

DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

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PROSECUTING ATTORNEY

ARMINA A. CHING  
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**THE HONORABLE GILBERT S.C. KEITH-AGARAN, CHAIR**  
**HOUSE COMMITTEE ON JUDICIARY**  
**Twenty-sixth State Legislature**  
**Regular Session of 2011**  
**State of Hawai'i**

February 1, 2011

**RE: H.B. 243; RELATING TO ANIMAL CRUELTY.**

Chair Keith-Agaran, Vice-Chair Rhoads, and members of the House Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in support of House Bill 243.

The purpose of House Bill 243 is to amend Hawaii Revised Statutes, Section 711-1108.5, to add "killing any pet animal belonging to another person" among the list of acts that constitute cruelty to animals in the first degree. This would also add an exception for the humane killing of any animal by an animal control officer, duly incorporated humane society, duly incorporated society for the prevention of cruelty to animals, or duly authorized governmental agency.

In 2007, the Legislature enacted Section 711-1108.5, based--in part--on research indicating that violence against pet animals has a profound impact on pet owners and their families. Many pet owners form a close emotional bond and/or relationship with their pet animals, and consider their pets to be akin to a family member. Although the current language of Section 711-1108.5 clearly prohibits the torture, mutilation and/or poisoning of a pet animal, it does not expressly address any other methods of killing. For instance, if a pet animal is shot from close-range, stabbed in the heart, or otherwise killed instantly, it is unclear whether the perpetrator's actions would currently qualify under the definition of animal cruelty. This "loophole" must be closed immediately, and this type of behavior strongly discouraged.

For this reason, the Department of the Prosecuting Attorney of the City and County of Honolulu strongly supports House Bill 243. Thank you for the opportunity to testify on this matter.



# HAWAIIAN HUMANE SOCIETY

2700 Waiālae Avenue  
Honolulu, Hawaii 96825  
Telephone: 946-2187  
Fax: 955-6034  
[www.hawaiianhumane.org](http://www.hawaiianhumane.org)

▼  
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■  
*The Hawaiian Humane Society is dedicated to promoting the human-animal bond and the humane treatment of all animals.*  
■

## House Bill 243

To be heard on Thursday, February 3, 2011 at 2:00 p.m.

**This is written testimony, which will be accompanied by oral testimony.**



**HAWAIIAN  
HUMANE  
SOCIETY**

2700 Waiālae Avenue  
Honolulu, Hawaii 96826  
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- Ginny Tiu
- Virginia S. Weinman
- Mary H. Weyand
- Rick Zwern

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February 02, 2011

Rep. Gilbert S.C. Keith-Agaran, Chair  
Rep. Karl Rhoads, Vice Chair  
Committee on Judiciary

SUBJECT: House Bill 243 relating to animal cruelty

Dear Chair Keith-Agaran, Vice Chair Rhoads and Members of the Committee on Judiciary:

We believe that Hawaii's law that prohibits animal cruelty against pets would be strengthened by your support of HB 243.

While the existing law defines circumstances of torture, mutilation and poisoning as illegal, it does not address "killing" of a stolen pet.

We ask consideration for two amendments to the Bill:

- That the exemption of cropping or docking Sec.1 (2)(c) be deleted, as it may interpreted as allowing an unlicensed person to perform a veterinarian surgical procedure.
- We ask that the term "humane killing" Sec.1 (2)(d) be replaced with "humane euthanasia according to AVMA accepted standards." American Veterinarian Medical Association is a national recognized authority on humane euthanasia.

Your support of HB 243 will help strengthen Hawaii's animal protection laws. Thank you for the opportunity to provide testimony in Support of HB 243.

Sincerely Yours,

Keoni Vaughn  
Director of Operations  
Hawaiian Humane Society

Dear Sirs:

I would like to urge you to support the bills before you relating to animal cruelty. Specifically, they are HB 108 and HB 243. I am a member of the Board of Directors of the Maui Humane Society so I have close contact with this important issue. Our current laws are not strong enough for our staff to adequately handle animal cruelty cases and the passage of these laws would help us immensely to deal with this important issue.

So I strongly urge you to support HB 108 and HB 243.

Thank you,  
Coralie Willett  
Member, Board of Directors  
Maui Humane Society  
Home tel: 808-874-0175

HB243, Relating to Animal Cruelty  
JUD; Chair, Rep Keith-Agaran

**IN VERY STRONG SUPPORT!**

Thank you for introducing and hearing this bill. It should be a no-brainer that someone who kills or tries to kill another's pet should be penalized severely. But the fact we don't penalize this awful crime is one of the reasons Hawai'i nei is ranked nationally as the easiest state in which to abuse animals.

For any one whose dog or other pet has been attacked or killed by someone else knows, this is an almost mind-numbing experience of pain, sorrow and often, huge expenses. Of course, no law alone can ever stop all crimes. But this type of crime is easier to stop than, say, burglary, because there are no benefits to the killer, just a perverted pleasure.

Please pass this bill.

Thank you.

Aloha, joel

Dr. Joel Fischer, ACSW  
Professor Ret.  
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

It is better to be "over the hill" than under it.  
Anonymous

Chair Keith-Aragon and committee members.  
Mahalo for scheduling this hearing so quickly in this session.

Mike Moran Kihei, Hi  
Will not attend hearing for HB 243 on Thursday 2/3/11 at 2:00 PM  
SUPPORT

Hawaii consistently ranks in the bottom 10 % of states in our laws to protect animals. Please pass this bill so it may proceed on to the next committee and ultimately improve our legal system to protect animals.  
"A society can be judged by the way it treats it's animals."

Mahalo,  
Mike Moran.

Testimony for JUD 2/3/2011 2:00:00 PM HB243

Conference room: 325

Testifier position: support

Testifier will be present: No

Submitted by: Gail McElrath

Organization: Individual

Address: 98-1738 B Kaahumanu Street HI

Phone: 808 282-0824

E-mail: akele33@aol.com

Submitted on: 1/31/2011

Comments:

I think killing your own pet or another's pet, with OR without consent, should be treated as first degree animal cruelty. Period. No one has the right to kill a pet, unless it is for the humane purpose of ending their suffering through euthanasia.

To the honorable committee chair, vice chair, and members:

I am writing to express my support for HB 243, prohibiting the torture, killing, or attempted killing of an animal. I have lived in various states and never have I seen more concern or publicity given to animal cruelty than here in Hawaii. It leads me to believe that Hawaii is one of the more humane states, at least on the surface. I hope that you pass this bill and continue to build that reputation; your small size in population and area does not need to equal a small heart in matters of animal cruelty. We recently saw President Obama acknowledge Michael Vick's rehabilitation and the second chance Vick was given by the NFL...yet he neglected to thank those who offered a second chance to the surviving, brutally abused animals left from the Bad Newz Kennel. I feel that by passing this bill, you become voices for those animals here who have been abused or killed, and they need that voice. Strengthen your support and advocacy for those who protect animals by giving them more legal authority and passing this bill.

Thank you for your time in reading my email.

Very respectfully,  
Chelsea Murto



Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary Committee members:

I ask that you please support HB 243 as this bill strengthens the animal cruelty law to better encompass circumstances in which someone can be charged for killing or attempt to kill a pet animal.

--

Thanks,  
Chelsea Lee  
2217 Kalihi Street Honolulu, HI 96819

To: The Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and members  
of the House Judiciary Committee  
Date: Thursday, February 3, 2011 at 2:00PM, House Conference Room 325  
Re: In Support of HB 243: Relating to Animal Cruelty

Chair Keith-Agaran, Vice-Chair Rhoades, and Committee Members,

Thank you for the opportunity to submit testimony. My name is Mayumi Levesque and I live in Lower Manoa. I am a graduate student in Social Work at Hawai'i Pacific University. As a long-time supporter of animal-welfare organizations locally, nationally and internationally, I have always been concerned about the ways humans have treated the animals that share our living spaces. Animals, particularly dogs and horses, have served mankind over a millenia in countless numbers of ways, and have asked very little in return. Though my chosen profession is directed toward the well-being of people, that sense of beneficence, compassion, and responsibility has always extended to nonhuman animals. For this reason I am writing in strong support of HB 243.

