

Testimony on SB 2772 SD 2 – Relating to Veterinary Medicine
By (your name and/or affiliation)
House Committee on Consumer Protection & Commerce
Wednesday, March 10, 2:00 p.m., Room 325

Position: Support With Amendments

Aloha Chair Herkes, Vice Chair Wakai, and members of the Committee,

My name is Michelle Lawson and I support SB 2772 SD 2 – Relating to Veterinary Medicine. But I encourage the committee to consider accepting an amendment to the bill to strengthen the criminal penalties for practicing veterinary medicine without a license.

[§471-15] Criminal penalties. Any person convicted of violating section 471-2 shall have committed a [misdemeanor and be subject to a fine not to exceed \$500 or imprisoned not more than six months, or both] Class C Felony.

My first dog as a small child was a rescue from death row at our local humane society she was literally within a couple hours of being put down. I've had a compassionate place in my heart for animals ever since. Within the last two years I have been able to work with several animal agencies/rescues and shelters, here on Oahu. I've been able to work closely with pet owners, vets, animal trainers, and animal care takers. It has become overwhelmingly clear everyone I speak with feels we as a state need stronger animal welfare laws.

I was sad to hear about the Pearl City man (Derek Silva) whom has performed countless “procedures” on so many helpless animals. The fact that he has been doing this for years and continues to do so without thought of the animals well being is disturbing to say the least. I was happy that KITV news did a follow up and pointed out that these are surgeries and are illegal in the state of Hawaii. I only hope now that the punishment he gets will stop him from doing more of this in the future, that others may come to realize how wrong this is and to shed light on the fact that these types of things are happening in our beautiful state. We need to work together to stop this.

Changing the penalty from a petty misdemeanor to a class C felony provides parity with the animal cruelty statute, discourages violators from practicing without a license, and provides our law enforcement officers with another tool to keep our pets – and our communities - safe and healthy. More importantly, violation of this statute will be easier to prosecute than an animal cruelty violation. For instance, in the case of Mr. Silva, ear cropping is not considered animal cruelty. However, it is defined in the statute under the “practice of veterinary medicine” and includes “.....a change of a physical characteristic of an animal for cosmetic or utility purposes.”

I sincerely appreciate your time and respectfully ask you to consider the amendment to the SB 2772 SD 2. Mahalo for the opportunity to testify.

Michelle Lawson

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Testimony on SB 2772 SD 2 – Relating to Veterinary Medicine
By Lizzie Ley, Poi Dogs & Popoki
House Committee on Consumer Protection & Commerce
Wednesday, March 10, 2:00 p.m., Room 325

Position: Support With Amendments

Aloha Chair Herkes, Vice Chair Wakai, and members of the Committee,

My name is Lizzie Ley and I support SB 2772 SD 2 – Relating to Veterinary Medicine; however, I encourage the committee to consider accepting an amendment to the bill to strengthen the criminal penalties for practicing veterinary medicine without a license.

[§471-15] Criminal penalties. Any person convicted of violating section 471-2 shall have committed a [misdemeanor and be subject to a fine not to exceed \$500 or imprisoned not more than six months, or both] Class C Felony.

I grew up in an agricultural area where many people looked upon animals not as pets or companions, but as sustenance, a paycheck, or as a means to complete their daily jobs. However, when there was a need for a surgical procedure (sterilization, tail docking, etc.), the local veterinarian was the one to perform them. There was always respect for the animals as living beings; no one wanted to cause them pain or risk the infection that could come about by an improper job.

Having been involved with animal welfare groups for many years, the recent news of Derek Silva, the Pearl City man who has been accused of performing veterinary procedures and surgeries without a license was horrifying, but unfortunately not out of the ordinary. All too frequently, I have seen animals mangled and disfigured by those who have sought out a small savings by either performing veterinary services themselves or seeking out another unlicensed person to do so for them. In the worst instances, the animals die in pain from the lack of proper care (i.e. infection), while even in the best cases, these animals have had pain inflicted upon them by the hands of humans and many are never able to trust people again.

I personally believe that elevating the current penalty from a petty misdemeanor to a class C felony will discourage violators from continuing to practice without a license and give our animal control contractor and law enforcement agency the means to keep our animals and their owners safe and healthy. With an animal cruelty violation, there is room for so much subjectivity, which oftentimes makes it difficult to convict a person. Accepting this amendment provides the ability to be objective in this area of animal mistreatment and also give violators the punishment that they deserve.

I sincerely appreciate your time and respectfully ask you to consider the amendment to the SB 2772 SD 2. Mahalo for the opportunity to testify.

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House Committee on Consumer Protection & Commerce
Wednesday, March 10, 2:00 p.m., Room 325

Testimony on SB 2772 SD 2 – Relating to Veterinary Medicine
By John D. Dela Rama Jr.

Position: Support With Amendments

Aloha Chair Herkes, Vice Chair Wakai, and members of the Committee,

My name is John D. Dela Rama Jr. I support SB 2772 SD 2 – Relating to Veterinary Medicine.

I ask for your consideration to amend bill to strengthen the criminal penalties for practicing veterinary medicine without a license and increase the penalty from a misdemeanor to a Class C felony.

