

SB1069

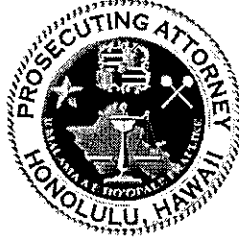
TESTIMONY

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
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KEITH M. KANESHIRO
PROSECUTING ATTORNEY

ARMINA A. CHING
FIRST DEPUTY PROSECUTING ATTORNEY



THE HONORABLE CLAYTON HEE, CHAIR
SENATE COMMITTEE ON JUDICIARY AND LABOR
Twenty-sixth State Legislature
Regular Session of 2011
State of Hawai'i

February 22, 2011

RE: S.B. 1069; RELATING TO CRUELTY TO ANIMALS.

Chair Hee, Vice Chair Shimabukuro, and members of the Senate Committee on Judiciary and Labor, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in support of Senate Bill 1069.

The purpose of Senate Bill 1069 is to amend Chapter 711, Hawaii Revised Statutes, to create separate offenses for fighting dogs in the first and second degrees. With these amendments, fighting dogs in the second degree would include those who knowingly wager on or attend a "dog fight," within specific definitions of the term "attend," and fighting dogs in the first degree would encompass those involved in putting on a "dog fight" and/or handling the dogs.

The Department of the Prosecuting Attorney supports Senate Bill 1069's policy goal of decreasing or eliminating fighting dogs, which is a cruel and unacceptable activity, and further agrees with its goal to address "demand" as well as "supply" for the industry.

An issue is whether the law can punish a person who "attends" a "dog fight"? There is a Hawaii case that struck down an ordinance that penalized persons who merely attend a "chicken fight." In that case, the Supreme Court of Hawaii held that "An ordinance or statute proscribing presence, whether at a cockfight, a gambling game, or house of prostitution, is too vague to satisfy the requirements of due process." State of Hawaii v. Abellano, 50 Haw. 384, 386, 441 P.2d 333, 334, (Haw. 1968). The court further stated, "Unless the activity at which presence is unlawful is in a narrowly confined place, determination of what constitutes presence at the activity can be resolved only on the basis of policy." Id. at 334-335. The court explained that it

is a legislative function to make a clear policy determination in defining the activity in which presence is unlawful.

It is important to note that the Supreme Court of Tennessee held that a “Statute prohibiting persons from knowingly being present at a cockfight or similar exhibition, or at a place where preparations are being made for such an exhibition, is a valid exercise of police power and does not improperly infringe upon freedom of association, mobility or any other constitutionally protected right, and is reasonably related to the legislative purpose of discouraging and prohibiting the cruel practice of animal baiting and fighting, whether for gambling purposes or otherwise.” State of Tennessee v. Tabor, 678 S.W.2d 45, (Tenn. 1984).

Similarly, Senate Bill 1069 proposes similar language of “knowingly attends or pays to attend a dogfight.” Such language is more narrowly defined than just mere “presence” that was stricken down by the Supreme Court of Hawaii. State of Hawaii v. Abellano, 50 Haw. 384, 441 P.2d 333, (Haw. 1968).

The Court of Appeals of Oregon went further than the Supreme Court of Tennessee’s decision to uphold “knowingly attend” as constitutional when it held that “statutes establishing the offense of attempted involvement in animal fighting are not unconstitutionally vague in violation of the Federal Due Process Clause or Article I, sections 20 and 21 of the Oregon Constitution.” State of Oregon v. Hartrampf, 118 Or.App. 237, 239-240, 847 P.2d 856, 857 (Or. Ct. App. 1993).

Although the rulings by the Supreme Court of Tennessee and the Court of Appeals of Oregon are not binding authority in Hawaii as case law precedence, these rulings are persuasive should Senate Bill 1069 pass into law and get challenged in the Hawaii courts as a “case of first impression.” However, the ultimate decision would still be in the hands of the Hawaii courts.

Based on the foregoing, the Department of the Prosecuting Attorney of the City and County of Honolulu supports Senate Bill 1069. Thank you for the opportunity to testify on this matter.

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 18, 2011 1:13 PM
To: JDLTestimony
Cc: mmmmahalo2000@aol.com
Subject: Testimony for SB1069 on 2/22/2011 10:15:00 AM

Testimony for JDL 2/22/2011 10:15:00 AM SB1069

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Mike Moran
Organization: Individual
Address:
Phone:
E-mail: mmmmahalo2000@aol.com
Submitted on: 2/18/2011

Comments:
Chair Hee and committee members,
Respectively ask for your support on this bill to help stop dog fighting in Hawaii.
Mahalo,
Mike moran Kihei

From: Joel Fischer [jfisher@hawaii.edu]
Sent: Friday, February 18, 2011 3:04 PM
To: JDLTestimony
Subject: SB1069; JDL; 2/22/11; 10:15AM;Rm 016

Importance: High

null1069, Relating to Cruelty
null; Chair, Sen null

STRONG SUPPORT!

Once again, I am very grateful to the sponsors of this bill, and to Sen null for holding this hearing. This bill is long overdue; it recognizes that the current laws of Hawai'i are among the weakest in the nation in protecting dogs from the brutal, anachronistic practice of training dogs to fight and kill each other. There is no stronger sign of a decaying society than to allow animals to be brutally killed FOR SPORT!! Honestly, I know what I am talking about here. I have a favorite cousin who raises dogs for and engages in dog fighting. Although we are close, I have not been able to persuade him to stop; I pray this bill will do just that.

I cannot think of a more important animal-related bill in the legislature this year; finally, the residents of our state can stand up and be counted as building basic standards of civilization regarding our beloved dogs into our laws.

Thank you for passing this bill.

Aloha, null

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

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 18, 2011 3:29 PM
To: JDLTestimony
Cc: teriontheupside@aol.com
Subject: Testimony for SB1069 on 2/22/2011 10:15:00 AM

Testimony for JDL 2/22/2011 10:15:00 AM SB1069

Conference room: 016
Testifier position: comments only
Testifier will be present: No
Submitted by: Teri Lawrence
Organization: Individual
Address:
Phone:
E-mail: teriontheupside@aol.com
Submitted on: 2/18/2011

Comments:

Again, to believe people have no shame and such disregard for another animal that we need a law, baffles me. But so be it. And again, you can tell the prosperity of a Nation on how they treat their animals.

From: Toni Whiteside [twhiteside@mauihumanesociety.org]
Sent: Saturday, February 19, 2011 7:19 AM
To: JDLTestimony
Cc: 'Jocelyn Bouchard'
Subject: support SB 1068 and SB 1069 relating to animal cruelty

Dear Senator Clayton Hee, Chair and members of the Judiciary and Labor committee,

I supports both bills SB 1068 and 1069, however I am requesting some amendments in SB1068: Exemption for cropping or docking Sec. 1 (2) (c) be deleted and that the term "humane killing" Sec.1 (2) (d) be replaced with "humane euthanasia according to the American Veterinary Medical Association accepted standards"

Thank you,
Toni Whiteside

From: Barbara Steinberg [h2ocolor@webtv.net]
Sent: Saturday, February 19, 2011 8:51 AM
To: JDLTestimony
Subject: support SB1069

I support SB1069 dog fighting is cruel and must be outlawed. Those who dog fight do not care about the dogs but about cruelty and their intentions are vicious . Those who do that are not good citizens to do that ..

Dogs are companion animals , help people give love and should receive love not this horrible practice. Those who participate get a thrill from the pain of these innocent creatures .They force them to do it and it is not kind and is uncivilized; un- American.

Barbara Steinberg Kihei Maui

From: catherine gregoire [cattastrophe@hotmail.com]
Sent: Saturday, February 19, 2011 10:15 AM
To: JDLTestimony
Subject: Please support SB 1069 to crack down on cruel dogfighting.

Dear Honorable Chair Hee, Vice-Chair Shimabukuro and Committee Members,

Please support SB 1069 to crack down on cruel dogfighting. Hawaii ranks 50th in the nation with the weakest dogfighting law, primarily because we have no penalty for attending these cruel spectacles. This bill will also help to protect pets who are often used as “bait” to train fighting dogs, and better protect communities from related criminal activities such as illegal gambling, drugs, firearms and human violence.

Mahalo!
Catherine Gregoire
Haiku, Maui, Hawaii

From: lizrizzo@hawaii.rr.com
Sent: Saturday, February 19, 2011 11:06 AM
To: JDLTestimony
Subject: Help the animals in Hawaii

Dear Honorable Chair Hee, Vice-Chair Shimabukuro and Committee Members, Please support SB 1069 to crack down on cruel dogfighting. Hawaii ranks 50th in the nation with the weakest dogfighting law, primarily because we have no penalty for attending these cruel spectacles. This bill will also help to protect pets who are often used as "bait" to train fighting dogs, and better protect communities from related criminal activities such as illegal gambling, drugs, firearms and human violence. Mahalo!