Strengthening animal cruelty laws, in my mind, is about respect for living things; it is about self-respect and moral dignity; it is about teaching compassion to our keiki; and it is about ensuring we act with a sense of kuleana for all of our neighbors and neighborhoods.

I urge your support of HB 243. Thank you for hearing my comment on this bill.

Mayumi Levesque  
(House District 24, Senate District 10)

Dear Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary Committee members,  
Please support HB 243 as this bill strengthens the animal cruelty law to better encompass circumstances in which someone can be charged for killing or attempt to kill a pet animal.

When I used to live in Hawaii, I was taught about the spirit of Ohana, and this essence of family extends to the animals. In this new year let us all start off on the right foot and bring respect back into our society. This new law is a brick in a new foundation that we can grow strong and tall from. In the spirit of Ohana let us take care of the island and all that she encompasses, please support HB 243.

Thank you for taking the time to read this email.

Vanessa Davis  
124 Breckindale Cr  
Winston Salem, Nc 27104

Aloha Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary Committee members,

I am writing to ask that you please support HB 243. This bill strengthens the animal cruelty law to better encompass circumstances in which someone can be charged for killing or attempt to kill a pet animal.

Sincerely,

Lisa Imai

265 Moomuku Place

Honolulu, HI 96821

Dear Honorable Chair Keith-Agaran, Vice-Chair Rhoades and House Judiciary Committee members,

Hawaii has landed on a list for the best place to live if you want to abuse animals in America. In sharp contrast was the passage of banning shark finning here last year. Superb.

In this spirit we have the opportunity to advance ourselves to the head of the pack this year in regards to animal protection. This would correctly reflect a spirit of Aloha. Please support these bills and future animal protection laws.

Truly animals can not speak for themselves and our greatest honor as human beings is standing up for those that can not defend themselves.

Thank you and aloha,

Selene Mersereau  
119 Kakahiaka St.  
Kailua, HI. 96734  
808782-3110

To: Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary Committee members

Please support HB 243 as this bill strengthens the animal cruelty law to better encompass circumstances in which someone can be charged for killing or attempt to kill a pet animal. Appreciate your kokua!

Mary Okinaka  
411 Hobron Lane #713  
Honolulu, HI 96815

Good Morning Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary Committee members,

I am writing in favor of HB 243 & asking your support to pass this House Bill. As a owner of a shelter dog, I can attest to the amount of love & true dedication that abused animals are capable of. I believe that the cruel treatment of animals is tolerated, far too high in this state & we should approve bills that seek to prosecute those who abuse & redefine what is the proper treatment of animals. Please show your support of this bill & represent those animals who have no voice in our society, yet play such an integral role to our culture & to people as whole.

--  
Nicole L. Maryott  
[Nicole.maryott@gmail.com](mailto:Nicole.maryott@gmail.com)  
319 Iliwahi Loop  
Kailua, HI 96734

Good Morning Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary Committee members,

I am writing in favor of HB 243 & asking your support to pass this House Bill. As a owner of a shelter dog, I can attest to the amount of love & true dedication that abused animals are capable of. I believe that the cruel treatment of animals is tolerated, far too high in this state & we should approve bills that seek to prosecute those who abuse & redefine what is the proper treatment of animals. Please show your support of this bill & represent those animals who have no voice in our society, yet play such an integral role to our culture & to people as whole.

Thank you for your time,

--

Nicole L. Maryott  
[Nicole.maryott@gmail.com](mailto:Nicole.maryott@gmail.com)



House Bill 243 should be passed to help strengthen animal cruelty laws in our state. People should be held responsible for killing or attempting to kill pet animals.