Aloha,

My name is John D. Dela Rama Jr., and I have a situation I would like to share. On Jan, 2010, as I pulled in to my girlfriends home in Waimanalo, her cousin came running to me saying, he saw a dog on the side of the road badly bleeding. I ran over thinking he got hit by a car and found he was still alive. Screaming and crying in pain, I picked him up and rushed him to the nearest Vet, which was VCA in Kaneohe.

I walked in the vets and they saw the dog bleeding took him from me and rushed him in the back, they questioned me and all I could say was, I found him on the side of the street bleeding and told them I think he got banged. About an half hour later, the doctor came out and said, he did not get hit by a car but someone was trying to neuter him them selves.....I was in shock! I thought what the hell!!!!!! Who would put this animal through so much pain and then leave him to die. The doctor said, who ever did this to him did the surgery wrong and properly without pain medicine therefore, couldn't stop the bleeding. If I got there just a fewer minutes later, he would have died horribly.

As I was driving to the Vets all the way there all he did was cry and cry and cry in pain...if you could only see his eyes and all I could think was he just wanted to die because of the pain he was in, I know I would've want to just die already. So you see, if you never had to go through something like this, you will never know how heart breaking it was seeing him in soooooo much pain, to see such a loving and hopeless dog in that situation was so heart breaking!

Animals have no choice to go through the pain selfish people put them through just to save a buck, however, us humans do, would you go under surgery with no pain killers, I think not, so why allow animals, who by the way feels pain to go through it and if it does wrong, leave them to die.

Well, after a day of surgery, 2 nights in the hospital and after over \$1,200.00, in vet bill, I now call him; "Mika".

I ask and beg you to please consider passing a bill for stricter laws to protect such situation as I had to go through. If you only experienced it you would understand.

From: Chris Alejo [monkeysmakemesmile33@yahoo.com]
Sent: Wednesday, March 10, 2010 10:20 AM
To: CPCtestimony
Subject: Testimony on 2772 SD 2

Tesimont on SB 2772 SD 2- Relating to Veterinary Medicine
By Heidi (Chris) Alejo Veterinary Technician and Hospital Manager of Animal House Veterinary Center.
House Committee on Consumer Protection & Commerce
Wednesday, March 10, 2:00pm., Room 325

Position: Support With Ammendments

Aloha Chair Herkes, Vice Chair Wakai, and members of the Committee,

My name is Heidi Christine Alejo and I support SB 2772 SD 2 - Relating to Veterinary Medicine. But I encourage the comittee to consider accepting an amendment to the bill to strenghten the criminal penalties for practicing veterinary medicine without a license.

[471-15] Criminal Penalties. Any person convicted of violating section 471-1 shall have committed a [misdemeanor and be subject to a fine not to exceed \$500 or imprisoned not more than six months, or both] Class C Felony.

I have been working in the veterinary field as a veterinary technician for over 10 years and have been raised in this profession. My mother has worked as a veterinary technician and my aunt is a veterinarian. I have worked in this field in three different states in the United States (Texas, California, and Hawaii) and plan to remain in Hawaii for the remainder of my career.

I am very motivated to improve the lives of people by providing veterinary care for their pets and am committed to protecting the communities by educating the public regarding responsible pet care and ethical and humane treatment for animals.

It has been proven that people who abuse and mistreat animals are more likely to abuse and mistreat people. I personally feel that a person who is willing to practice veterinary medicine without a license has no regard for patient safety, suffering from lack of pain managment, appropriate anesthesia, monitoring, post operative care or the ability to maintain the standards of a practicing veterinarian medicine and patient care. This general lack of humanity and moral ethics has the potential to affect practicing human medicine as well. Practicing without a licence cannot be tolerated on any level due to the potential risk for future and more extreme violations.

A licensed veterinary technologist with a bachelors degree and 4 to 6 years of formal education is bound by a code of ethics to not perform surgeries or procedures, prescribe medications, or diagnose patients at the risk of losing their license. It hardly adequate that someone with no formal education within veterinary medicine or experience in a veterinary hospital setting to provide these services. If he has instruments and medications and the lack of moral fiber to operate on animals, at what point will he start to experiment his "techniques" on humans as well. It has the potential to begin with suturing a laceration on a friends arm. I consider this a tangible risk and one that cannot be ignored.

The breaking news story by KITV 4 of the Pearl City man accused of practicing veterinary medicine without a licence was horrific, but not shocking to many of us in the animal welfare community. These types of heinous underground activities-acts that many consider to be cruel and inhumane - have been prevelant for years. Unfortunately, these penalties have never been severe enough to stop these people from charging naive pet

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owners reduced fees for performing procedures-from sterilization, ear cropping, and vioce box removal - on animals, all without necessary anesthesia and follow up medications to minimize pain, suffering and infection. And like most victims that find themselves on the losing end of a scam, pet owners utilizing these services are afraid to speak out for fear of retribution against themselves and their pets.

Elevating the penalty from a petty misdemeanor to a class C felony provides parity with the animal cruelty statues, discourages violators from practicing without a license, and provides law enforcement officers with another tool to keep our pets - and our communities - safe and healthy. More importantly, violation of this statue will be easier to prosecute than an animal cruelty violation. For instance, in the case of Mr. Silva, ear cropping is not considered animal cruelty. However, it is defined in the statue under the "practice of veterinary medicine" and includes "..... a change of a physical characteristic of an animal for consmetic or utility purposes."

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Heidi Christine (Chris) Alejo
Hospital Manager
Animal House Veterinary Center

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