



From: [Abhi Kulkarni](#)
To: [WAM Testimony](#)
Subject: In support of Bill HB493 SD1
Date: Thursday, March 27, 2014 6:43:01 PM

I am writing to add my support to Bill HB 493 SD1. I am not from Hawaii but have traveled there; in fact, just came back from yet another visit there (Maui this time). I am glad to see Hawaii taking up the lead in the fight to protect the elephants; hope my home state of California does the same soon.

We cannot let special business interests (ivory dealers) continue with the unregulated ivory import and sales in US and continue to contribute to the demise of elephants. US is the 2nd largest illegal ivory market and the key reason is lack of verifying CITES certificates and the age of ivory as traders have been known to use bogus certificates or 'yellowing' the illegal ivory with coffee or soda to make it look antique. Not to mention this illegal trade is boosting the very terror groups we are fighting in Africa.

Considering all this, a ban on ivory sales is a common sense approach to shut down one avenue of this illegal trade.

Thank you.

Abhi Kulkarni

"Life is either a daring adventure or nothing at all".



From: [kawakami3-Benigno](#) on behalf of [CPCtestimony](#)
To: [WAM Testimony](#)
Subject: FW: CPC 3-31-14 COMMENTS on HCR197/HR157, SUPPORT for HB493 SD1; Ivory Sales Prohibitions
Date: Thursday, March 27, 2014 6:45:49 PM

From: Amanda Michelle Milster [mailto:amanda.m.milster@vanderbilt.edu]
Sent: Thursday, March 27, 2014 7:34 AM
To: CPCtestimony
Subject: CPC 3-31-14 COMMENTS on HCR197/HR157, SUPPORT for HB493 SD1; Ivory Sales Prohibitions

Dear Lawmakers:

An unprecedented elephant poaching crisis is decimating elephant populations. If this continues, African elephants could be extinct in less than two decades. The ivory trade breeds corruption, undermines the rule of law and threatens the economic livelihood of the local communities. Illegal ivory trade also challenges the regional security in Africa as militia and armed groups have engaged in poaching and used the proceeds from ivory to fund nefarious activities.

[Hawaii](#) is the third largest market for ivory in the U.S. Surveys found that close to 90% of ivory items for sale in Hawaii could be of illegal or unknown origins. As a visitor to Hawaii, I am confident that such a beautiful and welcoming state will do the morally correct thing take decisive action to end cruelty. Please support HB 493 SD 1 to save the elephants and end the Aloha State's contribution to the illegal and blood ivory trade. Thank you for your consideration.

Amanda Milster
Washington, D.C.



From: [Andrea S.](#)
To: [WAM Testimony](#)
Subject: Support for HB493 SD 1
Date: Thursday, March 27, 2014 3:47:13 PM

Please support HB493 SD 1 to protect elephants and end the sale of ivory in Hawaii. Hawaii is the most progressive state in the Union -- please take that reputation off the charts by making this vital move. The world will hold you in esteem for years to come as you will have been a pioneer in the effort to save the last African Elephants.

Warmly,
Andrea Speraw
San Francisco, CA
(a frequent tourist of your lovely state).



From: [kawakami3-Benigno](#) on behalf of [CPCtestimony](#)
To: [WAM Testimony](#)
Subject: FW: CPC 3-31-14 COMMENTS on HCR197/HR157, SUPPORT for HB493 SD1
Date: Thursday, March 27, 2014 6:45:55 PM

From: ElephantsNJ [mailto:elephantsnj@gmail.com]
Sent: Thursday, March 27, 2014 7:23 AM
To: CPCtestimony
Subject: CPC 3-31-14 COMMENTS on HCR197/HR157, SUPPORT for HB493 SD1

Dear Chair McKelvey,

I am the mother of two beautiful girls, age five. I am deeply concerned over the hunger in the United States for ivory and I have joined a People's Movement calling for the end of the ivory trade within the United States. The ivory trade is an unacceptable, bloody, and morally bankrupt trade that is causing the demise – the extinction – of the earth's magnificent elephants. We must rise above this. Ivory has no place in a modern, evolved society. The ivory trade is wrought with greed, corruption, selfishness and it is a source of great funding for terrorism.

*Chair McKelvey, please, **I implore you to stand firm and strong for bill HB 493 SD1.** The fact that the opposition is so great from such a small percentage of people just furthers my conviction that we must, in good moral and human consciousness, outlaw this bloody, cruel trade, and send it to the history books forever! I guarantee that the number of parents in the great state of Hawaii and in the United States who want our children to grow up in a world with elephants far surpasses those who profit and benefit from such grotesque commerce.*

To those who have made an investment out of ivory, they made a bad choice. Many people make bad investments from time-to-time and this is an unfortunate part of life. It is in no-way, however, a valid argument for the continued exploitation of elephants as a mere commodity to hurt for our petty greed. Elephants are a unique and sentient species, profoundly deserving of our greatest admiration and our greatest protection.

*Hawaii has the chance to be real heroes, true champions, for our national security, for the earth, for the elephants, and for our children. **Please support HB 493 SD1** to finally END the Aloha's state contribution to this horrific trade.*

Thank you greatly for your consideration.

*Barbara A. Peterson
Director ElephantsNJ, proud partner of ElephantsDC
www.elephantsDC.org*

Mom to Kate and Karly
Westwood, New Jersey
[201.722.2814](tel:201.722.2814) (h) [201.602.4311](tel:201.602.4311) (c)

LATE

From: [Belinda Barnes](#)
To: [WAM Testimony](#)
Subject: "Please Support HB493 SD1 to protect elephants/stop the sale of illegal ivory"
Date: Friday, March 28, 2014 8:38:09 AM
Attachments: [image001.png](#)



Aloha,
"Please Support HB493 SD1 to protect elephants/stop the sale of illegal ivory"

**Mahalo,
Belinda**



Belinda B. Barnes
Realtor

Mobile 808-741-5656
Fax 808-748-8039

Email
BelindaB@cbpacific.com

Yelp
[Belinda B Barnes Yelp](#)

Website
www.HawaiiHomesForSale.org
www.cbpacific.com/BelindaB

**COLDWELL BANKER
PACIFIC PROPERTIES**
Kahala Mall Roof Top

4211 Waialae Ave, Ste 9000
Honolulu, Hawaii 96816



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From: bylagoon@aol.com
To: [WAM Testimony](#)
Subject: WAM 3-28-14, SUPPORT FO1R HB 493 S1
Date: Thursday, March 27, 2014 2:07:25 PM

Dear Chair Ige,

An unprecedented elephant poaching crisis is decimating elephant populations. African elephants could be extinct in less than two decades. All because of market appetite for ivory trinkets, such as earrings, bracelets, necklaces, statuettes. Cruel ivory trade breeds corruption, undermines the rule of law and threatens the economic livelihood of the local communities. Illegal ivory trade also challenges the regional security in Africa as militia and armed groups have engaged in poaching and used the proceeds from ivory to fund nefarious activities. Hawaii is the third largest market for ivory in the U.S. Surveys found that close to 90% of ivory items for sale in Hawaii could be of illegal or unknown origins. Please support HB 493 SD 1 to save the elephants and end the Aloha State's contribution to the illegal and blood ivory trade.

Thank you for your consideration.
Cj Myers
USA



From: kawakami3-Benigno on behalf of CPCtestimony
To: WAM_Testimony
Subject: FW: CPC-JUD 3-31-14 2pm Comments HCR197/HR157- State ivory sales prohibition needed
Date: Thursday, March 27, 2014 6:55:50 PM

From: Christina Vallianos [<mailto:vallianos@wildaid.org>]
Sent: Thursday, March 27, 2014 11:55 AM
To: CPCtestimony
Cc: JUDtestimony
Subject: CPC-JUD 3-31-14 2pm Comments HCR197/HR157- State ivory sales prohibition needed

March 27, 2014

TO: House Committee on Commerce and Consumer Protection, House Judiciary Committee

RE: Comments on HCR197/HR157, Support for HB493 SD1; Ivory Sales Prohibitions

These comments are submitted on behalf of WildAid, a registered US 501c3 charitable organization, its Board of Directors, and our members. WildAid focuses on addressing consumer demand for products from threatened wildlife, and has been working for the past two years to decrease demand for ivory, primarily in China.