Sharon MacQuoid  
411 Iliaina Street  
Kailua, HI 96734

Please support HB 243. This bill would strengthen the animal cruelty law to better encompass circumstances in which someone can be charged for killing or attempting to kill a pet animal. I have two dogs at home which I consider to be valuable members of my family. I would not want anyone killing them and if someone did, I would want the law to be strong enough to deal with that person severely. Thank you. Stephanie McLaughlin, 95-310 Haakualiki Place, Mililani, Hawaii, 96789, phone (808) 384-4764

*Aloha from ...*

**Stephanie McLaughlin**

*"Be the change you wish to see in the world"*

To Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary Committee members,

I am asking you to please support HB 243, as this bill strengthens the animal cruelty law to better encompass circumstances in which someone can be charged for killing or attempt to kill a pet animal.

After having worked at an emergency pet hospital, I have seen, firsthand, the horrific things people can do to pets. A Pomeranian came in as an emergency one night, bloody and beat up. The owner said her boyfriend punched the dog in the face and slammed her head into a tree trunk until she convulsed. He did this because he was mad at her (the owner). The police were called, and said they were going to speak to the boyfriend. As far as I know, nothing came of it. He was just given a verbal warning. The dog survived, with a broken arm and possible concussion. It took her a long time to learn to trust a human male again. There was another incident where a puppy was brought in, after having been dragged behind a car. The man that did it did so because he was mad at his girlfriend, the owner of the puppy. In this case, the girl did not want to give up the boyfriend's name because she thought nothing could be done, and she feared he would hurt her. The puppy did not survive. Because of our weak laws regarding animal cruelty, these men knew they could get away with it. How can that be right? If they had done that to a human, they could have been charged.

Do any of you own pets? If so, how would you feel if someone did something cruel to your pet, and got away with it? Especially if you were the reason for your pet being hurt or killed?

I urge you to please support HB 243. Thank you for your time and consideration.

Aloha,

Susan Matsui

92-201 Hoonua Place

Ewa Beach, HI 96706

Dear Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary committee members, I am humbly asking you to support the passage of HB 243 Relating to Animal Cruelty. I have been a practicing veterinarian for over 30 years and have spent the last 15 years as the shelter veterinarian for the Maui Humane Society. I have seen first hand the tragic consequences animal abuse cases. Please help us protect those who cannot speak for themselves. Mahalo, Dr. Miyo Miyasaki-Kim D.V.M.

Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary Committee members:

Hello, my name is Corinna Gann. I recently moved to Hawaii to "come back home", to family since serving in the U.S. Air Force until 2009. As the "mom" of 3 wonderful dogs, Bailey a German Shepherd, Lola and Diesel, both Boxers, I have over the past 6 years learned of the blessings animals bring to our lives. I have also become acutely aware of the horrors we humans can sometimes bring into pet's lives. I will never understand how a person could willfully or negligently harm a pet dog, cat, rabbit, snake, mouse, or any other innocent and dependent creature.

As a voting citizen, I eventually realized that raging about every news story involving the cruel treatment of pets is not enough, unless the right people hear me. You are the right people, and I am writing to ask that you please support HB 243 as this bill strengthens the animal cruelty law to better encompass circumstances in which someone can be charged for killing or attempt to kill a pet animal.

Thank you for helping me be the voice for those who can't speak up.

Sincerely,

Corinna Leilani Gann

84-148 Water St.

Waianae, HI 96792

Aloha,

Please support HB 243 as this bill strengthens the animal cruelty law to better encompass circumstances in which someone can be charged for killing or attempt to kill a pet animal. Our pets are a part of our families and it is so important to protect them, as you would your children. Thank you for your consideration of supporting this bill.

