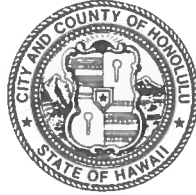


POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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

LATE

KIRK CALDWELL
MAYOR



LOUIS M. KEALOHA
CHIEF

MARIE A. McCAULEY
CARY OKIMOTO
DEPUTY CHIEFS

OUR REFERENCE JD-BA

February 2, 2016

The Honorable Karl Rhoads, Chair
and Members
Committee on Judiciary
House of Representatives
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Rhoads and Members:

Subject: House Bill 1592, Relating to Animals

I am Jeffrey Richards, Captain of the Kaneohe Police Station, District 4, Honolulu Police Department (HPD), City and County of Honolulu.

The HPD has concerns about House Bill No. 1592, Relating to Animals. The HPD cares about animals and will respond and intervene in obvious animal cruelty cases. However, the specific conditions listed in the bill are too restrictive for police officers to take action especially during emergency conditions.

We request that the following areas of concern be amended:

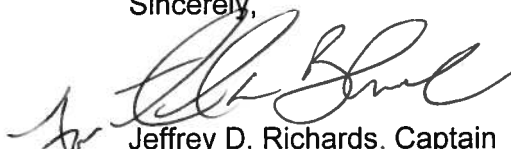
- Inclement Weather: During severe weather conditions, the HPD's main focus is on saving human lives.
- Restraint Length: Police responding to a concern about the tethering of an animal should be able to take action with simple guidelines to follow without having to measure and physically handle the animal.
- Time Limits: The police would need a witness to document the time limit violation as it is difficult to accurately judge how long the animal has been restrained.
- Adequate shelter: Instead of describing what "adequate shelter" shall not include, it would be better to define what adequate shelter should be.

The Honorable Karl Rhoads, Chair
and Members
Page 2
February 2, 2016


The HPD requests that your committee consider the above concerns about House Bill
No. 1592.

Thank you for the opportunity to testify.

Sincerely,


Jeffrey D. Richards, Captain
District 4

APPROVED:


For Louis M. Kealoha
Chief of Police



Comments for HB 1592

Rep. Karl Rhoads, Rep. Joy San Buenaventura, and members of the House Judiciary committee:

The Pacific Pet Alliance is a Hawai'i non-profit organization that promotes responsible pet ownership through education and advocacy.

The Pacific Pet Alliance (PPA) would like to submit comments for your consideration regarding tethering and sheltering of dogs.

PPA finds that there are 4 different bills (including HB 1592) introduced this session that cover this issue. The bills are: HB 2215, SB 2378, SB 2273, and companion bill SB 2460. All 4 bills call for different requirements for tethering a dog. None are requesting that tethering be banned. None of these bills cite their references where the tethering guidelines were obtained. Neither the American Kennel Club nor the American Veterinary Medical Association have specific recommendations regarding tethering. We have attached the American Kennel Club article discussing appropriate and humane ways tethering is used to keep dogs safe. At least 3 of bills were submitted by big island organizations and were written to address situations specifically on that island. The final bill was introduced by Sen. Kouchi from Kauai.

(http://images.akc.org/pdf/governmentrelations/The-Question-of-Tethering.pdf?_ga=1.242178946.1458969686.1418719223)

The primary intent and common theme amongst these bills is to improve the overall welfare of dogs that are tethered. PPA agrees with the intent however we would have liked to have seen all bills on this topic assigned to the Agriculture committee first and then have Agriculture refer to other committees once the welfare concerns have been addressed.

PPA respectfully requests that the other section of the bill that addresses the definition of "adequate shelter" and acceptable methods of confining dogs between 10 PM to 6 AM be **clarified**. Confining a dog to a wire or airline crate overnight has long been an acceptable practice to keep a dog safe. Crates have multiple uses in training a dog besides its primary use of protecting dogs in transit. We want to ensure that responsible dog owners can continue to use crates as a safe and humane way of confining dogs overnight.

Thank you for this opportunity to testify before you.

Lynn Muramaru
Board Member
Pacific Pet Alliance



Hawaiian Humane Society
People for animals. Animals for people.

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

February 2, 2016, 2 PM, Rm. 325

The Honorable Karl Rhoads, Chair
The Honorable San Buenaventura, Vice Chair
And Members
House Committee on Judiciary
Hawaii State Capitol
Honolulu, HI 96813

RE: Testimony in support of the intent of H.B. 1592 Relating to Animals

Chair Rhoads, Vice Chair Buenaventura and Members of the Committee:

Thank you for the opportunity to testify on House Bill 1592 Relating to Animals. The Hawaiian Humane Society's mission is to promote the human animal bond and the humane treatment of all animals and we strongly support the intent of this bill. An unneutered dog at the end of chain is a dog most likely to bite. A chained dog is not a good life for a dog and is not safe for the people around him or her.

We are however concerned about the enforcement if this bill were it to pass as written.

We believe a bill can be crafted that meets the purpose, is enforceable and would be one that all parties can agree to in the best interest of the welfare of the animals. We happily would participate in discussions with others to develop workable language.

Please pass HB 1592 and give us the opportunity to work with others on amendments.

Mahalo.

Mary Steiner
Policy Advocate

JUDtestimony

From: Ginger Towle <towle@hawaiiantel.net>
Sent: Sunday, January 31, 2016 5:04 PM
To: JUDtestimony
Subject: Support HB 1592 / 2215 2-2-16 Judiciary - Rhodes

To - Chair Rhodes - Judiciary Comm. Rm. 325, 2:00 p.m. Feb. 2, 2016

IN SUPPORT HB1592 / HB 2215 Limit dog chaining and tethering.

Please pass these bills as we need to send the strongest message to dog owners that this practice is not acceptable. We have way too many dogs that spend their life on a chain! Chaining etc. creates unhappy dogs which leads to barking as well as more attacks and bites. There are statistics that bear out this claim. Dogs are social creatures and need love companionship and attention. We need to make sure that they are protected and stiff fines seem to be the only thing that some owners understand.

Thank you for your attention to a very serious situation.

Ginger Towle - President
West Hawaii Humane Society
Box 1208
Kailua-Kona, Hi. 96740
808-329-2051



LATE

Hawaii Cattlemen's Council, Inc.

**HOUSE COMMITTEE ON JUDICIARY
REPRESENTATIVE KARL RHOADS, CHAIR
REPRESENTATIVE JOY A. SAN BUENAVENTURA, VICE CHAIR**

DATE: Tuesday, February 2, 2016
TIME: 2:00 PM
PLACE: Conference Room 325

HB 1592 – RELATING TO ANIMALS.

Prohibits certain restraints and activities relating to dogs. Specifies penalties.

Chair Rhoads, Vice Chair San Buenaventura, and Members of the Committee:

My name is Dale Sandlin, and I am Managing Director of the Hawaii Cattlemen's Council. The Hawaii Cattlemen's Council, Inc. (HCC) is the Statewide umbrella organization comprised of the five county level Cattlemen's Associations. Our 140+ member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of approximately 25% of the State's total land mass.

The Hawaii Cattlemen's Council appreciates the opportunity to **provide comments** relating to HB 1592, prohibiting certain restraints and activities relating to dogs.

The language identified in Section 711-1109, Hawaii Revised Statutes, item g, should make an exception for livestock working dogs.

The livestock industry is very sensitive to animal cruelty issues. The working dogs of our ranchers play a pivotal role in operations of many of our ranches and can be lauded as a factor in the success of the ranches they work on. They enjoy working with livestock as many of the dog breeds on the ranch have the natural tendency to do this important work.

While being trained to do this work and prevent injury to the dogs while performing this work, they may be tethered on a short leash for their protection. This allows for the inexperienced dog to learn by watching the experienced dog.

In addition, we would respectfully ask that the definition of "Pet Animal" reference HRS § 711-1100 for this section as it pertains to section 1 B.

We appreciate the opportunity to testify on this important matter.



From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 9:19 AM
To: JUDtestimony
Cc: ollo1188@hotmail.com
Subject: *Submitted testimony for HB1592 on Feb 2, 2016 14:00PM*

HB1592

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kim Murphy	Individual	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.

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, January 31, 2016 3:46 PM
To: JUDtestimony
Cc: viviansuet@hotmail.com
Subject: Submitted testimony for HB1592 on Feb 2, 2016 14:00PM

HB1592

Submitted on: 1/31/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Vivian S. Toellner	Individual	Support	No

Comments: Aloha, I am writing about the perpetually chained or penned, so-called "outside" or "backyard" dog. There is no sadder sight than these outcast, forlorn, forgotten animals, relegated to the status of lawn ornaments, alarm systems and virtually ignored by the family. Many chained or penned dogs are seriously neglected. They lack fresh water, food, shade, adequate housing, hygiene and the most basic veterinary care. Chaining is not only inhumane for dogs, but has taken a severe toll on children. Chained dogs, unsocialized with humans, can become very territorial of their tiny space, and any person who wanders into the space can be attacked. Furthermore, researcher confirms the link between animal abuse and neglect and abuse and neglect of humans and perpetration of future crimes. I urge you to help dogs, the most loving and loyal of animals. Please show Aloha to All. Mahalo.

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

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, January 31, 2016 1:11 PM
To: JUDtestimony
Cc: mmmmahalo2000@aol.com
Subject: Submitted testimony for HB1592 on Feb 2, 2016 14:00PM

HB1592

Submitted on: 1/31/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

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

Comments: I am fortunate to always have multiple companion dogs to live with me, and for our mutual benefit, we go on daily walks. Unfortunately during these outings we see a number of residences with dogs tied or chained at these properties. Invariably these creatures race toward us wildly, only to be snapped back by the restraint. As weeks and months go by, the dogs act increasingly more aggressive, as the pent up frustration builds. Passing this measure is a step in rectify this common problem. Mahalo, Mike Moran Kihei, 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: mailinglist@capitol.hawaii.gov
Sent: Sunday, January 31, 2016 12:16 PM
To: JUDtestimony
Cc: lwparisfrance@hotmail.com
Subject: Submitted testimony for HB1592 on Feb 2, 2016 14:00PM

HB1592

Submitted on: 1/31/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
linda willaby	Individual	Comments Only	No

Comments: I have seen too many dogs chained up with a too heavy chain or a too short restraint. Sometimes they are tied with a rope that is only 2 or 3 feet long and they can't reach a water or food dish and are forced to live in their own excrement. Then there are all the pit bulls and pit mixes who have a 30 pound heavy duty chain on their neck that they can barely drag around. Why? This must be stopped as it is cruel in the extreme.