We support measures to implement this law because:

- State legislation is necessary to regulate in-state sales and to give wildlife agents authority to enforce laws outside of federal jurisdiction.
- Any legal trade in ivory can and has extensively enabled laundering of illegal ivory from poached elephants. Without testing in a laboratory, even experts often have a difficult time distinguishing “old”, pre-ban ivory from “new”, smuggled African ivory. It is also difficult to distinguish one species’ ivory from another. Hawaii, as the third highest ivory retailer in the United States has the opportunity to lead the way in elephant conservation and can set a precedent for California and New York by implementing an ivory ban.
- This measure closes an important loophole left by the federal law by excluding any exemptions for the import of trophy-hunted ivory. In the past, trophy hunting has masked illegal activity. Pseudo-hunts, whereby crime syndicates have paid inexperienced hunters or bystanders to obtain rhino horn, have occurred on numerous occasions in South Africa, to the point where the South African government was forced to ban the issuing of permits to Vietnamese nationals.

While we also appreciate the intent of the resolution, the state needs to act for the reasons noted above. We urge the Committees to support HB493 SD1, currently under consideration by the Senate.

Thank you for considering our input.

**With best regards,
Peter Knights, Executive Director**

Submitted by: Christina Vallianos

Christina Vallianos

Campaign Research and Development Associate

WILDAID

744 Montgomery Street #300

San Francisco, CA 94111

T: 415-834-3174

F: 415.834.1759

vallianos@wildaid.org

www.wildaid.org

From: [Denise Dresner](#)
To: [WAM Testimony](#)
Subject: Hawaii - PLEASE LEAD THE WAY! WAM 3-28-14,SUPPORT FOR HB 493 SD1
Date: Thursday, March 27, 2014 6:34:06 PM
Importance: High



Dear Chair Ige,

I am writing you to ask you to please support HB 493 SD1 to make ALL TRADE IN IVORY illegal in the state of Hawaii and to lead the way in closing down the ivory trade in the US.

Your great state is on the verge of becoming a shining example for elephant conservation to the nation and the rest of world.

You are fully aware of the grim and horrific reality of the crisis, with elephants clinging to their survival as a species in the face of unrelenting and unspeakably barbaric poaching that is reducing their numbers at the rate of 100 per day. At this rate of killing they are facing the likelihood of extinction in less than 10 years.

To stop such a tragic scenario from ever happening, all states and all nations must take action NOW, before it's too late. In passing HB 493SD1, which I am confident you will do, your state will be playing a crucial part in ensuring elephants survive. Your state will earn the respect, admiration and gratitude of not only conservationists but people all over the world who care about the survival of this remarkable species. To allow them to perish from our planet would be a terrible crime and incalculable loss.

I implore you, Honorable lawmakers, do not allow this bill to be watered down by special interests – such as the NRA and people with private collections containing ivory. These special interests of a minority of citizens, motivated largely by financial concerns, pale into insignificance next to the critical issue at stake – whether the most majestic, intelligent, emotionally sentient creatures that walk this earth will be allowed by humanity to survive. They have endured so much killing and anguish over the past decade, as their numbers have been decimated to a tiny fraction of what they once were ... they have mourned and grieved for their dead, for the graveyards of bones of their cherished family members – grieved as we humans grieve – and they deserve now to be left alone to recover from this genocide.

By passing HB 493SD1, Hawaii will be taking the only moral, compassionate, and just course of action that can be taken – to protect elephants and help ensure they survive.

Thanking you for time in reading this.

Sincerely,

Denise Dresner

Washington, DC / London, UK
www.actionforelephantsuk.org



NATURAL RESOURCES DEFENSE COUNCIL

TO: Representative McKelvey, Chair, House Committee on Commerce and Consumer Protection

FROM: Elly Pepper, Wildlife Advocate, Natural Resources Defense Council

DATE: March 27, 2014

RE: Comments on HCR197/HR157; SUPPORT for HB493 SD1 (Ivory Sales Prohibitions)

On behalf of our 1.3 million members and activists, including more than 2,500 in Hawaii, we are writing to urge you to support House Bill 493 Senate Draft 1, which would prohibit the importation, sale, offer for sale, and possession with intent to sell, of any ivory product (teeth or tusks) from any species of wildlife in the majority of circumstances. Further, while we sincerely appreciate the support for stronger federal protections regarding ivory expressed in HCR 197 and HR 157, these resolutions are redundant and will not achieve the elephant protections needed to reverse the current poaching crisis.

The international trade in wildlife is a powerful political and economic force that has driven many species to the brink of extinction and some to disappear forever.¹ A dramatic and likely catastrophic example is the sharp rise in poaching of black rhino for Asian traditional medicines, which has played a huge role in reducing populations from several hundred thousand to around 4,838 and led to the extinction of the West African subspecies in 2013.² The trade in tiger bones for Chinese medicine, along with other factors, has reduced tiger populations by 97% from about 100,000 at the turn of the 20th century to 3,200 today, with three subspecies (Bali, Javan, and Caspian) driven to extinction by the 1980s, and one – the Sumatran tiger – with only 400 remaining individuals.³

As these cases and others have shown, the rarer a species gets, the more people desire them due to the economic and psychological values they attach to rarity—something a 2006 study referred to as the anthropogenic Allee effect.⁴ According to this study, as long as there is a positive correlation between a species' rarity and its value, and the market price exceeds the cost of harvesting a species, harvesting will cause further declines, making species even rarer and more

¹ Duncan Graham-Rowe, *Biodiversity: Endangered and In Demand*. Nature 480:S101-S103 (2011).

² World Wildlife Fund, Black rhinoceros, http://wwf.panda.org/what_we_do/endangered_species/rhinoceros/african_rhinos/black_rhinoceros/; IUCN Red List, www.iucnredlist.org.

³ World Wildlife Fund, Tiger Population, http://wwf.panda.org/what_we_do/endangered_species/tigers/about_tigers/tiger_population/.

⁴ Franck Courchamp, et al., *Rarity value and species extinction: The anthropogenic Allee effect*. PLoS Biology 4(12): e415 (2006).

expensive, which in turn stimulates even more harvesting until there's nothing left.⁵ Since buyers are willing to pay any price to obtain these status symbols (e.g., \$22,000 per pound of rhino horn; \$1,300 per pound of ivory), the market price typically covers the cost of harvesting. This is particularly true for species whose parts are actually being used as luxury items, like elephants and rhinos, since the buyer's entire reason for purchasing them is to display wealth and/or social status. The rarer the item, the more expensive it becomes, and the more prestige the buyer gains by acquiring it.⁶

This is exactly what has happened with elephant ivory. As demand for ivory has boomed over the past five years, ivory prices have skyrocketed. This is particularly true in China where the market for illegal ivory has accelerated at the same time that household consumption expenditure (i.e., amount spent on goods and services per household) has increased. Between 2002 and 2004, the wholesale price paid by carvers and ivory processors for illegal raw ivory doubled (from \$150 to \$350 per kilogram); and it doubled again between 2005 and 2010 (to \$750 per kilogram).⁷ As prices have increased, so has poaching, with an estimated 30,000 elephants killed in 2012.⁸

While the general public seems aware of the huge role Chinese demand for elephant ivory has played in elephant poaching and the illegal ivory trade, many don't realize that the U.S. also contributes significantly to this problem as the world's second largest retail market for ivory.⁹ Indeed, the most recent ivory survey of the U.S., conducted in 2008, found 24,004 ivory items for sale in 657 outlets in 16 towns and cities across the U.S.¹⁰

Hawaii is one of the epicenters of the U.S. market, as the third largest ivory market in the country following New York and California. The 2008 ivory survey found 23 outlets – mainly antique shops and tourist markets (i.e., conglomerations of stalls, kiosks or shops in a large open area or multi-story building) – selling 1,867 ivory items on Oahu.¹¹ The vast majority of the items for sale were jewelry (80%), followed by netsukes (12%), human figurines (4%), animal figurines (<1%), and chopsticks (<1%).¹² Almost 90% of the ivory items for sale in Hawaii were likely imported illegally or are of unknown origin.¹³ In other words, almost 90% or 1,478 ivory items could have been from recently killed elephants. Further, according to the Humane Society

⁵ Id.; see also Liza Gross, *A Human Taste for Rarity Spells Disaster for Endangered Species*. PLoS Biology 4(12) (2006), doi:10.1371/journal.pbio.0040439.

⁶ *Rarity Value*, *supra* note 4.

⁷ CITES Secretariat, *Elephant Conservation, Illegal Killing and Ivory Trade*, at 13, SC62 Doc. 46.1 (Rev. 1) (2012), <http://www.cites.org/eng/com/sc/62/E62-46-01.pdf>.