Liz Rizzo
Honolulu Pets Examiner
808-343-5007

From: Gerraine Santos [gerraine_s@hotmail.com]
Sent: Saturday, February 19, 2011 11:35 AM
To: JDLTestimony
Subject: SB 1069

urging your support of SB 1069 to protect our animals from cruel dogfighting. Show the world that our Hawaiian Legislature is the forerunner in compassion and animal rights.

From: Denise [onewahine@hawaii.rr.com]
Sent: Saturday, February 19, 2011 1:34 PM
To: JDLTestimony
Subject: SB 1069

Dear Honorable Chair Hee, Vice-Chair Shimabukuro and Committee Members, **Please support SB 1069 to crack down on cruel dog fighting.** Hawaii ranks 50th in the nation with the weakest dog fighting law, primarily because we have no penalty for attending these cruel spectacles. This bill will also help to protect pets who are often used as “bait” to train fighting dogs, and better protect communities from related criminal activities such as illegal gambling, drugs, firearms and human violence. Mahalo!

Denise Edwardy Towle
Kailua Kona

From: Judy Mick [ppchawaii@yahoo.com]
Sent: Saturday, February 19, 2011 2:05 PM
To: JDLTestimony
Subject: SB 1069

Dear Senators Hee and Shimabukuro-

Mahalo for hearing bill S.B. 1069. I know you are both people who have compassion not just for people, but for animals as well. We must stop dogfighting once in for all in our beautiful Hawaii. I have met dogs that were bait dogs and it is sickening to think a person would do that to another living thing-or attend a gathering to watch it happen. Please be instrumental in making this bill become law. Mahalo and aloha, Judy Mick, Kailua

From: STEPHANIE M. [aloharunner@hotmail.com]
Sent: Saturday, February 19, 2011 2:56 PM
To: JDLTestimony
Subject: Support SB 1069 Stop dog fighting

Dear Senate Judiciary and Labor Committee,
Please support SB 1069 to strengthen the law against dog fighting and to make it illegal to attend a dog fighting match. Dog fighting does exist on Oahu...my students at Moanalua High School have verified this. This is a cruel sport that turns man's best friend into an unnatural vicious animal. Dogs who are bred to fight can also attack small children and other people's pets. Watch the HSUS video on dogfighting and it will convince you that we need stronger laws in Hawaii. Please don't turn a blind eye to this cruel sport which encourages illegal gambling as well. 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"

From: Jody [jody@oahuspca.org]
Sent: Saturday, February 19, 2011 3:24 PM
To: JDLTestimony
Subject: Support SB1069
Attachments: image003.jpg

Please support SB1069, help to protect those that depend on us to pass stricter laws. Incent dogs are fought or used as bait dogs and this is our opportunity to stand up for them.



Jody Bade-DeViney
Executive Director of Operations
Oahu SPCA
91-1839 Roosevelt Dr.
Building 1142
Kapolei, HI 96707
(808) 754-1519
Save a life. Spay and neuter all your pets!

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 19, 2011 6:05 PM
To: JDLTestimony
Cc: jamiemitsuda@yahoo.com
Subject: Testimony for SB1069 on 2/22/2011 10:15:00 AM

Testimony for JDL 2/22/2011 10:15:00 AM SB1069

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: jamie mitsuda
Organization: Individual
Address:
Phone:
E-mail: jamiemitsuda@yahoo.com
Submitted on: 2/19/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 19, 2011 6:33 PM
To: JDLTestimony
Cc: AKOE002@hawaii.rr.com
Subject: Testimony for SB1069 on 2/22/2011 10:15:00 AM

Testimony for JDL 2/22/2011 10:15:00 AM SB1069

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Eric Ako DVM
Organization: Hawaii Veterinary Medical Association
Address:
Phone:
E-mail: AKOE002@hawaii.rr.com
Submitted on: 2/19/2011

Comments:

The HawaiiVMA strongly supports SB1069.
We must strengthen our laws against this grossly inhumane activity. There is simply no justification for it. Our profession stands against dog fighting in any form and it cannot be allowed to continue.
Eric Ako DVM
Executive Vice President
Hawaii Veterinary Medical Association

From: Valerie Coleman [vcoleman@hawaii.rr.com]
Sent: Saturday, February 19, 2011 9:22 PM
To: JDLTestimony
Subject: SB 1069

Dear Honorable Chair Hee, Vice-Chair Shimabukuro and Committee Members,

Please support SB 1069 to crack down on cruel dogfighting. Hawaii ranks 50th in the nation with the weakest dogfighting law, primarily because we have no penalty for attending these cruel spectacles. This bill will also help to protect pets who are often used as "bait" to train fighting dogs, and better protect communities from related criminal activities such as illegal gambling, drugs, firearms and human violence. Mahalo!