Katie Burleson

95-033 Kuahelani Avenue #235

Mililani, HI 96789

Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary Committee members,

Please support HB 243 as this bill strengthens the animal cruelty law to better encompass circumstances in which someone can be charged for killing or attempting to kill a pet animal.

Our pets are vital members of our families and deserve to be protected.

Thank you,

Gail Windle  
158 Kuuhoa Place  
Kailua, HI 96734  
gwindle@hawaii.rr.com

To the Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary Committee members.

I am asking for your support of Bill 243 . Please help to prevent cruelty to our island's animals.

I am also asking for your voice to prohibit the use of dog fighting equipment, placing bets and attending dog fights. I was reading in statistics from the mainland that our State is on the bottom of laws to stop animal fighting. Please support HB 108.

Respectfully submitted:

Ursula Heinz  
47-119 Kam Highway  
Kaneohe HI 96744



I completely support HB 243. Animal cruelty is abominable. And to allow those who perpetrate crimes against animals is UNCONSCIONABLE!.....Please pass the 'Bill'.....

Sincerely,  
Camille McConnell  
860 Halekauwila Street #1711  
Honolulu, Hawaii 96813

February 1st 2011

Dear Honorable Chair Keith-Agaran, Vice-Chair Rhoades,  
and House Judiciary Committee members:

Rep. Tom Brower Rep. Hermina M. Morita  
Rep. Rida T.R. Cabanilla Rep. Blake K. Oshiro  
Rep. Mele Carroll Rep. Joseph M. Souki  
Rep. Robert N. Herkes Rep. Clift Tsuji  
Rep. Ken Ito Rep. George R. Fontaine  
Rep. Sylvia Luke Rep. Barbara C. Marumoto  
Rep. Angus L.K. McKelvey Rep. Cynthia Thielen

*I support the passage of HB-243*

Mahalo,

--

Leigh A. Drewry, CMP  
808-879-8988

--

Leigh A. Drewry, CMP  
808-879-8988

Testimony for JUD 2/3/2011 2:00:00 PM HB243

Conference room: 325

Testifier position: support

Testifier will be present: No

Submitted by: anita wintner

Organization: Individual

Address: kihei Hi

Phone: 808874-8407

E-mail: anitabanana@hawaiiantel.net

Submitted on: 2/1/2011

Comments:

I support this bill 100%. This should have been passed years ago.

Testimony for JUD 2/3/2011 2:00:00 PM HB243

Conference room: 325

Testifier position: support

Testifier will be present: No

Submitted by: Robert Wintner

Organization: Individual

Address:

Phone:

E-mail: robertw@snorkelbob.com

Submitted on: 2/1/2011

Comments:

Pets are family members who deserve this protection. Please pass this bill.

Dear Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary Committee members. Please support HB 243

"I support the passage of HB 243"

Dale Netz

Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary Committee:

Please support HB 243 as this bill strengthens the animal cruelty law to better encompass circumstances in which someone can be charged for killing a pet animal.

Thank you.

Donna Shimabukuro  
94-1071 Kaaholo St  
Waipahu, HI 96797

Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary Committee members:

I would like to encourage you to support House Bill 243 to strengthen Hawaii's Animal Cruelty Law. Lawmakers need to give a voice to the animals who have done nothing wrong, but by chance ended up with the wrong owner. Please support HB 243 to strengthen the animal cruelty law to better encompass circumstances in which someone can be charged for killing or attempt to kill a pet animal.

Mahalo,

Cheri Souza

95-124 Kaalolo Place

Mililani, HI 96789

I would like to support HB 243 to strengthen the animal cruelty laws. Animals need our voices to protect them.

Christina Luthy  
4924 Tomahawk St.  
Honolulu, HI 96818  
808-626-5398

I have two dogs, a golden retriever and a jack Russell. These two dogs have not only helped me by getting me out and exercising, but they have helped our family emotionally. Why should we allow people to starve, or injure their dogs when the dogs could be helping others? My dogs are like children to me. Would the law enforcement allow us to starve, abuse, or neglect our children? I'm not usually one to speak out about animal rights, but since moving to Hawaii I have seen so many animals tied up or abused and it is disturbing.

