak in favor of SCR 165/SR 114; Requesting the Governor establish a task force on humane confinement and restraint of pet animals.

A number of animal protection bills that were introduced this session brought to light the critical need to develop comprehensive pet-keeping standards, including a discussion of existing anti-cruelty laws that are either practically unenforceable as written or not being adequately enforced.

After an exhaustive attempt to propose more comprehensive, nationally-practiced, anti-chaining and confinement standards this session, enforcement concerns due to resource constraints, interpretations and applicability of existing laws and enforcement policies and protocols remain factors requiring further discussion.

Currently, thousands of animals live in the "grey area" of our state's anti-cruelty laws-- walking the fine line between neglect and *legally* acceptable treatment, therefore, we also remain hopeful that your Committee will continue to consider SB 1222 SD 1, which could immediately address some of the most basic, cruel confinement methods and potentially relieve the suffering of thousands of dogs in Hawaii who live their lives on the end of a chain.

We are pleased to be listed as a task force participant and support the convening of a task force to include discussing ways to provide animal care and control agencies with the necessary tools to better protect Hawaii's animals.

We respectfully request your passage of SCR 165/SR114 so that discussion may begin on future, more comprehensive pet restraint and confinement standards for consideration in the 2010 session.

Please contact me at 808-922-9910 or igibson@humanesociety.org for further information.

From: Kawehi Yim [kyim@hawaiianhumane.org]
Sent: Thursday, April 02, 2009 7:27 AM
To: JGO Testimony
Subject: SCR165

COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

April 2, 2009, 10:00 a.m.

SCR 165

REQUESTING THE GOVERNOR TO ESTABLISH A TASK FORCE ON HUMANE RESTRAINT AND CONFINEMENT OF PET ANIMALS

Kawehi Yim
Community Relations Director
HAWAIIAN HUMANE SOCIETY

POSITION: Support SCR165

Good Morning Senator Taniguchi and Members of the Committee,

The Hawaiian Humane Society strongly supports SCR165, requesting the Governor to establish a task force to discuss the humane restraint and confinement of pet animals.

The issue of pet confinement, whether you are talking about anti-tethering or confinement of pet animals in cages or carriers, is a truly complex issue and one that deserves full attention at the statewide level. The Hawaii humane societies, comprised of the Hawaiian, Kauai, Maui and Hawaii Island, are committed to developing standards and language that can address the needs of the community. However, in order to address these needs, these needs must be identified which can only be done through a team of representatives from all Hawaii counties, including representatives of the enforcement agencies and interested stakeholders.

Only then, can we truly develop and implement legislation that will meet the needs of the community and at the same time address the unique differences inherent within each community, which will ultimately improve the welfare of the animals for which this legislation was designed to assist.

We support SCR165 and ask that the Committee on Judiciary and Government Relations give SCR165 their full support.

Respectfully submitted,

Kawehi Yim
Community Relations Director

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

From: Ginger Towle [towle@hawaiiintel.net]
Sent: Wednesday, April 01, 2009 7:29 PM
To: JGO Testimony
Subject: JGO Comm., 4-2-09. 10:00 A.M., Rm.016, SCR165,SR114

I support the proposal to ask the Governor to establish a task force on appropriate humane restraints and confinement of pet animals. This is an extremely critical issue and the big island has a severe need for more strict guidelines so that owners will understand that humane treatment of their pets is mandatory!

Such a study and appropriate legislation is long overdue. If mainland communities can effect these changes we can also!!

As president and manager of West Hawaii Humane Society I have over 30 years experience in animal welfare.

This includes wearing a badge and working out in the community with my officers and doing education programs.

West Hawaii Humane Society Executive Director Madelyn Barrea,

also has 18 experience, with training and certification by the National Animal Control Association and law enforcement training

with Honolulu Prosecuting Attorney Peter Carlisle. She also served as an Animal Control Officer and Shelter Manager.

She had prior experience working for 6 veterinarians. She has also taught humane education in the schools.

Having worked closely with the community we truly understand the need for more attention to be focused on this very serious issue.

Madelyn and I will be submitting our names to serve as representatives on this new task force. We feel that the time has come for more representation from the Big Island.

Ginger Towle
President and General Manager
West Hawaii Humane Society
808-329-2051

March 30, 2009

Testimony of Pamela Davis, President
Animal Advocate Inc.
Testimony in SUPPORT
SCR165 and SR114
Pet Animals, Task Force

Senate Judiciary and Government Operations Committee April 2, 2009 10:00 a.m., Conference Room 16

Dear Senator Taniguchi and Members, Senate JGO Committee:

We hope that you will pass SCR165 and SR114. Unfortunately, we are unable to attend the hearing on April 2, 2009, but we would like to thank the JGO Committee, and we look forward to working with the Task Force to achieve legislation that will result in the confiscation of any and all animals kept in cruel confinement, in violation of the animal cruelty law of the State of Hawaii.

It has come to our attention that Pamela Burns of the HHS has shared critical information regarding the number of animals confiscated, the number of citizen complaints, etc. to reporter Ian Lind. Mr. Lind posted a portion of a letter from Ms. Burns providing him with that information on his website. Animal Advocate Inc. requested this information under the provisions of the UIPA, but Ms. Burns denied our request stating that there was an "ongoing investigation." However, she freely shared the information with Mr. Lind. Considering that there was pending legislation (i.e., SB1222), and now a contemplated Task Force, we believe it would be expedient for the JGO Committee to request that Ms. Burns provide the information to all Task Force members, of which we (Animal Advocate Inc.) are a member. We hope that you will agree.

We note that the text of the Resolutions states that every year, citizens come to the Legislature with proposed bills to address animal cruelty. Our bill, SB1222 ("Humane Treatment of Pet Animals"), was designed to address the activities of a woman who has been cruelly confining cats and other animals for over 10 years, with the full knowledge of the Hawaiian Humane Society (HHS). Our question is this: if the Legislature recognizes that each year, citizens come to the Legislature with proposals to clarify the law, why don't we address the REAL source of the problem -- the failure of the HHS to take action under our existing animal cruelty law, Section 711-1109, HRS. What good is it to have laws if the agency charged with enforcing those laws is unwilling to do so? We wonder, if new legislation is enacted, will they enforce that? This is an issue that is of great concern to us.

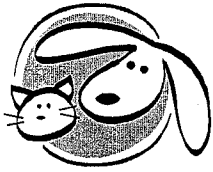
Please visit our website for additional information regarding the actions of the HHS, the unrestricted breeding of feral kittens with the full knowledge and consent of the HHS, and other issues:

<http://www.animaladvocateinc.org/CatLady.htm>

Again, we look forward to working with the Task Force, and we thank the JGO Committee for your thoughtful consideration of the issue of animal cruelty.

Sincerely,

Pamela Davis, President
Animal Advocate Inc.
Honolulu
(808) 779-8713
liberate@hawaii.rr.com



Oahu Society for the Prevention of Cruelty to Animals

helping animals find their forever homes.

**Testimony to the Senate Judiciary and Government Operations
Thursday, April 2, 10:00 am - Room 016**

In Support of SCR 165 with Amendments

**by Alicia Maluafiti, President
Oahu Society for the Prevention of Cruelty to Animals**

Aloha Chair Taniguchi, Vice Chair Taniguchi, and members of the committee,

The Oahu Society for the Prevention of Cruelty to Animals (OSPCA) is in support of SCR 165 and offers some amendments to strengthen the resolution.

As the resolution states, a number of caring, compassionate animal welfare groups and volunteers came forward asking the legislature to help create a more humane society for our pets through a variety of vehicles. And unfortunately -despite the many attempts, consensus was difficult.

But to truly embrace and recognize the many voices that share a commitment to animal welfare, this resolution needs to be amended to include other representatives from the animal welfare community besides the designated animal control contractors from each island. I ask that you include the following organizations as members of the task force:

1. The Oahu Society for the Prevention of Cruelty to Animals
2. Hawaii Cat Friends
3. Hawaii Dog Foundation
4. Animal Rights Hawaii

These are progressive organizations that think strategically and collaboratively to achieve their collective missions to ensure the humane treatment of animals. That is our sole motivation. Ghandi said, "the greatness of a nation can be judged by the way its animals are treated." Please honor and respect these voices by allowing us to help craft the solutions to the many challenges in our communities.

Mahalo for the opportunity to testify.

From: Joel Fischer [jfischer@hawaii.edu]
Sent: Monday, March 30, 2009 3:47 PM
To: JGO Testimony
Subject: SCR165;JGO;4/2/09;10AM;Rm016

Importance: High

SCR165, Requesting the Gov
JGO; Chair, Sen Taniguchi

IN STRONG SUPPORT!

I truly hope that this reso or SR114 passes. There is a great need in this state to try to develop a way to address the many, many cases of animal cruelty and neglect that are based on inhumane restraint of pets. Dogs, in particular are confined by chains to live their lives outdoors with no opportunity to demonstrate to their families how wonderful they can be a included as family members. Our pets bring so much joy to those of us who live with them indoors.

Actually, I am very disappointed that bills that were submitted this year have not passed. Developing a commission may be the surest way to kill an idea. Still, this reso is better than no action whatsoever, so I support it as strongly as I can.

Thank you for your support.

Aloha, joel

Dr. Joel Fischer, ACSW
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 take it because one's conscience tells one that it is right."
Dr. Martin Luther King, Jr.

"Never, never, never quit."
Winston Churchill

From: Rosemary Karlsson [rosemarykarlsson@gmail.com]
Sent: Wednesday, April 01, 2009 7:37 PM
To: JGO Testimony
Subject: SB165 and 114

Please SUPPORT these bills. I see dozens of chained and kenneled dogs every day. From my 10 years experience in obedience training, I know dogs should not be kept in 'solitary confinement'.

Rosemary Karlsson
PO Box 492266
Keaau, HI 96749

From: Linda Vannatta [linda.vannatta@yahoo.com]
Sent: Thursday, April 02, 2009 6:52 AM
To: JGO Testimony
Subject: In support of SCR 165 and SR 114 Conference Room 016 10:00 AM

Senate Judiciary Committee:
Thursday, April 2, 2009
10:00 AM Conference Room 016

In Strong support of SCR 165 and SR 114

Dear Committee Members:

All across the United States laws are being enacted to prevent needless suffering of animals. These new laws primarily address confinement and restraint issues, something Hawaii sorely needs.

A good example is the Kakaako cat lady. For over 10 years she has confined hundreds of animals in small cages on the sidewalk. It is way past time for the cruel confinement of animals to stop.

Additionally, the cruel tethering of dogs is a huge problem in Hawaii and it needs to be addressed now. There is ample evidence that tethered dogs present more of a threat to the safety of the community than dogs who are fenced or on a trolley system.

Our organization would like to be included in the Animal Confinement/Restraint taskforce. One of our concerns is the housing and care of pig hunting dogs in Hawaii. Some of these hunting dogs are kept in small metal cages secluded deep in the mountains, without oversight regarding space requirement.

Lets show the world our Aloha spirit by treating Hawaii's animals with respect.

Linda Vannatta