Aloha,
Valerie Coleman

From: Rosemary Karlsson [rosemarykarlsson@gmail.com]
Sent: Sunday, February 20, 2011 6:54 AM
To: JDLTestimony
Subject: SB 1069 dogfighting bill

Dear Honorable Chair Hee, Vice-Chair Shimabukuro and Committee Members,

Please support SB 1069 to crack down on cruel dogfighting. Anyone present at the dogfight should be arrested and prosecuted for cruelty to animals. It is not 'cultural', it is sick and demented.

Rosemary Karlsson
PO Box 492266
Keaau, HI 96740
808-966-6589

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 20, 2011 8:01 AM
To: JDLTestimony
Cc: yclint@hotmail.com
Subject: Testimony for SB1069 on 2/22/2011 10:15:00 AM

Testimony for JDL 2/22/2011 10:15:00 AM SB1069

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Bev Young
Organization: Individual
Address:
Phone:
E-mail: yclint@hotmail.com
Submitted on: 2/20/2011

Comments:



THE HUMANE SOCIETY
OF THE UNITED STATES

TO: Honorable Chair Hee, Vice-Chair Shimabukuro and Committee Members
Judiciary and Labor Committee, Thursday, February 22, 2011, 1015am Rm. 016

RE: Testimony in SUPPORT of SB1069; Relating to Dogfighting

Submitted by: Inga Gibson, Hawaii State Director, The Humane Society of the United States,
P.O. Box 89131, Honolulu, HI 96830, igibson@hsus.org, 808-922-9910

On behalf of our more than 49,000 members and supporters of The Humane Society of the United States in Hawaii, we thank you for this opportunity to speak in strong support of SB1069; and thank Sen Hee for his sponsorship of this critical crime and cruelty prevention measure.

Why this law is needed: In a recent national ranking of dogfighting laws, Hawaii ranked 50th with the weakest law, primarily because there is no penalty for attending or wagering on an organized dogfight. Under our existing law, one would need to be literally caught in the act of dogfighting, which, due to the clandestine nature of such activity, is extremely rare. If law enforcement were to encounter a dogfight in progress, under current law, knowing participants could claim they were mere spectators and face no penalty. Attendees provide much of the profit associated with dogfighting. The money generated by admission fees and gambling helps keep this "sport" alive. Because dogfighting itself is illegal, and therefore not widely publicized, attendees do not merely happen upon a fight, they seek it out; spectators are thus willing participants who support the continuation of this criminal activity.

In addition, the proposed bill would also add critical language relating to those who possess, breed, raise, sell or transport dogs for fighting purposes, including explicitly prohibiting the use of stray or stolen pets as "bait" to train fighting dogs. Under our current law, dogfighters could claim they only breed or sell fighting dogs and not be subject to any charges. Dogfighters could also claim they don't legally "own" the dog which can be difficult for law enforcement to establish.

In order to best address the deficiencies in our current law, and based on recommendations from the Honolulu Prosecuting Attorney's Office, we also request your consideration of the following amendments:

- Strike proposed definition of "attends" and instead amend Section 1 (b) to read: [knowingly]"*Attends or pays to attend any place or building where a dogfight is taking place or preparations for a dogfight are taking place*", which is based on similar "spectator/attendance" language found in other states such as Tennessee and Oregon, which the courts have upheld, and addresses "mere presence" concerns raised in past Hawaii case law.
- To address concerns raised by the Public Defender's office regarding penalties, amend Section 1 offenses to a misdemeanor and retain current class C felony for other acts.
- Add a severability clause, should any of these new provisions be challenged.

The 2007 Michael Vick case sadly exposed that no community is immune from dogfighting—a community that also believed that such activity was not occurring. In fact, it was strong anti-dogfighting laws, such as the proposed, that allowed Vick and his co-conspirators to be successfully charged and convicted. Our organization has assisted in hundreds of animal fighting raids across the country and we are sadly aware that dogfighting activity *has and continues to* occur in Hawaii.