I hope the state of Hawaii will consider starting animal law enforcement division. I do not recall seeing any information about this. Even if there was a hotline people could call, maybe that would save some animals.

Thank you for listening.

Sincerely,

Christina Luthy  
Christina Luthy Photography  
(808) 626-5398  
(757) 268-2965  
[www.christinaluthy.com](http://www.christinaluthy.com)  
Sent from my iPhone



Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary Committee members,

Please support HB 243 as this bill strengthens the animal cruelty law to better encompass circumstances in which someone can be charged for killing or attempt to kill a pet animal. The great Gandhi has said, "The moral progress of a nation can be determined by its treatment of animals."

Thank you,  
Bonnie Osaki  
801 S King Street, #2208  
Honolulu, HI 96813

Dear Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary Committee members. Please support HB243

I support HB 243, and request you do as well. This bill is long overdue to assist law enforcement agencies in curbing this barbaric practice.

Sincerely,

Claire M. Sheehan

Dear Judiciary Committee:

We believe that Hawaii's law that prohibits animal cruelty against pets would be strengthened by your support of HB 243.

Your support of HB 243 will help strengthen Hawaii's pet protection laws.

Please don't forget about the man in Pearl City who made headlines who continues to crop and dock pet ears with no license and no anesthetics for animals. And the case of the golf course workers who stole and killed a person's dog to eat it. The language needs to effectively address these kinds of situations.

Jacque LeBlanc  
480-B Mananai Place  
Honolulu 96818  
673-1474

Aloha,

I am writing in my wish that HB 243 - Strengthening of Hawaii's Animal Cruelty Law - is passed. Studies have shown that how a child is taught to treat and treats animals is linked to the kind of person they become as adults. It is important for our society to know that we must treat animals humanely, not just because it is the right thing to do for living beings who depend on humans, but to ensure our future society is a kinder one to both animals and humans.

Please support this bill.

Mahalo!

Starr Dods

133 Wailupe Circle  
Honolulu, Hawaii 96821  
808.358.4658  
[starrd@gmail.com](mailto:starrd@gmail.com)

Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary  
Committee  
members:

Please support HB 243. I don't think I need to reiterate the importance  
of a  
much stronger animal cruelty law in Hawaii. I am sure you are well  
aware of the  
relationship of violence and animal cruelty. I am sure you are well  
aware that  
Hawaii has the weakest animal laws in the nation. I will just leave you  
with a  
quote by Mahatma Gandhi:

"The greatness of a nation and its moral progress can be judged  
by the  
way its animals are treated."

Respectfully yours,

Carol Nishiyama  
1448 Young Street, #808  
Honolulu, HI 96814

Dear Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary Committee member,

My name is Bianca T. Radojevic, and have lived on Oahu for the past 4 years. Although I am not very active in politics, I strive to see this state increase its presence in animal welfare issues, especially because we are currently ranked 50th (the nation's weakest) when it comes to dog fighting laws. I am in favor of the two House Bills 108 -The Prohibition of Dog Fighting and 243- Strengthening of Hawaii's Animal Cruelty Laws.

#### House Bill 243

This bill strengthens the animal cruelty law to better encompass circumstances in which someone can be charged for killing or attempt to kill a pet animal

#### House Bill 108

While Hawaii has an anti-animal fighting law, this bill effectively prohibits the use dog-fighting equipment, placing bets, use of bait dogs, and attending a dog fight.

Help Hawaii, strengthen our animal-related laws.

Sincerely,

Bianca Radojevic  
1720 Algaroba Street #2  
Honolulu, HI 96826

Dear Honorable Chair Keith-Agaran, Vice-Chair Rhoades, and House Judiciary Committee members. Please support HB 108 & 243

I support the passage of HB 108 & 243.

Thank you

Toni Whiteside