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January 31, 2016

Testimony in support of HB 1592

To Whom It May Concern:

I am writing in support of HB 1592. I am asking you to pass this bill that will keep animals in Hawaii safe from abuse, neglect, and harm. I am sure you all can walk down any of the streets in your neighborhood and have personally seen dogs on short ropes or chains, no adequate protection from the elements, kept in kennels that are overgrown with vines and greenery that you can barely see the animal, virtually ignored, or animals that are openly raised and used in dog or chicken fighting with the excuse that "It's their nature to fight." Some animals are in such severe neglect that, when on the rare occasion they are brought in for veterinary care, they are in such horrific states of illness and neglect that sometimes the only thing that can be humanely done is to euthanize the animal. This is wrong. If you are going to be the caretaker of an animal, then you need to take responsibility for care and treatment. Not spaying or neutering your pet is also no excuse since the Humane Society hands out vouchers for free spay and neutering at the beginning of each month. The future illnesses that come from not spaying and neutering can be resolved by being proactive in the early stages.

No animal should have to live its life ignored, neglected, and treated like it is no more than a car alarm for the yard, suffer indiscriminate breeding so that there are more unwanted pets, to be used in fighting to support someone's greed and refusal to seek gainful employment, to be used in hunting only to be dumped if it doesn't perform or gets lost, or eaten with the excuse that "this is our culture." Of course this treatment is not only relegated to Hawaii, it is seen in all of the 50 States, but let's make Hawaii the first State to pass and enforce this law that we shows others Hawaii's compassion, kindness, and aloha.

We as a species are supposed to be the caretakers of those who cannot take care of themselves and we need to start showing compassion and empathy. Along with this law should be education starting in schools to show future generations that this type of abuse and neglect is not acceptable behavior and that we need to rise up and be better humans and caretakers so that we have a future place on this planet. Empathy and compassion are learned behaviors and we need to start educating people so that they know what is right. Even old dogs can learn new tricks, it may seem like a daunting task and will be met with resistance, but things can change with enough support, and it comes from intelligent law makers like you to help show the way.

Therefore, I urge the committees to support HB 1592 and help those that cannot speak for themselves. I appreciate your time and consideration of this very important cause.

Sincerely,

Lauren Butcher RN, MSN, ANP-C

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, January 30, 2016 9:38 PM
To: JUDtestimony
Cc: zojing@aol.com
Subject: *Submitted testimony for HB1592 on Feb 2, 2016 14:00PM*

HB1592

Submitted on: 1/30/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Zojing Wong	Individual	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.

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From: mailinglist@capitol.hawaii.gov
Sent: Saturday, January 30, 2016 4:52 PM
To: JUDtestimony
Cc: sawonglaw@hawaii.rr.com
Subject: *Submitted testimony for HB1592 on Feb 2, 2016 14:00PM*

HB1592

Submitted on: 1/30/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Sandie Wong	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Saturday, January 30, 2016 2:18 PM
To: JUDtestimony
Cc: alohasharing@gmail.com
Subject: Submitted testimony for HB1592 on Feb 2, 2016 14:00PM

HB1592

Submitted on: 1/30/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
sharing lawrence	Individual	Support	No

Comments: I am a resident of Maui Hawaii and would like to submit my support of HB1592. This bill should be in place in our state for dogs and cats of all breeds, whether feral or domestic. This is honorable and respectable for a progressive society to uphold. Anything short of this bill should be considered shameful and abusive behavior by a population that knows better. Abusive individuals need to be held responsible for disregarding animal welfare as they are aggressive in nature and will ultimately turn their violent responses on other people as well.

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.

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From: mailinglist@capitol.hawaii.gov
Sent: Saturday, January 30, 2016 9:38 AM
To: JUDtestimony
Cc: octopus@maui.net
Subject: Submitted testimony for HB1592 on Feb 2, 2016 14:00PM

HB1592

Submitted on: 1/30/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Rene Umberger	Individual	Support	No

Comments: In support with amendments as suggested by The Humane Society of the United States.

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
Sent: Friday, January 29, 2016 4:40 PM
To: JUDtestimony
Cc: jfischer@hawaii.edu
Subject: Submitted testimony for HB1592 on Feb 2, 2016 14:00PM

HB1592

Submitted on: 1/29/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
joel fischer	Individual	Comments Only	No

Comments: HB 1592 PLEASE PASS THIS BILL! The changes introduced in this bill have long been sought by the community, but to no avail. Now, finally, we have a chance to protect our beloved pets from the awful conditions that some are exposed to, whether it's through neglect or cruelty. There cannot be a single legislator in Hawai`i who would witness the cruelty to which some dogs are exposed, and not want to do something about it IMMEDIATELY. Well, this is the chance. PLEASE, do the right thing for our animal friends and support this bill. Thank you. Aloha, joel Dr. Joel Fischer Professor (Ret.) University of Hawai`i, Manoa

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

JUDtestimony

From: Carole Richelieu <crr@hawaiiantel.net>
Sent: Sunday, January 31, 2016 12:42 PM
To: JUDtestimony
Subject: SUPPORT HB1592

--

Carole R. Richelieu
crr@hawaiiantel.net

From: Troy Abraham <tabraham08@gmail.com>
Sent: Sunday, January 31, 2016 1:18 PM
To: JUDtestimony
Subject: 2-2-16 JUD support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

Please note: I am only showing the sections I would like amended in HB Bill No. 1592:

SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:

"§711-1109 Cruelty to animals in the second degree. (1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

(d) Keeps, uses, or in any way is connected with or interested

>

> (A) Entangles and endangers a dog;

>

> (B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

>

> (C) Causes injury to a dog;

>

> (iii) By use of a restraint that:

>

> (A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

>

> (B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

>

> (C) Causes injury to a dog;

>

> Not enforceable: Field officers cannot weigh dog & tether.

>

> Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.;

(v) For more than (A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

The following facts show that time limits will not be enforceable, particularly on outer islands:

1. According to the 2014 Bureau of Labor Statistics, Oahu has 3.5 Police and Sheriff Patrol employees per

square mile and the Hawaii-Maui-Kauai Non Metropolitan Area has 1 Police and Sheriff Patrol employee per 510 square miles.

2. To legally document a time limit violation, the officer has to observe the dog for the entire time period; no officer has the time to do this.

I suggest the following Amendment for (v)(A)(B): Leaving a dog tethered, tied or fastened to any stationary object where the dog is out of visual range of the owner and the owner is at least 16 years of age.

(vi) During extreme weather conditions, including conditions in which:

(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows:

Exposes the dog to extreme or inclement weather or hazardous environments.

ALOHA thanks

TROY ABRAHAM

HILO, HAWAII

JUDtestimony

From: JERILYN BOCK <jerilynbock@sbcglobal.net>
Sent: Sunday, January 31, 2016 2:00 PM
To: JUDtestimony
Subject: HB2215/HB1592

Hello,

We support the passage of new proposed laws to protect innocent animals from more abuse and neglect. We must speak for them since they cannot speak up and defend themselves. They are helpless victims - pure and simple.

Animal abuse and cruelty should be a felony since only uncivilized, cruel people engage in such behavior.

Thank you.
Jerilyn Bock
Steve Bock

JUDtestimony

From: Mike & Barb <mhussey@hawaii.rr.com>
Sent: Sunday, January 31, 2016 2:04 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Aloha Chairman Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members:

I am aware Bill 1592 will be presented on February 2, 2016 at 2:00 p.m. I have worked closely with Representative Nicole Lowen and also Senator Josh Green regarding the substance of this Bill and both know me by my first name. It has been a long and arduous task gathering information from other successful laws passed in several states and I so appreciate both Nicole and Josh's kokua in my endeavor to help all animals of our Hawaiian Islands.

The one item that was not clearly stated within the framework of Bill 1592 and, I feel extremely important, is how the anti-chaining/tethering violation will be documented and implemented by humane society officers AND police officers.

Currently, all County police officers must have a search warrant to go onto a property. In the instance of animal abuse, I firmly believe that this Bill should include allowing local police to go onto properties (front and backyard) and have the ability to fine the homeowner/tenant if any of the infractions noted in the Bill are observed and/or called into the police department by an individual noting cruelty in process. In my research, police officers in four states in particular, do have this authority.

It doesn't do any good to move to protect the welfare of abused animals if police involvement is disallowed. Additionally HIHS is closed on the weekends so the responsibility of response would default to the County police. I realize HIHS and the police department both have limited time and monetary resources but with education and wide distribution of this Bill (when passed) to these enforcement entities, newspaper articles and veterinarian hospitals, it is a great start in resolving the issues of Animal Cruelty throughout Hawaii.

I humbly submit this testimony,

Barbara Hussey
75-6112 Haku Mele St
Kailua Kona, HI 96740
MHussey@hawaii.rr.com

JUDtestimony

From: Iwalani McCalla <iwalanimccalla@gmail.com>
Sent: Sunday, January 31, 2016 2:05 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

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(d) Keeps, uses, or in any way is connected with or interested

(A) Entangles and endangers a dog:

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog:

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(C) Causes injury to a dog;

Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.:

(v) For more than:

(A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

The following facts show that time limits will not be enforceable, particularly on outer islands:

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(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

Mahalo for your consideration.

Sincerely,

Alison Iwalani McCalla

iwalanimccalla@gmail.com

(808)339-2475

JUDtestimony

From: j me <kolohejme@hotmail.com>
Sent: Sunday, January 31, 2016 2:13 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Attention to: Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

Please note: I am only showing the sections I would like amended in HB Bill No. 1592:

SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:

"§711-1109 Cruelty to animals in the second degree. (1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

(d) Keeps, uses, or in any way is connected with or interested

(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(C) Causes injury to a dog;

Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.;

(v) For more than:

(A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

The following facts show that time limits will not be enforceable, particularly on outer islands:

1. According to the 2014 Bureau of Labor Statistics, Oahu has 3.5 Police and Sheriff Patrol employees per square mile and the Hawaii-Maui-Kauai Non Metropolitan Area has 1 Police and Sheriff Patrol employee per 510 square miles.

2. To legally document a time limit violation, the officer has to observe the dog for the entire time period; no officer has the time to do this.

I suggest the following Amendment for (v)(A)(B): Leaving a dog tethered, tied or fastened to any stationary object where the dog is out of visual range of the owner and the owner is at least 16 years of age.

(vi) During extreme weather conditions, including conditions in which:

(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows:

Exposes the dog to extreme or inclement weather or hazardous environments.

Below are the two House bills:

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

STATE OF HAWAII

A BILL FOR AN ACT relating to animals.

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

SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:

"§711-1109 Cruelty to animals in the second degree. (1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

(a) Overdrives, overloads, tortures, torments, beats, causes substantial bodily injury to, or starves any animal, or causes the overdriving, overloading, torture, torment, beating, or starving of any animal;

(b) Deprives a pet animal of adequate shelter or necessary sustenance or causes [such] that deprivation;

(c) Mutilates, poisons, or kills without need any animal other than insects, vermin, or other pests; provided that the handling or extermination of any insect, vermin, or other pest is conducted in accordance with standard and acceptable pest control practices and all applicable laws and regulations;

(d) Keeps, uses, or in any way is connected with or interested in the management of, or receives money for the admission of any person to, any place kept or used for the purpose of fighting or baiting any bull, bear, cock, or other animal, and includes every person who encourages, aids, or assists therein, or who permits or suffers any place to be so kept or used;

(e) Carries or causes to be carried, in or upon any vehicle or other conveyance, any animal in a cruel or inhumane manner;

(f) Confines or causes to be confined, in a kennel or cage, any pet animal in a cruel or inhumane manner;

(g) Tethers, fastens, ties, or restrains a dog to a doghouse, tree, fence, or any other stationary object [by]:

(i) By means of a choke collar, pinch collar, or prong collar;

(ii) In a configuration that:

(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.;

(v) For more than:

(A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

(vi) During extreme weather conditions, including conditions in which:

(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

provided that a person is not prohibited from using [such restraints] a choke collar, pinch collar, or prong collar when walking a dog with a hand-held leash or while a dog is engaged in a supervised activity; or

(h) Assists another in the commission of any act specified in subsections (1)(a) through (1)(g).

(2) Subsection (1)(a), (b), (c), (e), (f), (g), and (h) shall not apply to:

(a) Accepted veterinary practices;

(b) Activities carried on for scientific research governed by standards of accepted educational or medicinal practices; or

(c) Pest control operations conducted pursuant to chapter 149A by a pest control operator licensed pursuant to chapter 460J, if the pest control is performed under a written contract.

(3) Whenever any animal is so severely injured that there is no reasonable probability that its life or usefulness can be saved, the animal may be immediately destroyed without creating any offense under this section.

(4) As used in this section, "adequate shelter" shall not include crawl spaces, steps, decks, stoops, the underside of vehicles, carriers or crates used for transport, or shelters with chain link floors.

[(4)] (5) Cruelty to animals in the second degree is a misdemeanor[,] punishable by:

(a) For a first violation, a fine of not less than \$100; and

(b) For a subsequent violation, a fine of not less than \$300 or imprisonment not exceeding six months, or both; except where the offense involves ten or more pet animals in any one instance which is a class C felony."

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

Report Title:

Cruelty to Animals; Restraints; Shelter

Description:

Prohibits certain restraints and activities relating to dogs. Specifies penalties.

HOUSE OF REPRESENTATIVES H.B. NO.2215

TWENTY-EIGHTH LEGISLATURE, 2016

STATE OF HAWAII

A BILL FOR AN ACT

relating to offenses involving the confinement or Restraint of dogs.

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

SECTION 1. The legislature finds that unattended tethering isolates dogs from positive interactions with humans and often causes dogs to develop unruly and even dangerous behavior, such as excessive barking, aggression, and biting. In addition, the improper use of tethers and other methods of confinement in general can cause deficiencies in meeting the physical and behavioral needs of dogs and lead to injury or death.

The legislature further finds that the cruelty to animals offenses under section 711-1109(f) and (g), Hawaii Revised Statutes, respectively, make it a misdemeanor to leave a dog unsupervised while tethered to a stationary object by means of a choke collar, pinch collar, or prong collar, or to confine a pet animal in a

kennel or cage in a cruel or inhumane manner. However, the legislature believes that additional and enhanced protections are needed to effectively prevent dog injuries and deaths caused by the improper use of tethers and other methods of confinement, including the establishment of standards to ensure the quality of dog enclosures.

The purpose of this Act is to enhance the safety of dogs by establishing the offense of unlawful confinement or restraint of a dog to enhance related offenses under the cruelty to animals law and provide standards for the use of tethers and enclosures for dogs.

SECTION 2. Chapter 711, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§711- Unlawful confinement or restraint of a dog. (1) Except as otherwise provided in section 711-1109(1), a person commits the offense of unlawful confinement or restraint of a dog if the person intentionally, knowingly, or recklessly:

(a) Restrains a dog by tethering, attaching, fastening, or tying the dog to any stationary object:

(i) Where the dog is left unsupervised by any person who is at least fourteen years of age;

(ii) Where the dog is under the age of twelve months;

(iii) Where the dog is sick, injured, or in need of veterinary care;

(iv) By use of a collar or harness that:

(A) Is a choke collar, pinch collar, or prong collar;

(B) Is not specifically designed and properly fitted for the restraint of the dog;

(C) Does not exceed the circumference of the dog’s neck by at least one inch; or

(D) Is fitted primarily or entirely upon the head of the dog; or

(v) By use of a tether, chain, rope, cord, leash, pulley, running line, trolley system, or similar device that:

(A) Is not specifically designed for restraining dogs;

(B) Is less than five times the length of the dog as measured from the tip of its nose to the base of its tail or that is not a reasonable length given the size of the dog and available space;

(C) Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a);

(D) Lacks a swivel on both ends or contains tangles;

(E) Fails to allow the dog to move at least eight feet in any direction, excluding the length of the dog as measured from the tip of its nose to the base of its tail, unless the dimensions would violate clause (F);

(F) Allows the dog to reach the property of another person, public property, or any object or hazard that poses a risk of injury of any type or poses a risk of entanglement;

(G) Exposes the dog to extreme or inclement weather or hazardous environments; or

(H) Denies the dog access to water, shelter, shade, or dry ground free of unsanitary conditions; or

(b) Causes the dog to spend the majority of its time in an enclosure that:

(i) Causes a violation of section 711-1109(1);

(ii) Consists of or includes any electronic system for pet containment that lacks a physical barrier that will prevent persons or other animals from entering the enclosure; or

(iii) Consists of or includes a crate container designed for the transport of a live dog.

(2) This section shall not apply to the use of a restraint on a dog:

(a) While the owner of the dog or another person, with the owner’s consent, is walking the dog by means of a handheld leash designed specifically for dogs and intended to be held by the owner or person while it is attached to the dog’s collar or harness. As used in this paragraph, “owner” means any person, responsible party, or any legal entity, including a corporation, partnership, firm, or trust, that owns, possesses, harbors, keeps, or has custody or permanent or temporary control of a dog; or

(b) While the dog is engaged in a supervised activity where the restraint is reasonably necessary for the safety of the dog.

(3) Unlawful confinement or restraint of a dog:

(a) Shall be a violation for a first offense, and upon conviction thereof the defendant shall be fined up to \$90; provided that the court shall waive the imposition of the fine if the defendant achieves compliance with this section and section 711-1109(1) within ninety days of the violation;

(b) Shall be a petty misdemeanor for a second offense, punishable by a fine of up to \$500, or imprisonment not exceeding thirty days, or both; and

(c) Shall be a misdemeanor for a third or subsequent offense, punishable by a fine of up to \$1,000, or imprisonment not exceeding six months, or both, except as otherwise provided in subsection (4).

(4) For any conviction under this section, if as a result of the commission of the offense the defendant causes or allows to occur serious bodily injury to the dog or the death of the dog, the defendant shall be guilty of a class C felony pursuant to section 711-1108.5(1)(a)."

SECTION 3. Section 711-1109, Hawaii Revised Statutes, is amended by amending subsections (1) and (2) to read as follows:

"(1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

(a) Overdrives, overloads, tortures, torments, beats, causes substantial bodily injury to, or starves any animal, or causes the overdriving, overloading, torture, torment, beating, or starving of any animal;

(b) Deprives a pet animal of necessary sustenance or causes [such] the deprivation;

(c) Mutilates, poisons, or kills without need any animal other than insects, vermin, or other pests; provided that the handling or extermination of any insect, vermin, or other pest is conducted in accordance with standard and acceptable pest control practices and all applicable laws and regulations;

(d) Keeps, uses, or in any way is connected with or interested in the management of, or receives money for the admission of any person to, any place kept or used for the purpose of fighting or baiting any bull, bear, cock, or other animal, and includes every person who encourages, aids, or assists therein, or who permits or suffers any place to be so kept or used;

(e) Carries or causes to be carried, in or upon any vehicle or other conveyance, any animal in a cruel or inhumane manner;

(f) Confines or causes to be confined, in a kennel or cage, any pet animal in a cruel or inhumane manner; or

[(g) Tethers, fastens, ties, or restrains a dog to a doghouse, tree, fence, or any other stationary object by means of a choke collar, pinch collar, or prong collar; provided that a person is not prohibited from using such restraints when walking a dog with a hand-held leash or while a dog is engaged in a supervised activity; or

(h)] (g) Assists another in the commission of any act specified in [subsections] subsection (1)(a) through [(1)(g).] (1)(f).

(2) Subsection (1)(a), (b), (c), (e), (f), and (g)[, and (h)] shall not apply to:

(a) Accepted veterinary practices;

(b) Activities carried on for scientific research governed by standards of accepted educational or medicinal practices; or

(c) Pest control operations conducted pursuant to chapter 149A by a pest control operator licensed pursuant to chapter 460J, if the pest control is performed under a written contract."

SECTION 4. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect on July 1, 2016.

INTRODUCED BY:

Report Title:

Crime; Cruelty to Animals; Unlawful Confinement or Restraint of Dogs

Description:

Establishes the criminal offense of unlawful confinement or restraint of a dog to enhance related offenses under the cruelty to animals law and provide standards for the use of tethers and enclosures for dogs.

Sincerely

Marla Arndt Kailua-Kona

From: chito <chito000@aol.com>
Sent: Sunday, January 31, 2016 2:21 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB 1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

Please note: I am only showing the sections I would like amended in HB Bill No. 1592:

SECTION 1. Section [711-1109](#), Hawaii Revised Statutes, is amended to read as follows:

"**[§711-1109 Cruelty to animals in the second degree.](#)** (1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

(d) Keeps, uses, or in any way is connected with or interested

(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(C) Causes injury to a dog;

Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section [711-1109\(1\)\(a\)](#)".

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of [10:00 p.m.](#) and [6:00 a.m.](#);

(v) For more than:

(A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

The following facts show that time limits will not be enforceable, particularly on outer islands:

1. According to the 2014 Bureau of Labor Statistics, Oahu has 3.5 Police and Sheriff Patrol employees per square mile and the Hawaii-Maui-Kauai Non Metropolitan Area has 1 Police and Sheriff Patrol employee per 510 square miles.

2. To legally document a time limit violation, the officer has to observe the dog for the entire time period; no officer has the time to do this.

I suggest the following Amendment for (v)(A)(B): Leaving a dog tethered, tied or fastened to any stationary object where the dog is out of visual range of the owner and the owner is at least 16 years of age.

(vi) During extreme weather conditions, including conditions in which:

(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

Debbilynn Daughtry
PO Box 53
Papaaloa, HI 96780

Sent from my iPad

From: Ilene Harrington <ilenepch@yahoo.com>
Sent: Sunday, January 31, 2016 2:27 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo. Ilene Harrington, Kailua-Kona, HI

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016
Please note: I am only showing the sections I would like amended in HB Bill No. 1592:
SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:
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(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

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(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

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Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1- 2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.;

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(A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

The following facts show that time limits will not be enforceable, particularly on outer islands:

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1 Police and Sheriff Patrol employee per 510 square miles.