Public Safety Issue:

Dogs used for fighting have been bred for many generations to be dangerously aggressive toward other animals. The presence of these dogs in a community increases the risk of attacks not only on other animals but also on people. Children are especially at risk, because their small size may cause a fighting dog to perceive a child as another animal.

Associated Crimes:

Dogfighting is also associated with other crimes such as illegal gambling, drug distribution and human violence. According to a study conducted by the Chicago Police Department, of more than 300 people arrested for crimes against animals (including dogfighting), more than 65 percent had also been arrested for battery-related violent crimes and 70 percent for illegal drugs.

Cruelty to dogs and “bait” animals

The injuries inflicted and sustained by dogs participating in dogfights are frequently severe, even fatal. Dogs used in these “events” often die of blood loss, shock, dehydration, exhaustion, or infection hours or even days after the fight. Other animals are often sacrificed as well. Some owners train their dogs for fights using smaller animals such as cats, rabbits or small dogs. These “bait” animals are often stolen or stray pets or animals obtained through “free to good home” advertisements.

This critical measure would bring Hawaii’s law in line with the rest of the country and provide law enforcement with more comprehensive laws to investigate and charge those involved with illegal dogfighting. Furthermore, upgrading our law serves as a deterrent for those who may consider becoming involved in illegal dogfighting activity and sends a clear message to the community that dogfighting is a cruel and serious crime that will not be tolerated.

We respectfully urge your passage of SB 1069 to reduce crime, animal cruelty and to create safer communities for pets and people alike.

From: James&Camille McConnell [yorkies3@hawaiiantel.net]
Sent: Sunday, February 20, 2011 10:11 AM
To: JDLEstimony
Subject: Dog fighting.....

Dear Honorable Hee, vice chair Shimabukuro and Committee Members:
Please support Bill SB 1069, and crack down (HOPEFULLY ELIMINATE) the cruel practice of 'Dog Fighting'! Hawaii is *weaker* in this area, then *any other State!* It's unconscionable!! Any 'pets' can be used as 'bait' for these unbalanced neurotics!!!

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

February 20th, 2011

From: frisky.kawa@hawaiiantel.net
Sent: Sunday, February 20, 2011 10:39 AM
To: JDL Testimony
Subject: SB 1069

Importance: High

Dear Honorable Chair Hee, Vice-Chair Shimabukuro and Committee Members, Please SUPPORT SB 1069 dogfighting. Hawaii ranks LAST in all the states of our nation because we have absolutely NO penalty for attending these cruel and inhumane activities that are the prelude to criminal activities. This bill will help to protect innocent pets from being used as "bait" to train fighting dogs and ending up torn up and discarded with their muzzles taped closed on the side of the road like trash, and better protect communities from illegal activities such as gambling, drugs, firearms and human violence. If not out of compassion, a simple desire to strive for safer communities leads to just one decision - support SB 1069.

Mahalo,

Colleen Arii

From: Sue Scott [sue@kauaibeach.com]
Sent: Sunday, February 20, 2011 11:02 AM
To: JDLEvidence
Subject: re: SB1069

Honorable committee members,

I'd like to ask for your strong support of the bill before you strengthening the dog fighting laws. I can think of no greater betrayal to man's best friends that forcing them to tear each other apart for pleasure and profit. This horrific practice enables the worst elements of our society and allows them to continue to practice violent behavior and believe that cruelty is condoned by those looking the other way. Please protect our communities.

Thank you,

Susan Scott
6931 Pomaikai St.
Kapaa, HI 96746

From: Spikecat1@aol.com
Sent: Sunday, February 20, 2011 12:25 PM
To: JDLTestimony
Subject: support SB 1069 relating to animal cruelty

Dear Senator Clayton Hee, Chairman and Members of the Judiciary and Labor Committee,

We are writing to express support for SB 1069 relating to animal cruelty. This bill will strengthen existing animal fighting and cruelty laws. Dogs are companions and should not be tools for profit. They should be treated with kindness and respect. Hawaii is ranked as having the weakest dog fighting laws in the nation and passage of this bill will help to rectify that shameful situation.

Please do all that is in your power to insure that this bill passes.

Sincerely yours,
Judith Aikawa, MD
Ronald Aikawa, MD
37 Apali Way
Kula, HI 96790

From: stacey arnold [staceyjarnold@yahoo.com]
Sent: Sunday, February 20, 2011 1:38 PM
To: JDLTestimony
Subject: Support SB 1069

Dear Honorable Chair Hee, Vice-Chair Shimabukuro and Committee Members,

Please support SB 1069 to crack down on cruel dogfighting. Hawaii ranks 50th in the nation with the weakest dogfighting law, primarily because we have no penalty for attending these cruel spectacles. Because it is legal to attend dogfights, the people who own the dogs and organize the fights can claim they are just spectators and avoid prosecution. This bill will also help to protect pets who are often used as “bait” to train fighting dogs.