⁸ CITES, IUCN & TRAFFIC, *Status of African elephant populations and levels of illegal killing and the illegal trade in ivory: A report to the African Elephant Summit* (2013), https://cmsdata.iucn.org/downloads/african_elephant_summit_background_document_2013_en.pdf.

⁹ Esmond Martin & Daniel Stiles, *Ivory Markets in the USA*, at 5 (2008), <http://www.savetheelephants.org/files/pdf/publications/2008%20Martin%20&%20Stiles%20Ivory%20Markets%20in%20the%20USA.pdf>; UNEP, TRAFFIC, CITES & IUCN, *Elephants in the Dust: The African Elephant Crisis*, at 65 (2013), http://www.cites.org/common/resources/pub/Elephants_in_the_dust.pdf.

¹⁰ Martin & Stiles, *supra* note 10, at 5; see also Humane Society of the United States, *An Investigation of Ivory Markets in the United States*, at 6 (2002), http://www.humanesociety.org/assets/pdfs/Ivory_Trade_Report.pdf.

¹¹ Martin & Stiles, *supra* note 9, at 93.

¹² Id. at 94.

¹³ Id.

of the United States, Hawaii has what is likely the largest online ivory marketplace in the country, with seven major retail outlets on the internet offering, combined, approximately 1,153 ivory objects for sale, all of which could very well be illegal.

The vast majority of ivory in Hawaii comes from China, where the number of registered ivory factories and ivory retail outlets has risen.¹⁴ The 2008 survey found that of the 1,317 ivory items in Hawaii that could be attributed to place of manufacture, 73% were from China. Ivory is smuggled to the U.S. illegally by individuals and via shipping carriers.¹⁵ Most packages containing ivory are not marked as required by federal laws, but are instead mislabeled as “crafts” or “bone.”¹⁶ Much of the ivory coming to the U.S. is purchased illegally over the Internet, often from sites based in China.¹⁷ Ivory also enters the U.S. by falsely claiming to meet U.S. import exceptions.¹⁸

Currently, Hawaii’s ivory law allows sales if the ivory was imported before 1989 or is at least 100 years old at the time of import and has not been altered since. HB 493 SD 1 will narrow these exceptions by requiring sellers to meet documentation requirements recently proposed by the federal government. This will make it more difficult for sellers to pretend that their ivory is old when it is actually from recently poached elephants. Further, by covering all types of ivory, HB 493 SD 1 will make it more difficult for sellers to claim that the ivory comes from a legal source of ivory when it is actually from elephants. Lastly, the increased penalties proscribed in HB 493 SD 1 for those who violate Hawaii’s ivory law will act as a deterrent for wildlife traffickers.

While we sincerely appreciate the support for stronger federal protections regarding ivory expressed in HCR 197 and HR 157, the Hawaii Legislature already unanimously passed Senate Concurrent Resolution 149 in 2013 urging businesses not to buy or sell ivory of unknown or illegal origin. There is no need for yet another state resolution or to wait yet another year for critical state legislation. Furthermore, the U.S. Fish and Wildlife Service is already taking action to strengthen federal ivory laws, as evidenced in Director’s Order 210, which the Fish and Wildlife Service issued on February 25, 2014 at the direction of the Obama Administration.¹⁹

Furthermore, if we are to successfully reduce the U.S. and Hawaii ivory markets, state action – in *in addition to federal action* – is critical for two main reasons. First, the federal government lacks the authority to regulate most intrastate actions regarding ivory, meaning that stricter state laws are necessary to complement these federal proposals. Second, the Service’s proposal appears to contain some loopholes that state laws could close. State legislation is also necessary to give state wildlife agents the authority to enforce laws in-state and outside of ports, airports, and other

¹⁴ *Elephants in the Dust*, *supra* note 9, at 63; HSUS, *supra* note 9, at 1.

¹⁵ Esmond Martin, *Are we winning the case for ivory substitutes in China*, *Pachyderm*, 40: 88-100 (2006).

¹⁶ Environmental Investigations Agency, *Made in China* (2007), <http://eia-global.org/news-media/made-in-china-how-chinas-illegal-ivory-trade-is-causing-a-21st-century-afri>.

¹⁷ Doug Williamson, *The Status of the U.S. Trade in Elephant and Hippo Ivory*, at 4, 26 (2004), http://assets.worldwildlife.org/publications/425/files/original/Tackling_the_Ivories.pdf?1345757077.

¹⁸ Martin & Stiles, *supra* note 9, at 18.

¹⁹ United States Fish and Wildlife Service, Director’s Order 201, Feb. 25, 2014, <http://www.fws.gov/policy/do210.html>.

federal jurisdictions. The Hawaii Department of Land and Natural Resources, who would enforce these provisions, supports HB 493 SD1.

While HB 493 SD 1 includes some exceptions not contained in the ivory bills originally introduced in the House and Senate, it would still be a significant step towards ending Hawaii's involvement in the elephant poaching crises. To be one of the first states in the country with a strong ivory law would be a huge achievement for Hawaii, allowing the state to be seen as a leader on an issue that is currently garnering a great deal of attention both domestically and internationally. For these reasons, and those outlined above, we respectfully encourage you to support HB 493 SD 1. Thank you very much for the opportunity to submit comments.



From: emanuela.sala@fastwebnet.it
To: [WAM Testimony](#)
Subject: request
Date: Thursday, March 27, 2014 10:10:24 PM

I support HB493 SD 1 and make any Hawaii connections if you have them.

Kind regards
Emanuela Sala



From: [Hale Anderson](#)
To: [WAM Testimony](#)
Subject: HB 493 SD1
Date: Friday, March 28, 2014 9:58:08 AM

Chair Ige:

I SUPPORT HB 493 SD1. Please be advised that my friends in Hawaii who have worked so hard to end the awful ivory trade in Hawaii have urged all anti-ivory activists to contact with this message. Hawaii has the opportunity now, to lead the nation in shutting down the ivory trade. Of utmost importance, is to stem the tide of poaching that we all may work to save the African elephants from extinction.

Thank you.

--

Hale Anderson
310-597-8078
hale1005@gmail.com



From: [kawakami3-Benigno](#) on behalf of [CPCtestimony](#)
To: [WAM Testimony](#)
Subject: FW: CPC 3-31-14 COMMENTS on HCR197/HR157, SUPPORT for HB493 SD1; Ivory Sales Prohibitions"
Date: Thursday, March 27, 2014 6:46:14 PM

From: Heidi Osterman [mailto:hjosterman@gmail.com]
Sent: Wednesday, March 26, 2014 4:20 PM
To: CPCtestimony
Subject: CPC 3-31-14 COMMENTS on HCR197/HR157, SUPPORT for HB493 SD1; Ivory Sales Prohibitions"

Dear Chair McKelvey,

An unprecedented elephant poaching crisis is decimating elephant populations. African elephants could be extinct in less than two decades. All because of market appetite for ivory trinkets, such as earrings, bracelets, necklaces, statuettes. Cruel ivory trade breeds corruption, undermines the rule of law and threatens the economic livelihood of the local communities. Illegal ivory trade also challenges the regional security in Africa as militia and armed groups have engaged in poaching and used the proceeds from ivory to fund nefarious activities.

Hawaii is the third largest market for ivory in the U.S. Surveys found that close to 90% of ivory items for sale in Hawaii could be of illegal or unknown origins. Please support HB 493 SD 1 to save the elephants and end the Aloha State's contribution to the illegal and blood ivory trade. Thank you for your consideration.

Sincerely,

Heidi Osterman



From: [heta rousi](#)
To: [WAM Testimony](#)
Subject: No one needs ivory except the elephants
Date: Thursday, March 27, 2014 7:33:50 PM

I Support HB493SDI.

Thank You Hawaii!
You Will save Our elephants!

Yours sincerely,
Heta Rousi
Finland

Lähetetty Windows Phonesta



From: INSPIREVISION@aol.com
To: [WAM Testimony](#)
Subject: HB493 SD1: PLEASE SUPPORT
Date: Thursday, March 27, 2014 2:05:13 PM

Dear Chairman, Vice Chairman and Committee Members:

Please support HB493 SD1 to protect elephants from butchery and extinction.

[Ivory: the Elephant in the Room | OnEarth Magazine](#) (2/3/14)

Excerpt: President Obama bans ivory sales in an effort to save elephants from the highest poaching rates in decades.

[FACT SHEET: National Strategy for Combating Wildlife Trafficking & Commercial Ban on Trade in Elephant Ivory | The White House](#) (2/11/14)

Excerpt: THE IVORY BAN

Today we are also announcing a ban on the commercial trade of elephant ivory, which will enhance our ability to protect elephants by prohibiting commercial imports, exports and domestic sale of ivory, with a very limited number of exceptions. This ban is the best way to help ensure that U.S. markets do not contribute to the further decline of African elephants in the wild.

To begin implementing these new controls, federal Departments and Agencies will immediately undertake administrative actions to:

- **Prohibit Commercial Import of African Elephant Ivory:** All commercial imports of African elephant ivory, including antiques, will be prohibited.
- **Prohibit Commercial Export of Elephant Ivory:** All commercial exports will be prohibited, except for bona fide antiques, certain noncommercial items, and in exceptional circumstances permitted under the Endangered Species Act.
- **Significantly Restrict Domestic Resale of Elephant Ivory:** We will finalize a proposed rule that will reaffirm and clarify that sales across state lines are prohibited, except for bona fide antiques, and will prohibit sales within a state unless the seller can demonstrate an item was lawfully imported prior to 1990 for African elephants and 1975 for Asian elephants, or under an exemption document.
- **Clarify the Definition of “Antique”:** To qualify as an antique, an item must be more than 100 years old and meet other requirements under the Endangered Species Act. The onus will now fall on the importer, exporter, or seller to demonstrate that an item meets these criteria.
- **Restore Endangered Species Act Protection for African Elephants:** We will revoke a previous Fish and Wildlife Service special rule that had relaxed Endangered Species Act restrictions on African elephant ivory trade.
- **Support Limited Sport-hunting of African Elephants:** We will limit the number of African elephant sport-hunted trophies that an individual can import to two per hunter per year.

The United States will continue to lead global efforts to protect the world’s iconic animals and preserve our planet’s natural beauty for future generations. Combating wildlife trafficking will require the shared understanding, commitment, and efforts of the world’s governments, intergovernmental organizations, NGOs, corporations, civil society, and individuals.

THANK YOU FOR SUPPORTING HB493 SD1.

Jane Shiraki



From: [Barbara Peterson](#)
To: [WAM Testimony](#)
Subject: WAM 3-28-14, SUPPORT FOR HB 493 SD1
Date: Friday, March 28, 2014 8:53:20 AM

Dear Chair Ige,

I am deeply concerned over the hunger in the United States for ivory and I have joined a People's Movement calling for the end of the ivory trade within the United States. The ivory trade is an unacceptable, bloody, and morally bankrupt trade that is causing the demise – the extinction – of the earth's magnificent elephants. We must rise above this. Ivory has no place in a modern, evolved society. The ivory trade is wrought with greed, corruption, selfishness and it is a source of great funding for terrorism.

*Chair Ige, **I implore you to stand firm and strong for bill HB 493 SD1.** The fact that the opposition is so great from such a small percentage of people just furthers my conviction that we must, in good moral and human consciousness, outlaw this bloody, cruel trade, and send it to the history books forever! I guarantee that the number of parents in the great state of Hawaii and in the United States who want our children to grow up in a world with elephants far surpasses those who profit and benefit from such grotesque commerce.*

To those who have made an investment out of ivory, they made a bad choice. Many people make bad investments from time-to-time and this is an unfortunate part of life. It is in no-way, however, a valid argument for the continued exploitation of elephants as a mere commodity to hurt for our petty greed. Elephants are a unique and sentient species, profoundly deserving of our greatest admiration and our greatest protection.

*Hawaii has the chance to be real heroes, true champions, for our national security, for the earth, for the elephants, and for our children. **Please support HB 493 SD1** to finally END the Aloha's state contribution to this horrific trade.*

Thank you greatly for your consideration.

John H. Peterson

Westwood, New Jersey USA

From: [Kathleen Gobush](#)
To: [WAM Testimony](#)
Subject: HB493 Ivory Bill testimony
Date: Thursday, March 27, 2014 1:40:00 PM
Attachments: [DSCN1023.JPG.zip](#)



Dear Hawaii State Legislature:

I am a scientist with a Kenyan-based organization called Save The Elephants (STE), and I am writing you in regards to the new bill on ivory sales (HB 493) sponsored that promotes control of the illegal trade of ivory in Hawaii. I am grateful that this Bill will be discussed tomorrow.

I have worked with Inga Gibson of the Humane Society on the issue and SCR 149 that passed last April (2013). Incidentally, I was fortunate to still be in Hawaii during last year's legislative session because I had just ended a 5-year post working with the Hawaiian monk seal for NOAA before engaging in the fight to protect Africa's elephants. For my current post with STE, I work between Kenya and Seattle.

I would like to kindly encourage you to please support the passing of HB 493 on ivory sales. A new law that prohibits all domestic sales of ivory in Hawaii would be a bold move, however bold moves at this time are exactly what is needed to stamp out the current epidemic of elephant poaching and illicit ivory trafficking that continues to threaten the species with extinction in our lifetime

Though the recent announcement of tighter ivory sale restrictions by the US government are very welcomed and needed, a stricter state law in Hawaii would go above and beyond what the federal government can do with its new proposed rule that is expected to go through in June. Essentially HB 493 would effectively close any remaining loopholes that the new federal proposed rule cannot. Incidentally, Senator Sweeney in New York is also currently looking to close the same ivory sales and trafficking loopholes in his state that the Hawaii Legislature can now for Hawaii.

After I left Hawaii last May, I spent 5 months in Kenya. While there, my family and I enjoyed time with free-ranging elephants in Samburu and Masai Mara National Reserves. It was

amazing to be able to introduce my 4-year old son (Hawaii-born!) to elephants and other wildlife that I value so much, but it was also difficult to know that the elephants we observed were suffering. These survivors have seen their family members cut down by poachers in order to feed an unsustainable demand for ivory trinkets and carvings emanating principally from the Far East-- and some of these illicit trinkets and carvings appear to make it to Hawaiian shores. Ivory can only be harvested from dead elephants—tusks are not horns, they are modified teeth with a large nerve running down the center. Please make no mistake, each ivory carving represents an elephant life lost.

While in Kenya, I also came to better appreciate that African governments cannot battle the illegal ivory trade alone—ivory-consuming nations must get tougher laws in place that are faithfully enforced. In Nairobi, where I was staying, the Westgate mall terrorist attack occurred just 5 miles down the way while I was there. Some reports indicate that the terrorist group responsible may have financed . Its operations with proceeds from ivory trafficking. As security issues dominate Kenyan politics (and that of many African nations), its important for the U.S. and other ivory consuming nations to stand together with African nations, and do their part to effect the change that is needed to protect elephants and human communities alike.

The most recent IUCN report on ivory contraband seizures worldwide (made available in December 2013) indicates that there is no let up in the illegal trade-- the number of large-scale seizures of tusks for the year was the highest on record since the international ban on the sale of ivory went into effect in 1989.

However, a few events in the last several weeks are encouraging that momentum is building to resolve the poaching/ivory crisis: mainland China destroyed 6 tons of stockpiled contraband ivory (6 Jan), Hong Kong just agreed to destroy its similar stockpile of 30 tons (23 Jan) and recently a Chinese national caught trafficking ivory through Kenya received the maximum sentence under Kenya's new Wildlife Law (\$230,000 USD or 7 years in prison if not paid for hiding 3.4kg of ivory in his luggage). Passing the ivory sales bill into law in Hawaii will show that the State stands strong with the elephants and African countries trying to protect their natural heritage, and will add needed momentum to turn this crisis around.

Thank you again for giving this important cause your attention and considering scheduling a hearing for HB 493.

Additionally, please call on me for any assistance if needed in understanding the complex issues surrounding the ivory trade and its impacts on African elephants.

Sincerely, Kathleen

Attached is a photo I took last February while still living in Hawaii of illegal ivory for sale at a Chinese New Year event in Honolulu-- the seller at the kiosk told me that it was no problem to sell these at the time. Ivory tusks can only be gotten from dead elephants-- so though the carvings seem small they represent an entire life lost.

Kathleen S. Gobush, PhD.
Strategist & Research Scientist
Save the Elephants
[206.963.5449](tel:206.963.5449)



Save the Elephants
TEL: +254 (0)20 2362730 · CELL: +254 (0)720 441 178
info@savetheelephants.org
www.savetheelephants.org

Please consider the environment before printing this e-mail



From: [Kimberly West](#)
To: [WAM Testimony](#)
Subject: PLEASE SUPPORT HB493 SD1 to protect elephants/stop the sale of illegal ivory
Date: Thursday, March 27, 2014 3:24:48 PM

To Senate Ways and Means Committee,

Please support HB493 to show the world that the African elephants need protection.
Ivory sales encourage collecting ivory, which encourages killing of elephants for their tusks.
Thank you!

Kimberly West



From: [Lisa Scharin](#)
To: [WAM Testimony](#)
Subject: Elephants
Date: Thursday, March 27, 2014 11:27:09 AM

Dear Chair Ige,

I am writing to you to urge you to make sure that ALL provisions are made to ensure the end of the Ivory trade and that illegal markets and poaching are stopped.

It is imperative that Hawaii join the Main land USA, China, Philippines, and Africa in burning Ivory stockpiles. Due to CITES allowing the sale of Ivory in 1999 and than again in 2007, poaching and the black market has exploded.

We are losing 35,000-40,000 elephants a year and it is estimated that they could be extinct within 2 decades or less!

We cannot allow this to happen!

These animals are worth FAR more than any trinket, they deserve a life free from fear and violence! Not only is poaching dangerous for animals, it also helps drive the illegal trade of drugs, guns and human trafficking as well!

PLEASE do everything in your power to help these extremely intelligent, social animals!!!

Thank-you!

Lisa Scharin,
South Carolina, USA



From: [Lisa Solberg](#)
To: [WAM Testimony](#)
Subject: Please proceed with the ivory ban
Date: Thursday, March 27, 2014 4:44:58 PM

To whom this may concern,

Please proceed with the bill to ban Elephant ivory in Hawaii. Hawaii is the 3rd biggest ivory trading state in the United States, so this bill would make a big difference in the fight for the species!

Thank you,
Lisa Solberg



From: [LouAnn Zenoff Melgar](#)
To: [WAM Testimony](#)
Subject: WAM 3-28-14, SUPPORT FOR HB 493 SD1
Date: Thursday, March 27, 2014 12:36:35 PM

Dear Lawmakers:

An unprecedented elephant poaching crisis is decimating elephant populations. African elephants could be extinct in less than two decades. All because of market appetite for ivory trinkets, such as earrings, bracelets, necklaces, statuettes. Cruel ivory trade breeds corruption, undermines the rule of law and threatens the economic livelihood of the local communities. Illegal ivory trade also challenges the regional security in Africa as militia and armed groups have engaged in poaching and used the proceeds from ivory to fund nefarious activities.

Hawaii is the third largest market for ivory in the U.S. Surveys found that close to 90% of ivory items for sale in Hawaii could be of illegal or unknown origins. Please support HB 493 SD 1 to save the elephants and end the Aloha State's contribution to the illegal and blood ivory trade.

Thank you for your consideration.--

LouAnn Zenoff Melgar
South African Safari Adventures
www.ProwlerSafaris.com

What humanity needs, Mother Nature answers in whispers -- just listen



Before printing this email or any attachments, think about your responsibility and commitment to the **ENVIRONMENT**

From: vegan4animals@gmail.com
To: [WAM Testimony](#)
Subject: support for HB493 SD 1
Date: Thursday, March 27, 2014 9:30:11 PM



Dear Chair Ige:

I support HB493 SD 1 to protect elephants and end the sale of illegal ivory in Hawaii. I respectfully urge you to vote for the ban on ivory sales.

Sincerely,

Melissa Tappis



From: [Mike Paredes](#)
To: [WAM Testimony](#)
Subject: WAM 3-28-14,SUPPORT FOR HB 493 SD1
Date: Thursday, March 27, 2014 5:16:33 PM

Dear Chairman Ige,

Please support HB 493 SD1 regarding elephant ivory.

Though my wife Nancy and I don't live in Hawaii, we have deep respect for your island and culture; Nancy studies the hula as a member of a halau here in Maryland. We recently returned from our 6th trip to Africa to marvel at the remaining wildlife there, this time to Zambia. Though Zambia is doing fairly well against the poachers compared to the mass slaughter that is occurring in other nearby countries, we had a wake-up call on our last night at our safari camp. We were sitting with the camp manager when a gunshot registered from the bush; our blood ran cold. This, sir, is the true cost of an ivory trinket, or so-called "art". One elephant is killed every 15 minutes for their ivory, and Hawaii should not play any part in this greedy barbarism.

Please, sir, be on the right side of history-save elephants, end the bloody ivory trade.

With sincere aloha,

Michael Paredes
Annapolis, MD



From: [kawakami3-Benigno](#) on behalf of [CPCtestimony](#)
To: [WAM Testimony](#)
Subject: FW: CPC 3-31-14 COMMENTS on HCR197/HR157, SUPPORT for HB493 SD1; Ivory Sales Prohibitions
Date: Thursday, March 27, 2014 5:53:47 PM

From: michelleleelivingston5@gmail.com [mailto:michelleleelivingston5@gmail.com] **On Behalf Of**
Golfing for Elephants
Sent: Wednesday, March 26, 2014 10:52 AM
To: CPCtestimony
Subject: CPC 3-31-14 COMMENTS on HCR197/HR157, SUPPORT for HB493 SD1; Ivory Sales Prohibitions

Chair McKelvey, House Commerce and Consumer Protection Committee

Dear Lawmakers:

An unprecedented elephant poaching crisis is decimating elephant populations. African elephants could be extinct in less than two decades. All because of market appetite for ivory trinkets, such as earrings, bracelets, necklaces, statuettes. Cruel ivory trade breeds corruption, undermines the rule of law and threatens the economic livelihood of the local communities. Illegal ivory trade also challenges the regional security in Africa as militia and armed groups have engaged in poaching and used the proceeds from ivory to fund nefarious activities.

Hawaii is the third largest market for ivory in the U.S. Surveys found that close to 90% of ivory items for sale in Hawaii could be of illegal or unknown origins. Please support HB 493 SD 1 to save the elephants and end the Aloha State's contribution to the illegal and blood ivory trade.

Thank you for your consideration.

Michelle Livingston, MBA
Founder & President
Golfing for Elephants
www.golfingforelephants.com
contact@golfingforelephants.com
818-869-GOLF
Tucson, AZ



From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: mmmmahalo2000@aol.com
Subject: Submitted testimony for HB493 on Mar 28, 2014 09:25AM
Date: Thursday, March 27, 2014 12:37:11 PM

HB493

Submitted on: 3/27/2014

Testimony for WAM on Mar 28, 2014 09:25AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Moran	Individual	Support	No

Comments: Sorry if late- hard to keep up as this topic was under different bill number at opening of session, but the message is the same SUPPORT. Stop the sale of ivory in Hawaii. No one needs it, except for greed at expense of elephants who are killed for the tusks. Please support this measure. Mahalo, Mike Moran, Maui

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: kawakami3-Benigno on behalf of CPCtestimony
To: WAM_Testimony
Subject: FW: PLEASE PASS BILL: HB 493 SD1
Date: Thursday, March 27, 2014 6:48:01 PM

From: humbalapa . [mailto:humbalapa@gmail.com]
Sent: Thursday, March 27, 2014 8:52 AM
To: CPCtestimony
Subject: PLEASE PASS BILL: HB 493 SD1

Dear Chair McKelvey:

As a US citizen of African heritage, I am writing to you today with the utmost respect to BEG for your cooperation and urgent support in passing HB 493 SD1. This is an action which **MUST NOT** be delayed or argued any further!

The ivory trade is an unacceptable, bloody, and morally bankrupt trade that is causing horrific suffering for, and the extinction of, the earth's magnificent elephants. We must rise above this. Ivory and the horror of poaching has no place in a modern, evolved society. The ivory trade is wrought with greed, corruption, selfishness and it is a source of great funding for terrorism.

Chair McKelvey, please, I implore you to stand firm and strong for bill HB 493 SD1. The fact that the opposition is so great from such a small percentage of people just furthers my conviction that we must, in good moral and human consciousness, outlaw this bloody, cruel trade, and send it to the history books forever!

To those who have made an investment out of ivory, they made a bad choice. Many people make bad investments from time-to-time and this is an unfortunate part of life. It is in no way, however, a valid argument for the continued exploitation of elephants as a mere commodity to hurt for our petty greed. Elephants are a unique and sentient species, profoundly deserving of our greatest admiration and our greatest protection.

Hawaii has the chance to be real heroes, true champions, for our national security, for the earth, for the elephants. Please support HB 493 SD1 to finally END the Aloha's state contribution to this horrific trade.

Thank you greatly for your consideration.

Mrs. Pamela Freeman

California

From: [patricia.joanides](#)
To: [WAM Testimony](#)
Cc: [Patricia Joanides](#)
Subject: "WAM 3-28-14,SUPPORT FOR HB 493 SD1"
Date: Thursday, March 27, 2014 12:49:06 PM



"Dear Chair Ige:

An unprecedented elephant poaching crisis is decimating elephant populations. African elephants could be extinct in less than two decades. All because of market appetite for ivory trinkets, such as earrings, bracelets, necklaces, statuettes.

Cruel ivory trade breeds corruption, undermines the rule of law and threatens the economic livelihood of the local communities. Illegal ivory trade also challenges the regional security in Africa as militia and armed groups have engaged in poaching and used the proceeds from ivory to fund nefarious activities.

Hawaii is the third largest market for ivory in the U.S. Surveys found that close to 90% of ivory items for sale in Hawaii could be of illegal or unknown origins.

Please support HB 493 SD 1 to save the elephants and end the Aloha State's contribution to the illegal and blood ivory trade.

Thank you for your consideration."

Sincerely,

patricia joanides

woodacre, california

*If we have no peace it is because we have forgotten
that we belong to each other. ~ Mother Teresa*



International Fund for Animal Welfare

To whom it may concern,

On behalf of our more than 3,500 Hawaiian members and supporters, the International Fund for Animal Welfare (IFAW) submits this testimony supporting passage of HB 493 SD 1, currently before the Legislature of the State Hawai'i.

As stated in section 1 of this bill, African elephants are facing a crisis driven by consumer demand for their ivory. IFAW has long been at the leading edge of this issue, including our groundbreaking investigations into Chinese ivory markets (2008), internet sales of illegal wildlife (2008 and 2012), the links between national security and poaching (2008 and 2013), and most recently an analysis of the United States' ivory markets and related regulatory systems (2014). In all of these we have found overwhelming evidence that the legal trade in ivory helps to obscure and propagate a parallel market in illicit products.

We are currently supporting the United States Fish & Wildlife Service's efforts to restrict domestic commerce in ivory (colloquially referred to as the "ivory ban") and applaud your state's efforts to bolster these restrictions. Hawai'i is not alone in its determination to enact state conservation measures, but passing HB 493 SD 1 would set a tremendous example to other states, as well as giving Hawaiians the distinction of helping to change the global conversation on this life-or-death issue.

IFAW believes that ivory should belong to elephants. By banning the sale of ivory in your state, you can send the message to poachers, traffickers, and consumers that we value our world's wildlife more than worthless trinkets and ornaments. Stopping this bloody trade will reap benefits for international security, aid anti-corruption efforts, enable more effective use of our law enforcement funding here and abroad, and gives our children the chance to share this planet with one of history's truly majestic creatures.

Thank you for your consideration.

Sincerely,

Peter LaFontaine
Campaigns Officer

INTERNATIONAL HEADQUARTERS
290 Summer Street
Yarmouth Port, MA 02675-1734
USA
Tel: 508 744 2000
Fax: 508 744 2039

Australia
Belgium
Canada
China
France
Germany
India
Japan
Kenya
Netherlands
Russia
South Africa
United Arab Emirates
United Kingdom
United States



From: [Phyllis Wiley](#)
To: WAM_Testimony; CPCITestimony@capitol.hawaii.gov
Subject: Elephant Crisis
Date: Thursday, March 27, 2014 11:37:34 AM

I implore you to stand firm and strong for bill HB 493 SDI.
Those of us who find the incredibly cruel slaughter of elephants for ivory beyond comprehension and so morally wrong are looking to you to take this step forward in our fight.
We are counting on you with all our hearts.

Sincerely,

Phyllis Wiley
Ridgewood, New Jersey



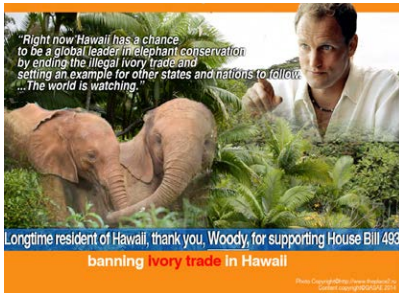
From: [Rosemary Alles](#)
To: [WAM Testimony](#)
Subject: Please support support of HB493 SD 1! End the ivory trade in Hawaii.
Date: Thursday, March 27, 2014 6:46:39 PM
Attachments: [woody_Hawaii.png](#)

Dear Chair Ige,

I hope this finds you well.

"No one needs ivory except for elephants. Up to 100 African elephants are brutally killed each day for their tusks. These highly intelligent keystone species are facing the greatest threat to their survival in history. Right now Hawaii has a chance to be a global leader in elephant conservation by ending the illegal ivory trade and setting an example for other states and nations to follow. The world is watching. It is within our power, and our responsibility, to end this cruelty by stopping the blood ivory trade. As a long time Hawaii resident I know how much the great Aloha state has to offer; contributing to the massacre of elephants for their ivory, shouldn't be one of them." -- Woody Harrelson

As a long time resident of the Big Island, I remain optimistic that Hawaii will do the right thing by Earth's last elephants, it's constant gardener and its last and more majestic terrestrial herbivore.... support HB493 SD 1!



Be well,

Warmly,
Rosemary Alles
PO Box 1430
Kamuela, HI
96743

From: [Rosemary Karlsson](#)
To: [WAM Testimony](#)
Subject: stop the sale of illegal ivory
Date: Thursday, March 27, 2014 6:52:15 PM



SUPPORT HB493 SD1 to protect elephants/stop the sale of illegal ivory

No one needs ivory to live. Stop the sale of ANY ivory.

Why should an animal die because someone wants to make jewelry from his/her teeth?

Rosemary Karlsson
PO Box 492266
Keaau, HI 96749
808-966-6589



From: SEGway16@aol.com
To: [WAM Testimony](#)
Subject: WAM 3-28-14,SUPPORT FOR HB 493 SD1
Date: Thursday, March 27, 2014 3:53:44 PM

Dear Chairperson Ige and Fellow Lawmakers,

Hi! I am a New York State resident who is dreaming of the vacation we are planning in your beautiful state! As a U.S. citizen I am very concerned that the iconic and smart, empathetic species of elephants will soon become extinct without immediate action by caring and thoughtful lawmakers like yourselves. I attended the January 16 hearing before the NY State Assembly where an ivory ban was so thoroughly and intelligently deliberated by our lawmakers that I stood in awe seeing government up close and working for the people so wonderfully. I am sure you are doing the same for your great state. I ask that you consider all of the children who want to learn that "E" is for "Elephant" instead of "Extinct" as you stand up to the ivory lobby groups and Ban Ivory for the good of the people of you state. We in New York are fighting the same fight and we are with you on this monumental issue.

An unprecedented elephant poaching crisis is decimating elephant populations. African elephants could be extinct in less than two decades. All because of market appetite for ivory trinkets, such as earrings, bracelets, necklaces, statuettes. Cruel ivory trade breeds corruption, undermines the rule of law and threatens the economic livelihood of the local communities. Illegal ivory trade also challenges the regional security in Africa as militia and armed groups have engaged in poaching and used the proceeds from ivory to fund nefarious activities.

As you know, Hawaii is the third largest market for ivory in the U.S. and surveys found that close to 90% of ivory items for sale in Hawaii could be of illegal or unknown origins. Please support HB 493 SD 1 to save the elephants and end the Aloha State's contribution to the illegal and blood ivory trade. Thank you for your consideration.

Sharon Goldstein
Brookville, NY

Dear Chair Ige and Fellow Lawmakers,

LATE

Earthtrust



TO: Honorable Chair Ige
Senate Ways and Means Committee
March 28, 2014

Submitted by: Sue White, **Earthtrust**

RE: Strong Support of HB 493 Proposed SD1 Relating to Animal Cruelty; Ivory

Earthtrust is a Hawaii organization headquartered in Kailua, Hawaii. We have been involved in Rhino protection and whale issues in Hawaii and abroad for over 20 years. We strongly support HB 493 which calls for a ban on ivory products in Hawaii. Hawaii's ivory sellers have had decades to plan for a complete ban on ivory. This is not something that should come as any surprise to the retail industry. The sale of ivory products is very difficult to police. Only a total ban on the sale of ivory will allow investigators to stop the illegal sales of whale, rhino and elephant ivory in Hawaii.

The sale of any ivory, elephant, rhino or pre-act whale may mask the sale of illegal whale ivory as well. Hawaii prides itself on its protection of whales in its waters. Let's strengthen those protections by banning the sale of all ivory.

We urge the committee to recognize that the time to ban all ivory sales is long overdue.

Please support this bill and pass it out of committee.

Respectfully,

A handwritten signature in blue ink that reads "Sue White".

Sue White, Vice-President

Earthtrust
1118 Maunawili Road
Kailua, Hawaii 96734
PH: (808) 262-0284



From: [Susan Campisi](#)
To: [WAM Testimony](#); [All Reps](#)
Subject: Please support HB493 SD 1
Date: Friday, March 28, 2014 5:13:57 AM

Dear Chair Ige,

Please support HB493 SD 1, to protect elephants and end the sale of illegal ivory in Hawaii.

I dream of visiting your shores, the beauty of which I only know through film, TV, and my friend who has had the good fortune of living in Hawaii the past few years as he works on the TV show, "Hawaii Five-O." I'm thrilled I will be visiting him in a few months, and all the more so now that Hawaii is showing leadership in ending the ivory trade to save our beloved elephants.

As you know, an unprecedented slaughter of elephants is decimating African elephant populations. African elephants could be extinct in less than two decades, all because of demand for ivory trinkets. The cruel ivory trade breeds corruption, undermines the rule of law and threatens the economic livelihood of local communities. Illegal ivory trade also challenges the regional security in Africa as militia and armed groups have engaged in poaching and used the proceeds from ivory to fund nefarious activities.

Hawaii is the third largest market for ivory in the U.S. Surveys found that close to 90% of ivory items for sale in Hawaii could be of illegal or unknown origins. Please support HB 493 SD 1 to save elephants and end the Aloha State's contribution to the illegal and blood ivory trade.

Hawaii holds a mystique like no other state in the country. A compassionate, progressive and dynamic state, a state by and for the people, the Aloha state has an opportunity to be a leader in saving Earth's last elephants. Please do the right thing for the majestic elephants, for the people of the continent of Africa, the people of the world and the people of Hawaii.

No one needs ivory except for elephants.

Thank you for your consideration.

Be well and Mahalo nui loa.

Warm regards,
Susan

~~~~~  
Susan Campisi  
3349 Alicia Ave  
Altadena, California 91001

**From:** [Tamara Birdsall](#)  
**To:** [WAM Testimony](#)  
**Subject:** Hawaii can lead the world in elephant conservation! I approve of HB 493 SD1  
**Date:** Friday, March 28, 2014 5:14:04 AM

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I urge you to support HB 493 SD 1 to protect elephants and end the sale of illegal ivory in Hawaii! I realize that ivory dealers may have more money and influence than all of us, but we are active and determined and we will not back down from the battle to save elephants from extinction. Ivory trinkets are totally unnecessary. Elephants are essential. Thank you so much for doing the right thing in Hawaii for our planet!  
Tamara Birdsall



**THE HUMANE SOCIETY**  
OF THE UNITED STATES



**HUMANE SOCIETY**  
INTERNATIONAL

**TO:** Honorable Chair Ige, Vice-Chair Kidani  
Senate Ways and Means Committee  
March 28, 2014, 925am

**SUBMITTED BY:** Inga Gibson, Hawaii Director, The Humane Society of the United States-Humane Society International

**And on behalf of the following organizations;**

*ACE Foundation (Hong Kong), Animal Welfare Institute, Annamiticus, Care for the Wild International, Center for Biological Diversity, Defenders of Wildlife, Earth Trust (Kailua), Elephant Advocacy, Elephants DC, Hong Kong for Elephants, Performing Animal Welfare Society (PAWS), Pro Wildlife, Shark Allies, The Humane Society of Canada, Wild Aid, WildLifeRisk (Hong Kong)*

**RE: STRONG SUPPORT of HB 493 SD1, Relating to Animal Cruelty; Ivory**

The Humane Society of the United States (HSUS)-Humane Society International urge the Committee's support for HB 493 SD1, which would prohibit any person from importing, selling, offering to sell, or possessing with intent to sell, any ivory product (teeth or tusks) from any species of wildlife, with the below exemptions. This measure is in response to *S.C.R. 149 that unanimously passed the Hawaii Legislature in 2013*. The Resolution asked Hawaii residents and businesses not to buy or sell ivory of unknown origin. Unfortunately, despite notice being provided to retailers, Hawaii continues to sell ivory of unknown and likely illegal origin, and without necessary documentation.

This current bill is based on HB 2183 (Rhoads) that received close to 500 testimonies in support and its unanimous passage out of both the Economic Development and Judiciary Committees. Due to concerns from (4) ivory and antique dealers, HB 493 SD1 proposes exempting the below ivory products to address their concerns:

- Antique ivory, including mammoth, and vintage Hawaiian ivory and heirlooms;
- Asian elephant ivory legally acquired prior to 1975 and African elephant ivory legally acquired prior to 1990 per the Endangered Species Act;
- Walrus and Whale ivory legally acquired prior to the enactment of the federal Marine Mammal Protection Act of 1972.

These exemptions are per the February 25, 2014, U.S. Fish and Wildlife Service Director's Order<sup>1</sup>. HB 493 SD1 uses the same standards and definitions as the federal Order, including the U.S. Fish and Wildlife Service's *Identification Guide for Ivory and Ivory Substitutes*<sup>2</sup> "which was developed to give information about a nondestructive and visual means of tentatively distinguishing clearly legal ivory from suspected illegal ivory."

Furthermore, HB 493 SD1 does **NOT** prohibit the following:

- Personal/private possession of ivory; the bill only relates to sale;

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<sup>1</sup><http://www.fws.gov/policy/do210.html>

<sup>2</sup><http://www.fws.gov/lab/ivory.php>



- Passing down of native Hawaiian or family heirlooms made of ivory
- Ivory for display for museums, educational or research purposes;
- Other ivory or ivory items as permitted by the USFWS;
- Appraisals of ivory for personal possession for insurance purposes

Elephants are one of the most iconic and beloved wild animals. Yet today, these magnificent animals are being illegally gunned down and poisoned in unprecedented numbers—reaching nearly 100 killed per day— all for their ivory tusks. It is the demand for ivory that is driving this elephant massacre. Most of the demand for ivory is in China, where it is still legal to buy, carve and sell ivory. But, according to the results of the most recent, comprehensive ivory market survey published in 2008,<sup>1</sup> the United States is the second largest market for ivory and, within the United States, Hawaii is the third largest ivory market only behind New York, and California<sup>2</sup>; in California, the sale of elephant ivory is illegal. The same survey estimated that almost *90 percent of the ivory items for sale in Hawaii were likely imported illegally* or of unknown origins<sup>3</sup>. United States laws and regulations pertaining to ivory trade are confusing and riddled with loopholes that are exploited by those involved in the international and domestic ivory trade. This also leads to consumer confusion about what is legal and what is not. The result is a flourishing, poorly regulated domestic ivory market in the United States.

As an example, ivory import into Hawaii is covered by two federal laws and one state law:

- The Endangered Species Act (ESA):
  - The United Nations Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which currently prohibits the international commercial trade in African<sup>4</sup> and Asian elephant ivory, is implemented through the ESA. However, there are exceptions to this rule. Generally, any ivory possessed prior to July 1, 1975 is “pre-Convention” and can be traded internationally for commercial purposes. Sport-hunted elephant trophies can be imported but not for commercial purposes. CITES does not address the domestic trade in ivory. The ESA also has its own rules governing international trade as well as domestic trade in ivory. Under the ESA, the Asian elephant was listed as “endangered” in 1975 and the African elephant as “threatened” in 1978. This means that, in general, it is illegal to import, export or sell Asian elephant ivory on the domestic United States market, although it is legal to sell Asian elephant ivory legally possessed prior to 1975. However, the threatened status of the African elephant meant that ivory from that species continued to be imported, exported and sold domestically until 20 January 1990 when the CITES ivory trade ban became effective. African elephant ivory legally possessed prior to that date may be sold on the domestic market. Furthermore, import, export and sale of ivory that is “antique” (more than 100 years old) are allowed provided that there is documentation showing the age of the ivory. The ESA does not regulate the import, export or domestic trade in ivory from species like mammoths or warthogs, which is difficult to distinguish from elephant ivory.
- The African Elephant Conservation Act banned the importation of raw and worked ivory from African elephants as of January 1, 1990. The ban does not include sport-hunted elephant trophies.

However, these laws do not provide comprehensive control of the ivory trade to ensure that ivory offered for sale in the United States is not coming from recently poached elephants. For example, the United States does not: register or license all importers, manufacturers, wholesalers and retailers dealing in raw,

<sup>3</sup> Martin, E., and D. Stiles. 2008. Ivory Markets in the USA. Care for the Wild International and Save the Elephants. West Sussex, UK and London, UK.

<http://www.savetheelephants.org/files/pdf/publications/2008%20Martin%20&%20Stiles%20Ivory%20Markets%20in%20the%20USA.pdf>

<sup>4</sup> California has the second highest amount of ivory for sale; however, the state prohibits the sale of certain elephant ivory.

semi-worked or worked ivory products; have recording or inspection procedures to enable appropriate government agencies to monitor the flow of ivory within the United States; have compulsory trade controls over raw ivory; have a comprehensive and demonstrably effective reporting and enforcement system for sale of worked ivory.

To summarize, it is legal to import, export and sell on the United States domestic market certain types of elephant ivory depending on the age of the ivory, the date the ivory was acquired or imported, and whether the ivory is from an Asian or African elephant. These variables are difficult for the public to comprehend and difficult for authorities to implement and enforce.

The difficulty of enforcing these laws cannot be overlooked. Ivory is a term that can refer to the tusks of Asian or African elephants, or the tusks of extinct mammoths (dug up from the frozen tundra of Siberia or Alaska), or the teeth of hippos, walrus, sperm whale, narwhal, warthog or boar. Only experts, using special equipment, can tell the difference between Asian and African elephant tusks, between elephant and mammoth tusks, or between ivory tusks and the teeth of other species. Even then, it is not always possible to tell the difference between ivories of these closely related species. The fact that ivory carvings can be made from other mammals, including extinct ones that are not regulated by international or domestic law, offers an easy means for smugglers to get around legal requirements by simply claiming elephant ivory carvings to be those of another species. As an example of the enforcement problems, the United States Fish and Wildlife Service (USFWS) seized ivory carvings being imported from Hong Kong. The subject was importing 56 ivory carvings (mainly “netsukes” which are small ivory carvings of animals or people) in his baggage, and told the Wildlife Inspector that they were all mammoth ivory and did not require a permit. He had receipts from Hong Kong shops where he had purchased the items, stating that they were “mammoth tusk carvings.”

The carvings were sent to the USFWS National Fish and Wildlife Forensics Laboratory to be tested. Out of the 55 carvings tested, ten were made from ivory from African or Asian elephants (these items were seized), while another 6 carvings were made from ivory from extinct mammoths or mastodons. However, the majority of the carvings could not be determined with accuracy to be either elephant ivory or the ivory from mammoths. In fact, 29 carvings were made from “elephant ivory of an indeterminate source.” Furthermore, ten of the carvings were found to be “carvings made from dentine (ivory) of an indeterminate source,” presumably meaning that it could not be determined even which type of animal the ivory originated from. If one of the most advanced wildlife forensics laboratories in the world has difficulty distinguishing between ivories, and thus between potentially legal or illegal items, it is almost impossible to expect the average ivory buyer to be able to do so. The only logical conclusion, therefore, is that the sale of all ivory items must be prohibited in order to halt the increased poaching of elephants.

Furthermore, a 2002 investigation by the HSUS of ivory markets in the United States<sup>5</sup> found ivory sellers who offered to provide fraudulent documents to investigators indicating that elephant ivory was mammoth ivory, that new ivory was old ivory, or that recently imported ivory was imported a long time ago.

This investigation also found:

- The United States has a large market for worked ivory; these markets are supplied, at least in part, by illegal imports from Hong Kong of ivory objects carved in China.
- Those in the ivory business offered tips about how best to smuggle ivory into the United States

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<sup>5</sup> Humane Society of the United States. 2002. An Investigation of Ivory Markets in the United States. The Humane Society of the United States. Washington, DC, USA. [http://www.humanesociety.org/assets/pdfs/Ivory\\_Trade\\_Report.pdf](http://www.humanesociety.org/assets/pdfs/Ivory_Trade_Report.pdf)



including placing small ivory items in their luggage in a certain manner to avoid detection by x-ray machines and importing ivory through United States ports, such as Alaska, where there are few United States Fish and Wildlife Service inspectors.

- There is no real disincentive to smuggling ivory into the United States. Although large-scale smugglers can be fined and imprisoned, small-scale ivory smugglers are usually only required to forfeit the ivory objects.

A 2008 study of ivory markets in the United States<sup>6</sup> found:

- 24,004 ivory items were found in 657 outlets in sixteen towns and cities visited in the United States. Hawaii is the third largest retail ivory retail market in the United States after California and New York. The United States has the second largest ivory retail market in the world after China/Hong Kong, as determined by numbers of items seen for sale.
- 7,400 ivory items, or nearly one-third of the total, appeared to have been crafted after 1989, making their importation illegal. Inspection of pieces (mainly of Chinese origin) in shops suggested that many figurines, netsukes and jewelry items were recently made. Some African items also looked recently made.
- The United States legally imported some 3,530 tusks and about 2,400 raw ivory pieces between 1990 and 2005 and some of this material was illegally sold into the commercial market.
- Over 40,000 worked ivory items, excluding personal effects, were legally imported to the United States from 1995-2007. Previous studies found that ivory workshops in Asia and Africa produce fake antiques. Thus, even the imported worked ivory into the United States that seems old could be recently made.
- Federal and state authorities rarely inspect shops or Internet sites for illegal raw or worked ivory.
- Some contraband gets past Customs and there are no effective internal ivory transport and retail market controls.

Specifically with regard to **ivory sales in the State of Hawaii**, the same 2008 report found:

- 23 outlets selling at least 1,867 ivory items. Eighteen outlets and 1,659 items for sale in Honolulu. Four outlets and 204 pieces in Kailua. One outlet with four items in Kaneohe.
- Types of outlets found were tourist market (conglomerations of stalls, kiosks or shops in a large open area or multi-story building) or individual antique shops. In Honolulu, 7 of the outlets were in three tourist markets (International Marketplace, Waikiki Shopping Plaza, and Mahalo Antique Mall) selling 1,454 items. 11 antique shops offered 205 items. Outlets in Kailua and Kaneohe were antique shops.
- The most common items for sale were jewelry (80%) followed by netsukes (12%).
- Of the 1,659 ivory items found on Oahu, only 191 (11%) could with any confidence be judged as made before 1989. The vast majority, some **1,478 pieces (89%), could have been made after 1989**. This includes seven ivory items carved in Honolulu by local artisans that could have been made from legal raw ivory. The ivory items seen at the three tourist markets mentioned above appeared to be mostly from China and recently made.
- Most shopkeepers selling ivory knew of the international ban on trading ivory. Some were confused about the year this came into effect and whether it applied to domestic sales. Some owners and managers of shops admitted having pieces made after 1989, despite the illegality of importing such items.

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<sup>6</sup> See footnote 1.

More recently, The HSUS examined Hawaii's online ivory marketplace in June and July 2013. Seven major retail facets for ivory sales on the internet were identified that, combined, offered approximately 1,153 objects for sale. **Hawaii has arguably the largest online ivory marketplace in the country.** The most common types of ivory offered for sale were jewelry and small statues. Objects offered for sale ranged in price from USD 45.00 to USD 35,000.00. Hawaii's online marketplace is particularly troubling. For instance, the website that sold the largest number of ivory products found in Hawaii, even though it listed documentation from the USFWS online, the documents could not be matched to each of the over 800 items currently being sold on the website. Several of the other vendors made references to the legality of their ivory, though none of them provided any examples of documentation. **Therefore, none of the 1,153 ivory items for sale found online from The HSUS survey can be judged with confidence to be legal.**

Hawaii has long been a thriving hub of commerce and tourism between the Asia Pacific region and the United States mainland. Our close proximity to Asia also provides a convenient route for illegal wildlife to be trafficked into our State. As the 2008 and 2013 surveys demonstrated, a staggering percentage of ivory items for sale in Hawaii came from illegal or unknown origins. HB 493 would help to end our state's participation in the brutal ivory trade and would establish Hawaii as the national and global leader in protecting elephants.

Thank you very much for the opportunity to testify in strong support of HB 493 SD 1