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I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

From: Contact HawaiiAirConditioning <contact@hawaiiairconditioning.com>
Sent: Sunday, January 31, 2016 2:31 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo. Dale Harrington, Kailua-Kona, HI

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016
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(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

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I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

From: Sylvia dolena <sylviadolena@yahoo.com>
Sent: Sunday, January 31, 2016 2:29 PM
To: JUDtestimony
Subject: 2-2-16, SUPPORT HB1592

I support all of the Animal protection and advocacy bills! HB2215/HB1592-multiple bills

Protecting Dogs and Cats (HB793/SB773-multiple bills) Our existing animal cruelty law contains a loophole that allows dogs and cats - lost or stolen pets – to become victims of backyard slaughter for human consumption. Currently, one must be caught in the act of killing to face prosecution. A number of other states already have this law, and the trade in dogmeat is prohibited in the Philippines, Hong Kong, Vietnam, Thailand and Taiwan

Increasing penalties for pet abandonment (HB2245/HB2512-multiple bills) Pets depend on people for care and compassion. Abandoned pets can become victims of injury, starvation or death and may also harm native wildlife. This bill would increase penalties for the intentional abandonment of a pet animal to deter such cruelty. Further, Hawaii currently has one of the weakest abandonment laws in the nation.

Shark and Ray Protection (HB1734/SB2642) Sharks are key apex predators whose survival is key to the health of our ocean ecosystems. This bill would create penalties for unlawfully killing a shark or ray in state waters. Exemptions are provided for Native Hawaiian practices, research and special activity permits, and public safety removals.

Protecting Wildlife from Extinction (HB2502/SB2647- multiple bills) This bill would prohibit the sale of ivory, rhino horn and other endangered species parts and products. Hawaii is the nation's 3rd largest retailer of ivory and a magnet for illegal wildlife trafficking. This bill would NOT prohibit the personal possession of such items, display for museums and educational purposes, native Hawaiian cultural practices and the sale of certain antique items with documentation.

*Sylvia Dolena
Pahoa, Hi 96778*

JUDtestimony

From: Mary James <felinitous@gmail.com>
Sent: Sunday, January 31, 2016 2:40 PM
To: JUDtestimony
Subject: 2-2-16, SUPPORT HB1592

I support HB1592 which will provide limitations on chaining dogs. Dogs cannot remain well and manageable when chained for long periods of time. It is unfair to the dogs and can become dangerous for people. Thanks for you consideration.

Mary James
felinitous@yahoo.com

JUDtestimony

From: Joy Banks <joybanks@earthlink.net>
Sent: Sunday, January 31, 2016 3:15 PM
To: JUDtestimony
Subject: PLEASE BE HUMANE AND VOTE YES

Limit dog chaining and tethering (HB2215/HB1592-multiple bills)

I thank you so very very much for your efforts to do this.



Aloha, Joy Banks

JUDtestimony

From: Geri Allison <geriallison@yahoo.com>
Sent: Sunday, January 31, 2016 3:23 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members,

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements.

Mahalo,
Geri Allison
P.O. Box 9040
Kailua-Kona, HI 96745

www.OhanaSportfishing.com

From: Leila Kang <leilakang11@gmail.com>
Sent: Sunday, January 31, 2016 3:27 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

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HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

Please note: I am only showing the sections I would like amended in HB Bill No. 1592:

SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:

"§711-1109 Cruelty to animals in the second degree. (1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

(d) Keeps, uses, or in any way is connected with or interested

(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(C) Causes injury to a dog;

Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.;

(v) For more than:

(A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

The following facts show that time limits will not be enforceable, particularly on outer islands:

1. According to the 2014 Bureau of Labor Statistics, Oahu has 3.5 Police and Sheriff Patrol employees per square mile and the Hawaii-Maui-Kauai Non Metropolitan Area has 1 Police and Sheriff Patrol employee per 510 square miles.

2. To legally document a time limit violation, the officer has to observe the dog for the entire time period; no officer has the time to do this.

I suggest the following Amendment for (v)(A)(B): Leaving a dog tethered, tied or fastened to any stationary object where the dog is out of visual range of the owner and the owner is at least 16 years of age.

(vi) During extreme weather conditions, including conditions in which:

(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

Leila Kang
1420 Kawelu ST
Pearl City, HI 96782

From: gaby_gschmidt <gaby_gschmidt@yahoo.com>
Sent: Sunday, January 31, 2016 3:27 PM
To: JUDtestimony
Subject: 2/2/16 JUD Support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

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Aloha,
Gabriele Schmidt-Stelljes
Ewa Beach, Oahu, Hawaii

Sent via the Samsung Galaxy S®6 active, an AT&T 4G LTE smartphone

From: Lydia Pontin <purplehula84@yahoo.com>
Sent: Sunday, January 31, 2016 3:49 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB 1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

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I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

[Sent from Yahoo Mail for iPhone](#)

From: Sharyl Masuyama <sharylmas@me.com>
Sent: Sunday, January 31, 2016 3:58 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Attention to: Direct your testimony to Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

From: Sharyl Masuyama (Hilo, HI)

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

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JUDtestimony

From: Linda Costa-bryan <sicilianbella53@yahoo.com>
Sent: Sunday, January 31, 2016 4:05 PM
To: JUDtestimony
Subject: Cruelty to Animals Bill

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

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JUDtestimony

From: Jess Yahoo <oceansj6982@yahoo.com>
Sent: Sunday, January 31, 2016 4:08 PM
To: JUDtestimony
Subject: Testimony

Sorry, we were unable to deliver your message to the following address.

<JUD.testimony@capital.hawaii.gov>:

No MX or A records for capital.hawaii.gov

--- Below this line is a copy of the message.

Received: from [212.82.98.51] by nm21. bullet.mail.ir2.yahoo.com with NNFMP; 01 Feb 2016 02:01:11 -0000

Received: from [46.228.39.70] by tm4. bullet.mail.ir2.yahoo.com with NNFMP; 01 Feb 2016 02:01:11 -0000

Received: from [127.0.0.1] by smtp107.mail.ir2.yahoo.com with NNFMP; 01 Feb 2016 02:01:11 -0000

X-Yahoo-Newman-Id: 866585.1897.bm@smtp107.mail.ir2.yahoo.com

X-Yahoo-Newman-Property: ymail-3

X-YMail-OSG: n7S9IPAVM1ljjMZRkII4N4rYVgBoqDwZq8Oetfb5MZyEvsV
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X-Yahoo-SMTP: aTVJiLKswBBD8KOhjwH8dUKB8jA4g90l

From: Jess Yahoo <oceansj6982@yahoo.com>

Content-Type: text/plain;
charset=utf-8

Content-Transfer-Encoding: quoted-printable

Mime-Version: 1.0 (1.0)

Subject: Testimony

Message-Id: <8F076F3A-23F8-4D91-9760-CBD8CA204927@yahoo.com>

Date: Sun, 31 Jan 2016 16:01:08 -1000

To: "JUD.testimony@capital.hawaii.gov" <JUD.testimony@capital.hawaii.gov>

X-Mailer: iPhone Mail (12H143)

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Mem=bers

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Mahalo,
Jessica Middleton,
[Kamuela, HI 96743](mailto:Jessica.Middleton@hawaii.gov)

Sent from my iPhone

Sent from my iPhone

JUDtestimony

From: Suzan Starr <dreamsop@interpac.net>
Sent: Sunday, January 31, 2016 4:36 PM
To: JUDtestimony
Cc: suzanlstarr@gmail.com
Subject: Tethering Dogs and other animals

Importance: High

Email to: JUDTestimony@capitol.hawaii.gov

Subject line: 2-2-16 JUD Support HB1592

Attention to: Direct your testimony to Chair Rhoads, Vice-Chair San Buenaventura

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

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I suggest the following Amendment for (v)(A)(B): Leaving a dog tethered, tied or fastened to any stationary object where the dog is out of visual range of the owner and the owner is at least 16 years of age.

(vi) During extreme weather conditions, including conditions in which:

(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

Suzan Starr
P.O. Box 301
Volcano, Hawai'i 96785
Email: suzanlstarr@gmail.com

JUDtestimony

From: Christina Skaggs <skaggschristina@gmail.com>
Sent: Sunday, January 31, 2016 5:42 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements.

Mahalo for something that is both long over due and a disgrace to our fine state

Christina & Bruce Skaggs
1198 Ainalako Rd
Hilo HI. 96720

From: Rosemary Karlsson <rosemarykarlsson@gmail.com>
Sent: Sunday, January 31, 2016 5:59 PM
To: JUDtestimony
Subject: 2-2-16 Support HB1592

Limit dog chaining and tethering (HB2215/HB1592-multiple bills)

I am asking that you pass these bills to limit chaining and tethering. It is abusive to the dogs, they are social beings and need to be around people and be free to walk or run, not be chained up like a person in solitary confinement. It is well documented that chained dogs are much more likely to bite than non-chained dogs.

Rosemary Karlsson
PO Box 492266
(16-1885 Uilani Drive)
Keaau, HI 96749
808-966-6589

JUDtestimony

From: Lori Johnson <lori@rjei.com>
Sent: Sunday, January 31, 2016 7:03 PM
To: JUDtestimony
Subject: 2-2-26 JUD Support HB 1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members ,

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

Please note: I am only showing the sections I would like amended in HB Bill No. 1592:

SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:

"§711-1109 Cruelty to animals in the second degree. (1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

(d) Keeps, uses, or in any way is connected with or interested

(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(C) Causes injury to a dog;

Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.;

(v) For more than:

(A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

The following facts show that time limits will not be enforceable, particularly on outer islands:

1. According to the 2014 Bureau of Labor Statistics, Oahu has 3.5 Police and Sheriff Patrol employees per square mile and the Hawaii-Maui-Kauai Non Metropolitan Area has 1 Police and Sheriff Patrol employee per 510 square miles.

2. To legally document a time limit violation, the officer has to observe the dog for the entire time period; no officer has the time to do this.

I suggest the following Amendment for (v)(A)(B): Leaving a dog tethered, tied or fastened to any stationary object where the dog is out of visual range of the owner and the owner is at least 16 years of age.

(vi) During extreme weather conditions, including conditions in which:

(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

Mahalo for your time and effort,
Lori Johnson
Honoka'a, HI

From: Leslie Heard <laheard1003@aol.com>
Sent: Sunday, January 31, 2016 7:58 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

HOUSE OF REPRESENTATIVES H.B. NO.1592 TWENTY-EIGHTH LEGISLATURE, 2016

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(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

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(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(C) Causes injury to a dog;

Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section [711-1109](#)(1)(a)".

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.;

(v) For more than:

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(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows:Exposes the dog to extreme or inclement weather or hazardous environments.

Mahalo
Leslie Heard
75-5798 Kini Loop
Kailua Kona, HI 96740

Sent from my iPhone

Aloha and Have a Great Day!
Leslie Heard

JUDtestimony

From: konagal@hawaii.rr.com
Sent: Sunday, January 31, 2016 8:45 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

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(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(C) Causes injury to a dog;

Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

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I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

Thank you,
Lisa J Sims
74-5072 Tomi Tomi Dr
Kailua Kona, HI 96740
808-937-1911

JUDtestimony

From: Deb Nava <aquahine@aol.com>
Sent: Sunday, January 31, 2016 8:58 PM
To: JUDtestimony
Subject: Hawaii State Tethering Law Testimony for Hearing on February 1, 2016

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

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(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

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Not enforceable: Field officers cannot weigh dog & tether.

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I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

Mahalo for the opportunity to provide testimony for this important issue!

/s/ Deborah Nava
P.O. Box 72

JUDtestimony

From: Leslie <lesliekaycrawford@gmail.com>
Sent: Sunday, January 31, 2016 9:29 PM
To: JUDtestimony
Subject: HB 1592 and HB 2215

Dear Chair Rhodes, Vice Chair San Buenaventura and judiciary committee members,

I support these bills, though not perfect, which will ensure a happier life for abused, chained up, dogs. Count me as a teacher, life long kamaaina, and a dog lover.

Aloha,
Leslie Crawford
89-406 Mamalahoa Hwy
Captain Cook HI
96704

Sent from my iPhone

From: Sarah Spitler <sarahdspitler@gmail.com>
Sent: Sunday, January 31, 2016 10:28 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Attention to: Direct your testimony to Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

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I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

Mahalo for your time and consideration,

Sarah Spitler, Kailua-Kona, Big Island, Hawaii

JUDtestimony

From: Jennifer Chiwa <bjcmd808@gmail.com>
Sent: Sunday, January 31, 2016 10:37 PM
To: JUDtestimony
Subject: 2-2-16 Support HB 1592

Aloha Chairperson Rhoads and Members of the Judiciary Committee,

Please support HB 1592 which would provide for more humane treatment of dogs by setting requirements and limitations when these dogs are tethered or chained. Mahalo.

Jennifer Chiwa

From: Jack Boeggeman <jackboeggeman@gmail.com>
Sent: Sunday, January 31, 2016 10:41 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Attention to: Direct your testimony to Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

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Mahalo,

John Boeggeman

Kailua Kona, HI 96740

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

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JUDtestimony

From: Asta <nalehua.asta@gmail.com>
Sent: Monday, February 01, 2016 12:08 AM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members,

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

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I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

Sincerely,
Asta Miklius
PO Box 1003
Volcano, HI 96785
808-937-5734

JUDtestimony

From: 7thorder@lycos.com
Sent: Monday, February 01, 2016 12:41 AM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Attention: Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

Please note: I am only showing the sections I would like amended in HB Bill No. 1592:

SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:

"§711-1109 Cruelty to animals in the second degree. (1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

(d) Keeps, uses, or in any way is connected with or interested

(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(C) Causes injury to a dog;

Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.;

(v) For more than:

(A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

The following facts show that time limits will not be enforceable, particularly on outer islands:

1. According to the 2014 Bureau of Labor Statistics, Oahu has 3.5 Police and Sheriff Patrol employees per square mile and the Hawaii-Maui-Kauai Non Metropolitan Area has 1 Police and Sheriff Patrol employee per 510 square miles.

2. To legally document a time limit violation, the officer has to observe the dog for the entire time period; no officer has the time to do this.

I suggest the following Amendment for (v)(A)(B): Leaving a dog tethered, tied or fastened to any stationary object where the dog is out of visual range of the owner and the owner is at least 16 years of age.

(vi) During extreme weather conditions, including conditions in which:

(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

Sincerely,

Daniel Jones
Volcano, Hawaii

--

Daniel Jones <7thorder@lycos.com>

From: Cindy Whitehawk <blossoming_whitehawk@yahoo.com>
Sent: Monday, February 01, 2016 4:20 AM
To: JUDtestimony
Subject: Subject line: 2-2-16 JUD Support HB1592 Attention to: Direct your testimony to Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

What about dogs that are kenneled for days at a time in a small cage not much larger than the dog? I quote,

"The legislature further finds that the cruelty to animals offenses under section 711- 1109(f) and (g), Hawaii Revised Statutes, respectively, make it a misdemeanor to leave a dog unsupervised while tethered to a stationary object by means of a choke collar, pinch collar, or prong collar, or **to confine a pet animal in a kennel or cage in a cruel or inhumane manner.** "

WHAT IS CRUEL OR INHUMANE?

Here on the island of Hawai'i keeping a dog, especially one used to hunt, confined to a cage that is barely large enough for the dog to turn around in is normal. Calling the authorities does absolutely NO good.

Also:

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

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2016

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or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

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Cindy Whitehawk
PO Box 265
Honaunau HI 96726-0265

JUDtestimony

From: kat c <katc31999@gmail.com>
Sent: Monday, February 01, 2016 5:37 AM
To: JUDtestimony
Subject: 2-2-16, SUPPORT HB1592

Aloha House Representatives and Senators

Please support bills that limit dog chaining and tethering (HB2215/HB1592-multiple bills) and the ones protecting Dogs and Cats (HB793/SB773-multiple bills).

Our existing animal cruelty law contains a loophole that allows dogs and cats - lost or stolen pets – to become victims of backyard slaughter for human consumption. Currently, one must be caught in the act of killing to face prosecution. A number of other states already have this law, and the trade in dogmeat is prohibited in the Philippines, Hong Kong, Vietnam, Thailand and Taiwan

Also, please support the bills on Increasing penalties for pet abandonment (HB2245/HB2512-multiple bills) Pets depend on people for care and compassion. Abandoned pets can become victims of injury, starvation or death and may also harm native wildlife. This bill would increase penalties for the intentional abandonment of a pet animal to deter such cruelty. Further, Hawaii currently has one of the weakest abandonment laws in the nation.

Mahalo,
Kat Culina
Po box 2142
Pahoa, HI 96778

--

JUDtestimony

From: Keala Noel <kealanoel@yahoo.com>
Sent: Monday, February 01, 2016 6:41 AM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Attention to: Direct your testimony to Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

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(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

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(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15- 16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

Sincerely Rev. Keala Noel

15-1236 Auina St. Pahoa Hawaii 96778 Blg Island

Where too many dogs are bought, chained, caged and forgotten and they BARK all day long!

JUDtestimony

From: Sue Leonard <sl600sl@yahoo.com>
Sent: Monday, February 01, 2016 8:13 AM
To: JUDtestimony
Subject: "2-2-16, SUPPORT HB1592"

A chain will restrict a dog's movement, it can become entangled around neck or structure chained to, restricting movement, causing lack of access to food, water and shelter. Chains around dogs' neck can become raw as the result of the dogs' constant yanking and pulling to escape the chained area.

A dog kept chained alone in one spot for days or months suffer severe psychological damage and can cause what was a docile dog often into an aggressive dog as a result of the dog protecting his territory. The dog has no option - fight or die. People walking by sometimes taunt chained dogs, which causes aggression, and children who do not see a dog chained and walk into his territory are sometimes attacked by surprise, causing injury.

Not everyone is a responsible dog owner and have interaction daily with their pet, keeping an eye on them while chained, making sure they have access to shelter, food and water, and these pets require laws to protect them.

Sue Leonard
1425 Liliha Street, #11D
Honolulu, HI 96817
310-344-8282

JUDtestimony

From: Cindy Walker <cinergizerbunny2003@yahoo.com>
Sent: Monday, February 01, 2016 8:20 AM
To: JUDtestimony
Subject: Support HB1592

As a Hawaii resident & animal lover, I felt compelled to write to you today and ask for your support of the HB1592 Bill limiting dog chaining in our state.

Passing this Bill is the Humane way forward in animal rights for our state. This bill will help protect animals & people in our community.

Dogs are naturally social beings who need interaction with other animals and humans. Being confined on a chain does not allow even their basic needs to be met. Being restrained can cause them long term psychological & physical damage.

Tethered dogs are commonly "forgotten" dogs, not given adequate shelter, food, water, medical care or socialization. Dogs left tethered also feel threatened and can act out aggressively.

We need to set an example by showing our community that we are leaders of humane care for our beloved animals. Tethering is a cruel and archaic practice and deprives a conscious living being a quality of life as well as a safe environment for our community.

Please lead the way and create change for so many animals in our state and make our community safer by passing the HB1592 Bill.

Thank you for your attention to this important matter.

Warmest Aloha,
Cindy Walker
Concerned Citizen
Haiku, HI

Sent from my iPhone    

JUDtestimony

From: Alice B <apbalice@gmail.com>
Sent: Monday, February 01, 2016 8:29 AM
To: JUDtestimony
Subject: 2-2-16 support HB1592

Please help Big Island animals by passing this bill. The practice of chaining dogs for their entire lives must stop. My neighbor has a beautiful dog which is never let off his chain. I can hear his plaintive, sad howl, and it breaks my heart. Dogs are intelligent and don't deserve this treatment. Thank you for your time.

Alice Bennett
Kurtistown, HI

From: Dr. Jana Levin <dr.janalevin@startmail.com>
Sent: Monday, February 01, 2016 8:39 AM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB 1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members:

As a voting citizen of Hawaii and as the only board-certified veterinary dentist residing in the state, I believe, without reservation, that Hawaii needs a state tethering law. This law must be enforceable by officers in the field, must be general enough to allow use of the officer's judgement, and must be specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and I also offer the following amendments to insure it meets the aforementioned requirements.

Please note: The suggested amendments are in blue.

Thank you,

Dr. Jana Levin-Strojny BVS DVM DAVDC
71-1699 Puu Napoo Dr
Kailua Kona HI 96740

HOUSE OF REPRESENTATIVES
H.B. NO.
1592
TWENTY-EIGHTH LEGISLATURE, 2016

STATE OF HAWAII

A BILL FOR AN ACT

relating to animals.

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

SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:

"§711-1109 Cruelty to animals in the second degree. (1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

(a) Overdrives, overloads, tortures, torments, beats, causes substantial bodily injury to, or starves any animal, or causes the overdriving, overloading, torture, torment, beating, or starving of any animal;

(b) Deprives a pet animal of adequate shelter or necessary sustenance or causes ~~[such]~~that deprivation;

(c) Mutilates, poisons, or kills without need any animal other than insects, vermin, or other pests; provided that the handling or extermination of any insect, vermin, or other pest is conducted in accordance with standard and acceptable pest control practices and all applicable laws and regulations;

(d) Keeps, uses, or in any way is connected with or interested in the management of, or receives money for the admission of any person to, any place kept or used for the purpose of fighting or baiting any bull, bear, cock, or other animal, and includes every person who encourages, aids, or assists therein, or who permits or suffers any place to be so kept or used;

(e) Carries or causes to be carried, in or upon any vehicle or other conveyance, any animal in a cruel or inhumane manner;

(f) Confines or causes to be confined, in a kennel or cage, any pet animal in a cruel or inhumane manner;

(g) Tethers, fastens, ties, or restrains a dog to a doghouse, tree, fence, or any other stationary object [by]:

(i) By means of a choke collar, pinch collar, or prong collar;

(ii) In a configuration that:

(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

Re (iii)(B): This calculation is not enforceable: Field officers cannot weigh the dog and tether. An estimate of the relative weights will not hold up in court.

Amendment for iii(B):

By use of a restraint that is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.;

(v) For more than:

(A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

Re (iv)(v)(A)(B): The following facts show that time limits will not be enforceable, particularly on outer islands:

1. According to the 2014 Bureau of Labor Statistics, Oahu has 3.5 Police and Sheriff Patrol employees per square mile and the Hawaii-Maui-Kauai Non Metropolitan Area has 1 Police and Sheriff Patrol employee per 510 square miles.

2. To legally document a time limit violation, the officer has to observe the dog for the entire time period; no officer has the time to do this.

Amendment for (iv)(v)(A)(B):

Where the dog is out of visual range of the owner and the owner is at least 16 years of age.

(vi) During extreme weather conditions, including conditions in which:

(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

Re (vi)(A)(B)(C): These very specific weather situations rarely occur in Hawaii, so this subsection does not give the officers a useful new tool for daily enforcement.

Amendment for (vi)(A)(B)(C):

Where the dog is exposed to extreme or inclement weather or hazardous environments.

provided that a person is not prohibited from using ~~[such restraints]~~ a choke collar, pinch collar, or prong collar when walking a dog with a hand-held leash or while a dog is engaged in a supervised activity; or

(h) Assists another in the commission of any act specified in subsections (1)(a) through (1)(g).

(2) Subsection (1)(a), (b), (c), (e), (f), (g), and (h) shall not apply to:

(a) Accepted veterinary practices;

(b) Activities carried on for scientific research governed by standards of accepted educational or medicinal practices; or

(c) Pest control operations conducted pursuant to chapter 149A by a pest control operator licensed pursuant to chapter 460J, if the pest control is performed under a written contract.

(3) Whenever any animal is so severely injured that there is no reasonable probability that its life or usefulness can be saved, the animal may be immediately destroyed without creating any offense under this section.

(4) As used in this section, "adequate shelter" shall not include crawl spaces, steps, decks, stoops, the underside of vehicles, carriers or crates used for transport, or shelters with chain link floors.

~~[(4)]~~ (5) Cruelty to animals in the second degree is a misdemeanor[,] punishable by:

(a) For a first violation, a fine of not less than \$100; and

(b) For a subsequent violation, a fine of not less than \$300 or imprisonment not exceeding six months, or both;

except where the offense involves ten or more pet animals in any one instance which is a class C felony."

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

Report Title:

Cruelty to Animals; Restraints; Shelter

Description:

Prohibits certain restraints and activities relating to dogs. Specifies penalties.

Take back your privacy. Switch to StartMail.com

From: rick-strojny@use.startmail.com
Sent: Monday, February 01, 2016 8:48 AM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members:

As a voting citizen of Hawaii, I believe, without reservation, that Hawaii needs a state tethering law. This law must be enforceable by officers in the field, must be general enough to allow use of the officer's judgement, and must be specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and I also offer the following amendments to insure it meets the aforementioned requirements.

Please note: The suggested amendments are in blue.

Thank you,

Richard Strojny
71-1699 Puu Napoo Dr
Kailua Kona HI 96740

HOUSE OF REPRESENTATIVES
H.B. NO.
1592
TWENTY-EIGHTH LEGISLATURE, 2016

STATE OF HAWAII

A BILL FOR AN ACT

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(b) Deprives a pet animal of adequate shelter or necessary sustenance or causes [such] that deprivation;

(c) Mutilates, poisons, or kills without need any animal other than insects, vermin, or other pests; provided that the handling or extermination of any insect, vermin, or other pest is conducted in accordance with standard and acceptable pest control practices and all applicable laws and regulations;

(d) Keeps, uses, or in any way is connected with or interested in the management of, or receives money for the admission of any person to, any place kept or used for the purpose of fighting or baiting

any bull, bear, cock, or other animal, and includes every person who encourages, aids, or assists therein, or who permits or suffers any place to be so kept or used;

(e) Carries or causes to be carried, in or upon any vehicle or other conveyance, any animal in a cruel or inhumane manner;

(f) Confines or causes to be confined, in a kennel or cage, any pet animal in a cruel or inhumane manner;

(g) Tethers, fastens, ties, or restrains a dog to a doghouse, tree, fence, or any other stationary object [by]:

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(c) Pest control operations conducted pursuant to chapter 149A by a pest control operator licensed pursuant to chapter 460J, if the pest control is performed under a written contract.

(3) Whenever any animal is so severely injured that there is no reasonable probability that its life or usefulness can be saved, the animal may be immediately destroyed without creating any offense under this section.

(4) As used in this section, "adequate shelter" shall not include crawl spaces, steps, decks, stoops, the underside of vehicles, carriers or crates used for transport, or shelters with chain link floors.

~~[(4)]~~ (5) Cruelty to animals in the second degree is a misdemeanor[,], punishable by:

(a) For a first violation, a fine of not less than \$100; and

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SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

Report Title:

Cruelty to Animals; Restraints; Shelter

Description:

Prohibits certain restraints and activities relating to dogs. Specifies penalties.

Rick

Rick Strojny

JUDtestimony

From: deanna marks <deanna_71@hotmail.com>
Sent: Monday, February 01, 2016 8:50 AM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members,

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

Please note: I am only showing the sections I would like amended in HB Bill No. 1592:

SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:

"§711-1109 Cruelty to animals in the second degree. (1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

(d) Keeps, uses, or in any way is connected with or interested

(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(C) Causes injury to a dog;

Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.;

(v) For more than:

(A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

The following facts show that time limits will not be enforceable, particularly on outer islands:

1. According to the 2014 Bureau of Labor Statistics, Oahu has 3.5 Police and Sheriff Patrol employees per square mile and the Hawaii-Maui-Kauai Non Metropolitan Area has 1 Police and Sheriff Patrol employee per 510 square miles.

2. To legally document a time limit violation, the officer has to observe the dog for the entire time period; no officer has the time to do this.

I suggest the following Amendment for (v)(A)(B): Leaving a dog tethered, tied or fastened to any stationary object where the dog is out of visual range of the owner and the owner is at least 16 years of age.

(vi) During extreme weather conditions, including conditions in which:

(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15- 16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

Sincerely,

Deanna E. Marks

15-1919 29th Avenue

Keaau, HI 96749

JUDtestimony

From: daiva <daivaduc@gmail.com>
Sent: Monday, February 01, 2016 9:25 AM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

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(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(C) Causes injury to a dog;

Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.;

(v) For more than:

(A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

The following facts show that time limits will not be enforceable, particularly on outer islands:

1. According to the 2014 Bureau of Labor Statistics, Oahu has 3.5 Police and Sheriff Patrol employees per square mile and the

Hawaii-Maui-Kauai Non Metropolitan Area has 1 Police and Sheriff Patrol employee per 510 square miles.

2. To legally document a time limit violation, the officer has to observe the dog for the entire time period; no officer has the time to do this.

I suggest the following Amendment for (v)(A)(B): Leaving a dog tethered, tied or fastened to any stationary object where the dog is out of visual range of the owner and the owner is at least 16 years of age.

(vi) During extreme weather conditions, including conditions in which:

(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

Daiva Rimkus
87-3182 AMA Rd.,
Captain Cook, HI 96704
808-328-8169

JUDtestimony

From: August Rimkus <augustrimkus@gmail.com>
Sent: Monday, February 01, 2016 9:30 AM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

Please note: I am only showing the sections I would like amended in HB Bill No. 1592:

SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:

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(d) Keeps, uses, or in any way is connected with or interested

(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(C) Causes injury to a dog;

Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.;

(v) For more than:

(A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

The following facts show that time limits will not be enforceable, particularly on outer islands:

1. According to the 2014 Bureau of Labor Statistics, Oahu has 3.5 Police and Sheriff Patrol employees per square mile and the

Hawaii-Maui-Kauai Non Metropolitan Area has 1 Police and Sheriff Patrol employee per 510 square miles.

2. To legally document a time limit violation, the officer has to observe the dog for the entire time period; no officer has the time to do this.

I suggest the following Amendment for (v)(A)(B): Leaving a dog tethered, tied or fastened to any stationary object where the dog is out of visual range of the owner and the owner is at least 16 years of age.

(vi) During extreme weather conditions, including conditions in which:

(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

August Rimkus
87-3182 AMA Rd,
Captain Cook, HI 96704

JUDtestimony

From: Scott March <scott@marchlaw.com>
Sent: Monday, February 01, 2016 9:37 AM
To: JUDtestimony
Subject: Anti-Tethering Law

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members:

As a voting citizen of Hawaii, I believe without reservation that Hawaii needs a state anti-tethering law. This law must be enforceable by officers in the field, must be general enough to allow use of the officer's judgment, and must be specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will help to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592.

Mahalo,

Scott F. March
Attorney at Law

Scott F. March
808.325.6500
808.345.6968 (cell)

75-5737 Kuakini Highway, Suite 102
Kailua Kona, HI 96740

Admitted in Hawaii, California and
the District of Columbia

JUDtestimony

From: Kelly Lynk <ksunshine_43@hotmail.com>
Sent: Monday, February 01, 2016 9:37 AM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Attention to: Direct your testimony to Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo. Kelly Lynk, Waimea, Big Island

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

Please note: I am only showing the sections I would like amended in HB Bill No. 1592:

SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:

"§711-1109 Cruelty to animals in the second degree. (1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

(d) Keeps, uses, or in any way is connected with or interested

(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(C) Causes injury to a dog;

Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.;

(v) For more than:

(A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

The following facts show that time limits will not be enforceable, particularly on outer islands:

1. According to the 2014 Bureau of Labor Statistics, Oahu has 3.5 Police and Sheriff Patrol employees per square mile and the Hawaii-Maui-Kauai Non Metropolitan Area has 1 Police and Sheriff Patrol employee per 510 square miles.

2. To legally document a time limit violation, the officer has to observe the dog for the entire time period; no officer has the time to do this.

I suggest the following Amendment for (v)(A)(B): Leaving a dog tethered, tied or fastened to any stationary object where the dog is out of visual range of the owner and the owner is at least 16 years of age.

(vi) During extreme weather conditions, including conditions in which:

(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows:

Exposes the dog to extreme or inclement weather or hazardous environments.

JUDtestimony

From: Hennessy Andrade <hennessy.andrade@gmail.com>
Sent: Monday, February 01, 2016 9:44 AM
To: JUDtestimony
Subject: 2-2-16 JUDSupport HB 1592; Attn: Chair Rhoads, Vice-Chair San Buenaventura & Judiciary Committee

Aloha Chair Rhoads, Vice-Chair San Buenaventura & Judiciary Committee,

I believe that people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow us of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592. Mahalo for your time.

Hetsy Lorenzo
Hilo, Hawaii

JUDtestimony

From: jwhillock@hawaiiantel.net
Sent: Monday, February 01, 2016 10:30 AM
To: JUDtestimony
Subject: FW: Testimony: 2-2-16 JUD Support HB 1592

Sent from [Mail](#) for Windows 10

From: James Whillock
Sent: Monday, February 01, 2016
To: judtestimony@capitol.hawaii.gov
Subject: Testimony -2-2-16 JUD Support HB 1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

Signed: James Whillock
71-1437 Puu Kamanu Ln, Kailua-Kona, HI 96740

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

Please note: I am only showing the sections I would like amended in HB Bill No. 1592:

SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:

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(d) Keeps, uses, or in any way is connected with or interested

(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

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Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.;

(v) For more than:

(A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

The following facts show that time limits will not be enforceable, particularly on outer islands:

1. According to the 2014 Bureau of Labor Statistics, Oahu has 3.5 Police and Sheriff Patrol employees per square mile and the Hawaii-Maui-Kauai Non Metropolitan Area has 1 Police and Sheriff Patrol employee per 510 square miles.

2. To legally document a time limit violation, the officer has to observe the dog for the entire time period; no officer has the time to do this.

I suggest the following Amendment for (v)(A)(B): Leaving a dog tethered, tied or fastened to any stationary object where the dog is out of visual range of the owner and the owner is at least 16 years of age.

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(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

From: Laurel Whillock <lwhillock@hawaiiantel.net>
Sent: Monday, February 01, 2016 10:49 AM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB 1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members:

As laws are guidelines for society and should reflect the most ethical behavior of our citizenry, I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements.

Mahalo for your kind attention to this important matter.

Laurel Whillock
71-1437 Puu Kamanu Lane
Kailua-Kona, HI 96740

Please note: The suggested amendments are in blue.

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

Please note: I am only showing the sections I would like amended in HB Bill No. 1592:

SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:

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(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(C) Causes injury to a dog;

Re (iii)(B): This calculation is not enforceable. Field officers cannot weigh the dog and tether. An estimate of the relative weights will not hold up in court.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.;

(v) For more than:

(A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

Re (iv)(v) (A)(B): The following facts show that time limits will not be enforceable, particularly on outer islands:

- 1. According to the 2014 Bureau of Labor Statistics, Oahu has 3.5 Police and Sheriff Patrol employees per square mile and the Hawaii-Maui-Kauai Non Metropolitan Area has 1 Police and Sheriff Patrol employee per 510 square miles.*
- 2. To legally document a time limit violation, the officer has to observe the dog for the entire time period; no officer has the time to do this.*

I suggest the following Amendment for (v)(A)(B): Leaving a dog tethered, tied or fastened to any stationary object where the dog is out of visual range of the owner and the owner is at least 16 years of age.

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(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

Re (vi)(A)(B)(C): These very specific weather situations occur infrequently in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

From: Kerrill and Don Kephart <donkephart@earthlink.net>
Sent: Monday, February 01, 2016 11:04 AM
To: JUDtestimony
Subject: dog leashing

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

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(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(C) Causes injury to a dog;

Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

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The following facts show that time limits will not be enforceable, particularly on outer islands:

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(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

We suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

Mahalo,
Kerrill and Don Kephart

JUDtestimony

From: Kimmy Seguin <kimseguin1@gmail.com>
Sent: Monday, February 01, 2016 11:38 AM
To: JUDtestimony
Subject: "2-2-16, SUPPORT HB1592"

Hello! I absolutely support this animal protection bill! Please please pass it!!!!

Let me know how I can help these poor dogs of hawaii!! Thank you

Kimmy Seguin

970.618.4223 (office/cell)

714.475.5854 (fax)

From: Susan Collins <yogahead1@hotmail.com>
Sent: Monday, February 01, 2016 11:43 AM
To: JUDtestimony
Subject: RE: 2-2-16 JUD Support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

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(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(C) Causes injury to a dog;

Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.;

(v) For more than:

(A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

The following facts show that time limits will not be enforceable, particularly on outer islands:

1. According to the 2014 Bureau of Labor Statistics, Oahu has 3.5 Police and Sheriff Patrol employees per square mile and the Hawaii-Maui-Kauai Non Metropolitan Area has 1 Police and Sheriff Patrol employee per 510 square miles.

2. To legally document a time limit violation, the officer has to observe the dog for the entire time period; no officer has the time to do this.

I suggest the following Amendment for (v)(A)(B): Leaving a dog tethered, tied or fastened to any stationary object where the dog is out of visual range of the owner and the owner is at least 16 years of age.

(vi) During extreme weather conditions, including conditions in which:

(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

From: yogahead1@hotmail.com
To: judtestimony@capitol.hawaii.gov
Subject: 2-2-16 JUD Support HB1592
Date: Mon, 1 Feb 2016 14:41:42 -0700

Attention to: vChair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

Please support this important legislation to end tethering and chaining dogs.

I see many dogs chained on only 4 feet of chain their entire life here on the Big Island.

They are never given exercise and are forced to sit in their own feces.

Often times these dogs belong to people with plenty of room to make a fenced area that their dogs can run about.

It is time to change this type of thinking.

Sincerely,
Susan Collins
Honokaa, Hawaii

From: Jennifer Real <jsreal@gmail.com>
Sent: Monday, February 01, 2016 11:53 AM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

Please note: I am only showing the sections I would like amended in HB Bill No. 1592:

SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:

"§711-1109 Cruelty to animals in the second degree. (1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

(d) Keeps, uses, or in any way is connected with or interested

(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(C) Causes injury to a dog;

Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.;

(v) For more than:

(A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

The following facts show that time limits will not be enforceable, particularly on outer islands:

1. According to the 2014 Bureau of Labor Statistics, Oahu has 3.5 Police and Sheriff Patrol employees per square mile and the Hawaii-Maui-Kauai Non Metropolitan Area has 1 Police and Sheriff Patrol employee per 510 square miles.

2. To legally document a time limit violation, the officer has to observe the dog for the entire time period; no officer has the time to do this.

I suggest the following Amendment for (v)(A)(B): Leaving a dog tethered, tied or fastened to any stationary object where the dog is out of visual range of the owner and the owner is at least 16 years of age.

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These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

Thank you for your consideration, and your kokua for our island dogs.

Jennifer S. Real, MD

PO Box 61

Ninole, HI 96773

(808)747-4188

JUDtestimony

From: Shannon Nakaya <sfnakaya@kindredspiritkindredcare.com>
Sent: Monday, February 01, 2016 12:11 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Committee members:

I am writing to encourage you to support Support HB1592 which is a long awaited necessary step for humane treatment of animals in the state of Hawaii.

There is a wide range of attitudes and values towards animals in our state. Part of this is that Hawaii is a land of many cultures coming together. It is high time for the legislature to set a minimum standard for how domestic animals or "pets" are treated from day to day. HB1592 is a start.

Clearly, enforcement of such laws will be challenging. In an effort to make the law more practicable, I also support the following ammendments:

Please note: I am only showing the sections I would like amended in HB Bill No. 1592:

SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:

“§711-1109 Cruelty to animals in the second degree. (1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

(d) Keeps, uses, or in any way is connected with or interested

(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog’s movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog’s nose to the base of the dog’s tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog’s body weight or is a tow or log chain;

(C) Causes injury to a dog;

Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: “Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)”.

(iv) Unattended by use of a restraint that unreasonably limits the dog’s movement between the hours of 10:00 p.m. and 6:00 a.m.;

(v) For more than:

(A) Ten hours in a twenty-four hour period; or

(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

The following facts show that time limits will not be enforceable, particularly on outer islands:

1. According to the 2014 Bureau of Labor Statistics, Oahu has 3.5 Police and Sheriff Patrol employees per

square mile and the Hawaii-Maui-Kauai Non Metropolitan Area has 1 Police and Sheriff Patrol employee per 510 square miles.

2. To legally document a time limit violation, the officer has to observe the dog for the entire time period; no officer has the time to do this.

I suggest the following Amendment for (v)(A)(B): Leaving a dog tethered, tied or fastened to any stationary object where the dog is out of visual range of the owner and the owner is at least 16 years of age.

(vi) During extreme weather conditions, including conditions in which:

(A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

(B) A heat advisory has been issued by a local or state authority or jurisdiction; or

(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows:

Exposes the dog to extreme or inclement weather or hazardous environments.

Respectfully submitted,

shannon nakaya, dvm

www.kindredspiritkindredcare.com

kailua kona, hi 96740

JUDtestimony

From: zivile Roditis <kzivile@hotmail.com>
Sent: Monday, February 01, 2016 1:05 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

Please note: I am only showing the sections I would like amended in HB Bill No. 1592:

SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:

"§711-1109 Cruelty to animals in the second degree. (1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

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(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

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(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

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Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

(iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the hours of 10:00 p.m. and 6:00 a.m.;

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These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

Zivile Roditis, 13-3307 Kaupili st, Pahoa, HI 96776

JUDtestimony

From: Mitzie Nitta <mitzien@msn.com>
Sent: Monday, February 01, 2016 1:16 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Attention to: Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members
Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

Please note: I am only showing the sections I would like amended in HB Bill No. 1592:

SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:

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(d) Keeps, uses, or in any way is connected with or interested

(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

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(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(C) Causes injury to a dog;

Not enforceable: Field officers cannot weigh dog & tether.

Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

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(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

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I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

Sincerely,

Mitzie T. Nitta

Volcano, HI

From: Robin Boeggeman <robinboeggeman@gmail.com>
Sent: Monday, February 01, 2016 1:34 PM
To: JUDtestimony
Subject: Fwd: 2-2-16 JUD Support HB1592

Attention to: Direct your testimony to Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements.

Mahalo,

Robin Boeggeman

Kailua Kona, HI 96740

HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

Please note: I am only showing the sections I would like amended in HB Bill No. 1592:

SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:

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(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

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(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

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Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

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(B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

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(C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

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I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

JUDtestimony

From: Kate Schuerch <alohakatydid@gmail.com>
Sent: Monday, February 01, 2016 1:50 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 with amendments to insure it meets the aforementioned requirements. Mahalo.

My name is Kathleen Schuerch and I have lived at 16-1172 Io Kea Road, Hawaiian Acres, Kurtistown, Island of Hawa'i, since 1981, more than half of my life now. In this time I have witnessed some horrific examples of dog abuse and neglect right down the road from me. Some folks hand cleared a small area on a forested lot across and a short way down the road, then set out some old pallets, plywood pieces and decrepit coolers and chained 12 dogs up. These dogs were left to howl and cry (24 hours a day), roast in the sun and shiver in the cold rain 24/7 for several months. Someone usually showed up once a week or so to throw them some dry kibble. My other neighbors and I made sure they had water. Although the people claimed that these were hunting dogs, never once in the time they were there were any of the dogs taken off their chains to go hunt.

My neighbors and I called the Humane Society numerous times and were told they could not enter the property without owner's permission even though they could see, from the road, the dismal conditions these poor creatures had to endure. When I called the police, they told me that they knew who the people were, told me to keep an eye out for them, but they were not able to do anything for the dogs. This went on for months.

One day I saw that the dogs were gone. The next day my neighbor called me and asked me to go to that property with him, and we saw that some of the dogs had been removed. The rest of them had been clubbed, kicked and/or shot to death, their bodies left to rot. Way in the back, a pitiful voice cried, and an emaciated 5 or 6 month-old puppy cowered next to an old Igloo cooler that still had some stagnant water in it, unable to be seen from the road.

When I called the Humane Society, they came out but wouldn't go onto the property & my friend had to go bring the puppy up to them on the road. Even though they could see some of the dog's bodies, they would not (could not?) take action. **THIS NEEDS TO STOP!!!** We need well-written laws to protect those who cannot speak for themselves!

I support the efforts to achieve this, and applaud your efforts to change and improve our animal protection laws.

A hui hou,

Kathleen Schuerch

From: hoala.davis@gmail.com on behalf of Hoala Davis
<molokaihumanesociety@gmail.com>
Sent: Monday, February 01, 2016 1:55 PM
To: JUDtestimony
Subject: 2-2-16 JUD Support HB1592

Aloha Chair Rhodes, Vice-Chair San Buenaventura and Judiciary Committee Members

My name is Hoala Davis, and I am the Executive Director for the Molokai Humane Society.

I am pleased to see that a state tethering law is being presented, and hope that your committee can help to create a bill that is not only enforceable by officers in the field, but is general enough to allow for the officer's use of judgement while being specific enough to provide clear boundaries within which the officers can effectively work. On the island of Molokai, there are many animals that spend their entire lives tethered. It is important for bills such as HB 1592 to help to protect animals such as ours, from living out their lives tied outdoors in a cruel and inhumane manner. We only have a single Animal Control Officer on Molokai, and ensuring that he is able to perform his job to the best of his ability is crucial for the success of bills such as this. Because of this, we ask that the following revision be made to strengthen HB 1592:

SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended to read as follows:

"§711-1109 Cruelty to animals in the second degree. (1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

(d) Keeps, uses, or in any way is connected with or interested

(A) Entangles and endangers a dog;

(B) Unreasonably limits a dog's movement in an unsafe or unsanitary condition; or

(C) Causes injury to a dog;

(iii) By use of a restraint that:

(A) Is shorter than five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or ten feet, whichever is greater; or

(B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

(C) Causes injury to a dog;

Mahalo for your time, and for your support of HB 1592.

Much aloha,

Hoala Davis

--

Hoala Davis

Executive Director

Molokai Humane Society

P.O. Box 1258

Kaunakakai, HI . 96748

(808) 558-0000

www.molokaihumanesociety.org

LATE

JUDtestimony

From: Leigh Critchlow <lcritchlow@mac.com>
Sent: Monday, February 01, 2016 2:02 PM
To: JUDtestimony
Subject: please support this legislation

Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

>
> I believe the people of Hawaii, myself included, want a state tethering law that is enforceable by officers in the field, is general enough to allow use of the officer's judgment, and is specific enough to provide clear boundaries within which the officers can effectively work. Only a bill that meets each of these requirements will actually begin to end the abusive practice of chaining dogs. I strongly applaud the intent of HB 1592 and also offer the following amendments to insure it meets the aforementioned requirements. Mahalo.

>
> HOUSE OF REPRESENTATIVES H.B. NO. 1592 TWENTY-EIGHTH LEGISLATURE, 2016

>
> Please note: I am only showing the sections I would like amended in HB Bill No. 1592:

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> "§711-1109 Cruelty to animals in the second degree. (1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

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> (B) Uses a lead that exceeds one-eighths of the dog's body weight or is a tow or log chain;

>
> (C) Causes injury to a dog;

>
> Not enforceable: Field officers cannot weigh dog & tether.

>
> Amendment for iii(B): HB 2215, page 3, lines 20-21 and page 4, lines 1-2 as follows: "Is of a weight or incorporates weights so disproportionate to the size of the dog as to cause overloading in violation of section 711-1109(1)(a)".

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> (iv) Unattended by use of a restraint that unreasonably limits the dog's movement between the

hours of 10:00 p.m. and 6:00 a.m.;

>

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> (B) Fifteen hours in a twenty-four hour period if the restraint is attached to a running line, pulley, or trolley system; or

>

> The following facts show that time limits will not be enforceable, particularly on outer islands:

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> 1. According to the 2014 Bureau of Labor Statistics, Oahu has 3.5 Police and Sheriff Patrol employees per square mile and the Hawaii-Maui-Kauai Non Metropolitan Area has 1 Police and Sheriff Patrol employee per 510 square miles.

>

> 2. To legally document a time limit violation, the officer has to observe the dog for the entire time period; no officer has the time to do this.

>

> I suggest the following Amendment for (v)(A)(B): Leaving a dog tethered, tied or fastened to any stationary object where the dog is out of visual range of the owner and the owner is at least 16 years of age.

>

> (vi) During extreme weather conditions, including conditions in which:

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> (A) The actual or effective outdoor temperature is below thirty-two degrees Fahrenheit;

>

> (B) A heat advisory has been issued by a local or state authority or jurisdiction; or

>

> (C) A hurricane, tropical storm, or tsunami warning has been issued for the jurisdiction by the National Weather Service;

>

> These very specific weather situations rarely occur in Hawaii, so A, B, & C above do not give the officers an appropriate new tool for enforcement.

>

> I suggest the following Amendment for (vi)(A)(B)(C): HB 2215, page 4, lines 15-16 that reads as follows: Exposes the dog to extreme or inclement weather or hazardous environments.

Sincerely,

Leigh Critchlow

P.O. Box 1067

Mountain View HI 96771

Sent from iCloud

LATE

JUDtestimony

From: Laurie Pottish <pottishl001@hawaii.rr.com>
Sent: Monday, February 01, 2016 2:27 PM
To: JUDtestimony
Subject: HB1592

Aloha All:

Please support HB1592.

Mahalo,

Laurie Pottish
2892 Iwalani St.
Makawao, HI 96768

LATE

JUDtestimony

From: M Markl <ahimsam9@gmail.com>
Sent: Monday, February 01, 2016 2:48 PM
To: JUDtestimony
Subject: 2-2-16 Support HB1592

Please support this bill. Too often in various areas I see many dogs chained up which must be painful to not be able to move more freely and very lonely as I do not see interactions. It is as if they are treated as an alarm object only and do not get the affection they deserve. Please pass a bill to reverse this and chain those neglectful owners outside instead so they can see the painful effect they create. Thank you.

LATE

JUDtestimony

From: Gerrit Osborne <gerritosborne@gmail.com>
Sent: Monday, February 01, 2016 3:25 PM
To: JUDtestimony
Subject: 2-2-16, SUPPORT HB1592

As man's best friends are descended from wolves, they're genetically programmed to roam wide areas. It is understandable, then, that tethering them causes stress, which can manifest itself in unwanted and unnatural behavior, as well as just being plain unhealthy for them.

Certainly there are occasions on which tethering might be appropriate, but, as the instances of this are so varied and thus so difficult to prescribe, it makes sense to have a law strictly prohibiting tethering, with the application of the law left to the discretion of the appropriate agency. A long tether, in a shady area, with food and water readily available and a place to lie down may be acceptable if the owner is present, where the opposite conditions would not be.

As spokesmen for those who cannot speak for themselves, we ask you to help create the conditions favorable to man's best friend. And we assure you that, if this bill were put to a referendum, it would be very popular and pass by an overwhelming majority. Please do not allow the "vocal minority" to convince you otherwise!

Aloha,

Gerrit Osborne
1430 Ehupua St.
Honolulu, 96821
N21° 16.830' W157° 45.830'
808-222-2450



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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 4:51 PM
To: JUDtestimony
Cc: ferndoggies@gmail.com
Subject: Submitted testimony for HB1592 on Feb 2, 2016 14:00PM

HB1592

Submitted on: 2/1/2016
 Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
PFern	Individual	Support	No

Comments: Chaining Dogs Makes Them Territorial and Aggressive Dr. Michael Fox writes in his book Understanding Your Dog that approaching a chained dog will invariably result in a “show of aggression or territorial defense by barking and lunging” because a dogs that are confined into a constructed territory zone tend to develop “territorial defense behavior ... [that is] abnormally intense.” Chains Can Get Tangled and Caught on Other Objects Many veterinarians agree that chains and tethers often cause neck and back injuries, and it is even possible for a dog to hang himself if the chain gets caught on something up high. According to the U.S. Department of Agriculture, “Our experience in enforcing the Animal Welfare Act has led us to conclude that continuous confinement of dogs by a tether is inhumane. A tether significantly restricts the dog’s movement. A tether can become tangled or hooked around the dog’s shelter structure or other objects, further restricting the dog’s movement and potentially causing injury.” Chained dogs are Sitting Ducks for Other Animals, Poisonous Insects and Extreme Weather and thieves, and taunting by passersby. Chained and Tethered Dogs Rarely Get the Care They Need Thank you for your time.

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.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 4:41 PM
To: JUDtestimony
Cc: lkartkart@gmail.com
Subject: Submitted testimony for HB1592 on Feb 2, 2016 14:00PM

HB1592

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Kart	Individual	Support	No

Comments: The act of chaining is a HUGE contributor to anti-social, aggressive dog behavior. Chained dogs are 2.8x more likely to bite than an unchained dog, not to mention the health and safety issues chaining causes the dog itself. Chilling fact from government statistics: Chained dogs kill as many children as do firearms, and more than falls from trees, playground equipment and fireworks accidents put together. In addition to The Humane Society of the United States and numerous animal experts, the U. S. Department of Agriculture (USDA) issued a statement in the July 2, 1996, Federal Register against tethering: "Our experience in enforcing the Animal Welfare Act has led us to conclude that continuous confinement of dogs by a tether is inhumane. A tether significantly restricts a dog's movement. A tether can also become tangled around or hooked on the dog's shelter structure or other objects, further restricting the dog's movement and potentially causing injury." In 1997, the USDA ruled that people and organizations regulated by the Animal Welfare Act cannot keep dogs continuously chained. The American Veterinary Medical Association (AVMA) has also stated "Never tether or chain your dog because this can contribute to aggressive behavior." The Centers for Disease Control (CDC) concluded in a study that the dogs most likely to attack are male, not neutered, and chained.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 5:55 PM
To: JUDtestimony
Cc: ka.riedel@yahoo.com
Subject: Submitted testimony for HB1592 on Feb 2, 2016 14:00PM

HB1592

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Karin Riedel	Individual	Support	No

Comments: Aloha Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members, The current protection of our island animals by existing laws and regulations is weak and does not ease their suffering at all. I strongly applaud the intent of HB 1592 with enforceable amendments suggested via email. Mahalo, Karin Riedel Big Island

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