I assume that children sometimes come to these fights with their parents. This early exposure to animal cruelty must effect children in negative ways. It is a well-known fact that children who abuse animals often grow up to become violent criminals.

Jane E. Arnold

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 20, 2011 1:44 PM
To: JDLTestimony
Cc: jdriggs@hawaii.rr.com
Subject: Testimony for SB1069 on 2/22/2011 10:15:00 AM

Testimony for JDL 2/22/2011 10:15:00 AM SB1069

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Joan Riggs
Organization: Individual
Address:
Phone:
E-mail: jdriggs@hawaii.rr.com
Submitted on: 2/20/2011

Comments:

Dear Members of the Senate Judiciary and Labor Committee,

My name is Theresa Donnelly, and I am urging you to pass SB 1069, relating to dogfighting. Extending the current cruelty laws to punish those who attend dogfights is long overdue. A 2009 fact sheet from the Humane Society of the United States reveals that 48 States already consider being a spectator at a dogfight either a misdemeanor or felony. It is a travesty that in our State of aloha, a spectator can still legally attend or stage a dogfight.

It is no secret that those who attend dogfights are also associated with other illegal activities, such as drug dealing and illegal gambling. Anyone who enjoys this blood thirsty activity has no empathy for animals. This despicable practice is a stain to our humanity. Hawaii should be a place of compassion and pride. Our laws need to reflect a moral collective consciousness and passing this bill will demonstrate that.

We need laws that hold everybody who participates accountable and need to stop using excuses like family tradition as justification for inhumane treatment. The public needs to understand that dogfighting happens here in Hawaii and can only be stopped with the combination of a public education campaign and stronger laws. Thank you for your time in reading this testimony.

Theresa Donnelly

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 20, 2011 3:26 PM
To: JDLEstimony
Cc: contai@hotmail.com
Subject: Testimony for SB1069 on 2/22/2011 10:15:00 AM

Testimony for JDL 2/22/2011 10:15:00 AM SB1069

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Charlyn Ontai
Organization: Individual
Address:
Phone:
E-mail: contai@hotmail.com
Submitted on: 2/20/2011

Comments:

Dear Senator Clayton Hee, Chair and Senator Maile S.L. Shimabukuro, Vice Chair:

I strongly support SB 1069 RELATING TO CRUELTY TO ANIMALS.

I urge you to vote favorably, in support of this bill.

Sincerely,
Charlyn Ontai

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 20, 2011 3:46 PM
To: JDLTestimony
Cc: Brian.Adachi@gmail.com
Subject: Testimony for SB1069 on 2/22/2011 10:15:00 AM

Testimony for JDL 2/22/2011 10:15:00 AM SB1069

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Brian K. Adachi
Organization: Individual
Address:
Phone:
E-mail: Brian.Adachi@gmail.com
Submitted on: 2/20/2011

Comments:

From: grooming@fine-dog.com
Sent: Sunday, February 20, 2011 3:49 PM
To: JDLEstimony
Subject: Support SB 1069 RELATING TO CRUELTY TO ANIMALS

I'm against "Dog fights" and hope that they will be protected by law soon.

Mahalo,
Mai Grace
Fine Dog Grooming Salon
www.fine-dog.com
808.841.7560

From: SUSAN HOMER [suesuechef@yahoo.com]
Sent: Sunday, February 20, 2011 4:31 PM
To: JDLEstimony
Subject: stop dog fighting!

Dear Honorable Chair Hee, Vice-Chair Shimabukuro and Committee Members, **Please support SB 1069 to crack down on cruel dogfighting.** Hawaii ranks 50th in the nation with the weakest dogfighting law, primarily because we have no penalty for attending these cruel spectacles. This bill will also help to protect pets who are often used as “bait” to train fighting dogs, and better protect communities from related criminal activities such as illegal gambling, drugs, firearms and human violence. Mahalo!

February 20, 2011

Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair
Senate Judiciary and Labor Committee

Re: Testimony in support of SB 1069

Dear Chair Hee, Vice Chair Shimabukuro, and Members of the Judiciary and Labor Committee,

I support the passage of SB 1069 that would make it a felony to attend or wager on dogfights, or otherwise engage in the terrible training practices (e.g. using "bait" dogs to train the dogs that actually fight) that occur in the business. I am submitting testimony to ask that you support the passage of SB 1069.

The purpose of this bill is to criminalize attendance and gambling at dogfights. I believe that it is a necessary step in discouraging the already illegal activity from taking place. Hawaii ranks last of the fifty United States when it comes to dogfighting laws, mostly because our laws currently limit the illegal activity to those who are actively engaged in fighting the animals. If we allow the majority of people attending a dogfight to walk out of there without even a slap on the wrist, how are we ever going to stop this horrible business? I believe creating a class B or C felony for the activities described thoroughly in the bill would be the first major step to put an end to dogfighting in Hawaii.

I strongly believe that the passage of this bill is a necessary step to take in order to improve the lives of animals in Hawaii, and I urge you to support the passage of SB 1069 which would criminalize attendance at dogfights and the practice of using bait dogs for training purposes.

Thank you for your time and consideration.

Stacy Takekawa

Second Year Law Student
President, Student Animal Legal Defense Fund
University of Hawaii at Manoa
William S. Richardson School of Law
stacy.takekawa@gmail.com
808-375-0802

February 20, 2011

Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair
Senate Judiciary and Labor Committee

Re: Testimony in support of SB 1069

Dear Chair Hee, Vice Chair Shimabukuro, and Members of the Judiciary and Labor Committee,

I support the passage of SB 1069 that would make it a felony to attend or wager on dogfights, or otherwise engage in the terrible training practices (e.g. using "bait" dogs to train the dogs that actually fight) that occur in the business. I am submitting testimony to ask that you support the passage of SB 1069.

The purpose of this bill is to criminalize attendance and gambling at dogfights. I believe that it is a necessary step in discouraging the already illegal activity from taking place. Hawaii ranks last of the fifty United States when it comes to dogfighting laws, mostly because our laws currently limit the illegal activity to those who are actively engaged in fighting the animals. If we allow the majority of people attending a dogfight to walk out of there without even a slap on the wrist, how are we ever going to stop this horrible business? I believe creating a class B or C felony for the activities described thoroughly in the bill would be the first major step to put an end to dogfighting in Hawaii.

I strongly believe that the passage of this bill is a necessary step to take in order to improve the lives of animals in Hawaii, and I urge you to support the passage of SB 1069 which would criminalize attendance at dogfights and the practice of using bait dogs for training purposes.

Thank you for your time and consideration.

Fawn Jade Koopman

Member, Student Animal Legal Defense Fund
J.D. Candidate, 2012
University of Hawaii at Manoa
William S. Richardson School of Law
fawjk@hawaii.edu

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 20, 2011 7:54 PM
To: JDLEstimony
Cc: dianeblastic@hotmail.com
Subject: Testimony for SB1069 on 2/22/2011 10:15:00 AM

Testimony for JDL 2/22/2011 10:15:00 AM SB1069

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Diane Blastic
Organization: Individual
Address:
Phone:
E-mail: dianeblastic@hotmail.com
Submitted on: 2/20/2011

Comments:

Dog fighting is a cruel "sport". It is animal brutality, desensitizes young people to the abuse of animals. It creates a negative stereotype for breeds of dogs that are good pets when not mistreated. It puts other dogs, cats and small animals at risk of being bait animals.

From: Shari Au, PhD [aus008@yahoo.com]
Sent: Sunday, February 20, 2011 7:49 PM
To: JDLEstimony
Subject: Vote SB1069-stop dogfighting

Dear Honorable Chair Hee, Vice-Chair Shimabukuro and Committee Members,

Please support SB 1069 to crack down on dogfighting. Hawaii ranks 50th in the nation with the weakest dogfighting law, primarily because we have no penalty for attending these cruel spectacles. This bill will also help to protect pets who are often used as “bait” to train fighting dogs, and better protect communities from related criminal activities such as illegal gambling, drugs, firearms and human violence.

Cruelty to animals is an indicator of attachment disorder in children. We don't want our keikies exposed to any part of the process of dogfighting. Cruelty to animals is also a documented precursor to cruelty toward people. We need laws penalizing cruelty to animals heavily to the step-by-step progression curb of acting out toward animals then humans. Support SB 1069 to eliminate dogfighting. Mahalo!

