

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 547-7400 • FAX: (808) 547-7515

KEITH M. KANESHIRO
PROSECUTING ATTORNEY



ARMINA A. CHING
FIRST DEPUTY PROSECUTING ATTORNEY

**THE HONORABLE SYLVIA LUKE, CHAIR
HOUSE COMMITTEE ON FINANCE
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawai`i**

March 28, 2013

RE: S.B. 635, S.D. 1, H.D. 2; RELATING TO ANIMAL CRUELTY.

Chair Luke, Vice-Chairs Nishimoto and Johanson, and members of the House Committee on Finance, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony, supporting the intent of S.B. 635, S.D. 1, H.D. 2, and asks that the bill be passed with the language from S.B. 635, S.D. 1, H.D. 1.

The Department maintains that law enforcement animals are an integral part of Hawaii's law enforcement and corrections agencies, hand-selected and highly trained for their jobs. These animals work diligently side-by-side with law enforcement officers, deputies and other personnel, and should be afforded special protections.

The prior language of S.B. 635, S.D. 1, H.D. 1, integrated "law enforcement animals" into the existing offenses of "Causing injury or death or a service dog" (HRS §711-1109.4), and "Intentional interference with the use of a service dog" (HRS §711-1109.5). As previously indicated by the Public Defender--when testifying on the original version of S.B. 635--the addition of law enforcement animals to these statutes seems to be a natural fit, and would meet the intended purpose...all without creating a "new" offense. At the same time, we believe that S.B. 635, S.D. 1, H.D. 1, sufficiently clarified the existing language of HRS §711-1109.4 and HRS §711-1109.5, insomuch as the terms "injury" and "harm" are currently undefined, and unfamiliar in criminal law.

For the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu supports the intent of S.B. 635, S.D. 1, H.D. 2, and asks that the bill be passed with the language of S.B. 635, S.D. 1, H.D. 1. Thank you for the opportunity to testify on this matter.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu.org



KIRK CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. McCAULEY
DEPUTY CHIEFS

OUR REFERENCE DC-MM

March 28, 2013

The Honorable Sylvia Luke, Chair
and Members
Committee on Finance
State House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Luke and Members:

Subject: Senate Bill No. 635, S.D 1, H.D. 2, Relating to Animal Cruelty

I am Darren Chun, Captain of the Specialized Services Division, Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department supports Senate Bill No. 635, S.D. 1, H.D. 2, Relating to Animal Cruelty, but prefers the terminology in the public safety version under H.D. 1.

H.D. 1 expands the offense of causing substantial bodily injury or death to a service dog or law enforcement animal while lowering the state of mind to recklessly. It also removes the need to show any kicking, beating, or stabbing as causes of the injury but lists these acts as prohibited under the interference section which is a misdemeanor offense. H.D. 1 also covers situations in which the owner of a dog permits the dog to attack a service dog or law enforcement animal that results in substantial bodily or death to the animal.

Canines of the Specialized Services Division accompany our officers during high-risk, critical incidents. These canines face the same, if not a higher, degree of risk when assisting our officers in the apprehension of dangerous criminal offenders. The protections provided by Senate Bill No. 635, S.D. 1, H.D. 1, are needed to shield our law enforcement animals from harm while they work hard to keep Hawaii's communities safe.

Thank you for the opportunity to testify. I urge your committee to support and pass the Senate Bill No. 635, S.D. 1, H.D. 1, version of this legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Darren Chun", is written over a horizontal line.

DARREN CHUN, Captain
Specialized Services Division

APPROVED:

A handwritten signature in black ink, appearing to read "Louis M. Kealoa", is written over a horizontal line.

LOUIS M. KEALOHA
Chief of Police

Serving and Protecting With Aloha



Hawaiian Humane Society

People for animals. Animals for people.

2700 Waiialae Avenue Honolulu, Hawaii 96826
808.946.2187 • hawaiianhumane.org

To: Representative Luke, Chair of the Committee on Finance, Representatives Nishimoto and Johanson, Vice Chairs, and Committee Members

House Committee on Finance (FIN)
March 28, 2013, 3:15 p.m., Room 308

Submitted by: Jennifer J. Han, Policy Advocate
Hawaiian Humane Society, jhan@hawaiianhumane.org

Date: March 27, 2013

**RE: Support with Amendments on SB635, SD1, HD2;
Relating to Animal Cruelty**

The Hawaiian Humane Society believes that law enforcement animals, like all animals, should be afforded the protection of the law against cruelty and other inhumane means.

This bill generally calls for the protection of law enforcement animals from acts of animal cruelty. However, we do believe that one of the delineated exemptions to both the animal cruelty offenses to law enforcement animals in the first and second degrees is contrary to the intent of this bill. Specifically, the exemption of "cropping and docking as customarily practiced" (subsection (c) on page 3, line 17 and subsection (c) on page 5, line 13) does not provide the protection we believe is appropriate for any animal.

Surgical procedures should only be performed by licensed veterinarians as they can result in negative physical consequences and can be extremely painful thereby resulting in distress. Ear cropping and tail docking are some examples of these procedures where, if performed improperly by a layperson, could cause serious pain and suffering to the animal. Also, these procedures require critical post-surgery care in order to ensure that the wounded area is not infected or otherwise compromised. As with all surgical procedures, there are inherent risks of anesthesia, blood loss, and infection to the animal in addition to the emotional distress.

In order to ensure that all animals are treated humanely in all aspects of their lives, it is incumbent for all surgical procedures to be performed by the licensed veterinarians as deemed qualified by statute. We ask you to remove subsection (c) of the exemptions; in the alternative, we urge you to amend the language to read "Cropping or docking as performed by a licensed veterinarian."

Thank you for the opportunity to testify in support of SB635, SD1, HD2, relating to animal cruelty. On behalf of the Hawaiian Humane Society, we ask for your support with the aforementioned amendments.

SB635

Submitted on: 3/27/2013

Testimony for FIN on Mar 28, 2013 15:15PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Ginger Towle	West Hawaii Humane Society	Support	No

Comments: Abuse of any animal is unacceptable!! These animals are specially trained to assist law enforcement. They should be classified as 4 footed officers and provided the same protection as police officers!!! Ginger Towle, President WHHS

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
To: [FINTestimony](#)
Cc: igibson@hsus.org
Subject: Submitted testimony for SB635 on Mar 28, 2013 15:15PM
Date: Tuesday, March 26, 2013 10:06:26 AM

SB635

Submitted on: 3/26/2013

Testimony for FIN on Mar 28, 2013 15:15PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Inga Gibson	The Humane Society of the United States-Hawaii	Support	Yes

Comments: Dear Honorable Chair Luke and Finance Committee Members, On behalf of our members and supporters across Hawaii we urge your support for SB635 to provide enhanced penalties for the intentional harm or abuse of a law enforcement animal. We believe these animals deserve the same protections as service animals and pet animals. Many states have already enacted similar laws to protect law enforcement animals, such as dogs and horses, who routinely put their lives on the line in their daily course of duty protecting humans and public safety. Thank you for your consideration of this testimony. Inga Gibson Hawaii State Director The Humane Society of the United States 808.922.9910

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 26, 2013 6:52 AM
To: FINTestimony
Cc: cochonlibre@gmail.com
Subject: *Submitted testimony for SB635 on Mar 28, 2013 15:15PM*

SB635

Submitted on: 3/26/2013

Testimony for FIN on Mar 28, 2013 15:15PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Cathy Goeggel		Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov