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# A BILL FOR AN ACT

RELATING TO THE USE OF A DOG IN JUDICIAL PROCEEDINGS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The Hawaii Revised Statutes is amended by  
2 adding a new section to be appropriately designated and to read  
3 as follows:

4           "§ - Use of a facility dog. (a) For purposes of this  
5 section:

6           "Facility dog" means a dog that is a graduate from an  
7 assistance dog organization accredited by Assistance Dogs  
8 International, specially trained to provide emotional support to  
9 witnesses testifying in judicial proceedings without causing a  
10 distraction during the proceedings.

11           "Vulnerable witness" means a witness whose ability to  
12 testify in a judicial proceeding will be hampered or ineffective  
13 without the assistance of a facility dog, for reasons including  
14 but not limited to intellectual or emotional disability,  
15 intimidation, or age.

16           (b) A court may permit the use of a facility dog in a  
17 judicial proceeding involving the testimony of a vulnerable  
18 witness if the court determines that there is a compelling



1 necessity for the use of a facility dog to facilitate the  
2 testimony of the vulnerable witness.

3 (c) Before the use of a facility dog in a judicial  
4 proceeding, the moving party shall file a motion certifying to  
5 the court:

6 (1) The credentials of the facility dog;

7 (2) That the facility dog is adequately insured; and

8 (3) That a relationship has been established between the  
9 witness and the facility dog.

10 (d) To the extent necessary, the court may impose  
11 restrictions, or instructions to the jury, regarding the  
12 presence of the facility dog during the proceedings."

13 SECTION 2. New statutory material is underscored.

14 SECTION 3. This Act shall take effect on January 7, 2059.

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**Report Title:**

Honolulu Prosecuting Attorney Package; Use of a Dog in Judicial Proceedings

**Description:**

Authorizes any state court to permit the use of a facility dog in a judicial proceeding involving the testimony of a vulnerable witness if the court determines that there is a compelling necessity for the use of a trained and credentialed facility dog to facilitate the testimony of a vulnerable witness. Takes effect on 1/7/2059. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