*Shari Au, Ph.D.
Licensed Clinical Psychologist, Hawaii & Guam
241 Condo Lane #514, Tamuning, Guam 96913
wk: 671-647-5319, cell: 671-777-2117
The path to new horizons lies in seeing with new eyes....*

From: nomi image [nomie_34@yahoo.com]
Sent: Sunday, February 20, 2011 9:42 PM
To: JDLEstimony
Subject: re: SB 1069 RELATING TO CRUELTY TO ANIMALS

**Senate Judiciary and Labor Committee
The Honorable Senator Clayton Hee, Chair
Honorable Senator Maile Shimabukuro, Vice Chair
Committee Members**

Date: Tuesday, February 22, 2011

Time: 10:15am

Place: Conference Room 016

State Capitol

415 South Beretania Street

Dear Senators:

I am writing in SUPPORT of SB 1069 which, if passed, will establish the offense of cruelty to animals by fighting dogs in the second degree, increase the penalty for cruelty to animals by fighting dogs in the first degree, and clarify dog fighting and animal cruelty laws.

I am in support of the passing of this bill because dogfighting is undeniably cruel and hainous and is considered a bloodsport. Dogfighting will also promote illegal gambling, drugs and violence.

As most of us are well aware of the Michael Vick incident, dogs used for dogfighting suffer immense physical and emotional pain, their wounds go uncared for as they do not receive vet care. Losing dogs are electrocuted, hung, slammed to the ground until they die, or used as bait dogs. If rescued, these dogs will never be allowed to live among the public because they are deemed vicious. The dogs only lose in the end.

It is very sad and embarrassing that Hawaii currently ranks 50th in the nation with the weakest dogfighting law.

I urge you to please pass SB 1069.

Respectfully,

**Naomi Egami
Honolulu, Hawaii**

From: Hawaii Cat Foundation [hawaiicatfoundation@yahoo.com]
Sent: Sunday, February 20, 2011 10:04 PM
To: JDLTestimony
Subject: PLEASE Support SB 1069: Re Dogfighting

Dear Honorable Chair Hee, Vice-Chair Shimabukuro and Committee Members,

Please support SB 1069 to crack down on cruel dogfighting.

Hawaii ranks 50th in the nation with the weakest dogfighting law, primarily because we have no penalty for attending these cruel spectacles. This bill will also help to protect pets who are often used as "bait" to train fighting dogs, and better protect communities from related criminal activities such as illegal gambling, drugs, firearms and human violence.

Mahalo!

Christin Matsushige
1000 Bishop St. 12th Floor
Honolulu, HI 96813

From: Ruth Glatt [rglatt@hawaii.rr.com]
Sent: Sunday, February 20, 2011 11:04 PM
To: JDLTestimony
Subject: SB1069

Please support SB1069. We need to strengthen the laws against Dog Fighting. I also urge you to support SB1522 and SB 1424. The Innocent animals cannot speak for themselves, but caring people must do it for them. Aloha Ruth Glatt

From: chingston@hawaii.rr.com
Sent: Monday, February 21, 2011 3:13 AM
To: JDLTestimony
Subject: support SB 1069

I support SB 1069

Ann Egleston
Honolulu 96816

732-1640

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Life is not waiting for the storm to pass, it is about learning to dance in the rain.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 21, 2011 6:37 AM
To: JDLTestimony
Cc: cosaki@gmail.com
Subject: Testimony for SB1069 on 2/22/2011 10:15:00 AM

Testimony for JDL 2/22/2011 10:15:00 AM SB1069

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Chris Osaki
Organization: Individual
Address:
Phone:
E-mail: cosaki@gmail.com
Submitted on: 2/21/2011

Comments:

Dear Honorable Chair Hee,
Vice-Chair Shimabukuro and Committee Members,

Please support SB 1069 to crack down on cruelty of dog fighting here in Hawaii. Hawaii ranks 50th in the nation with the weakest dog fighting law, primarily because we have no penalty for attending these cruel spectacles. This bill will also help to protect pets that are often stolen then used as “bait” to train fighting dogs. The passing of this bill may also protect communities from related criminal activities. I thank you all for giving this bill serious consideration.

Mahalo,
Wendy Tyson

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 21, 2011 9:23 AM
To: JDLTestimony
Cc: Andi@andreahamblin.com
Subject: Testimony for SB1069 on 2/22/2011 10:15:00 AM

Testimony for JDL 2/22/2011 10:15:00 AM SB1069

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Andrea Hamblin
Organization: Individual
Address:
Phone:
E-mail: Andi@andreahamblin.com
Submitted on: 2/21/2011

Comments: