

SB 674

DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
CARTY S. CHANG
Interim Chairperson**

**Before the Senate Committees on
ENERGY AND ENVIRONMENT
and
COMMERCE AND CONSUMER PROTECTION**

**Thursday, February 12, 2015
2:45 pm
State Capitol, Conference Room 225**

**In consideration of
SENATE BILL 0674
RELATING TO WILDLIFE PROTECTION**

Senate Bill 0674 proposes to amend the Hawaii Revised Statutes by adding a new Chapter entitled “Unlawful Sale or Trade of Ivory or Rhinoceros Horn”, whereby the trade and sale of ivory and rhinoceros horn within the state is prohibited. **The Department of Land and Natural Resources (Department) supports this Bill.**

African elephants are spiraling toward extinction as illegal poaching and ivory trade continue to decimate their numbers. Similarly, rhinoceros numbers continue to plummet as poaching for their horn increases with over 1,200 animals killed in South Africa alone in 2014. Hawaii is the third highest retailer of elephant ivory in the United State behind California and New York. Tusks are traded internationally and sold world-wide, often after being carved into trinkets and then being identified as some other animal tusk, or claimed as a “pre-act” tusk, meaning that it had been harvested before the 1990 Convention on International Trade in Endangered Species treaty which made ivory trade illegal in many countries. Without laboratory analysis, it is usually impossible to verify the age or even the animal from which the ivory was derived, especially if the ivory has already been carved. In addition, fraudulent documents are frequently used to claim the ivory is of pre-1990 origin, or of another species. In addition, protection of one species may redirect and accelerate trade in other species. For this reason, the types of ivory covered in this Bill includes teeth or tusks from a number of species of wildlife, including elephants, hippopotamuses, walruses, whales, and narwhals.

CARTY S. CHANG
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

DANIEL S. QUINN
INTERIM FIRST DEPUTY

W. ROY HARDY
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
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ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: cathyg@animalrightshawaii.org
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Tuesday, February 10, 2015 11:17:11 AM

SB674

Submitted on: 2/10/2015

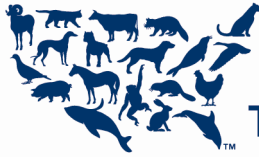
Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Cathy Goeggel	Animal Rights Hawai'i	Support	Yes

Comments: I am Cathy Goeggel, President of Animal Rights Hawai'i. We have advocated for animals in Hawai'i for the past 38 years. We ask for your support for HB837, a measure that would end Hawai'i's participation in the trafficking of elephant and marine mammal ivory and rhinoceros horn. According to scientists, African elephants may go extinct within 10 years, if the current rate of poaching continues. Hawai'i is one of the major consumers of ivory, and the US Fish & Wildlife Service has confirmed that there is a thriving illegal trade in our state. Whilst education is a very important factor in convincing consumers to NOT buy ivory, it is obvious that greed often trumps conscience and the elephants need your action to codify their protection. Please pass HB837. Cathy Goeggel President

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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THE HUMANE SOCIETY
OF THE UNITED STATES



HUMANE SOCIETY
INTERNATIONAL

**TO: Honorable Chairs Gabbard and Baker and Committee Members
Senate Energy and Environment and Commerce and Consumer Protection
February 12, 245pm**

FROM: Inga Gibson, Hawaii Director, The Humane Society of the United States-Humane Society International, igibson@humanesociety.org 808.354.3211

RE: STRONG SUPPORT of SB674, Relating to Wildlife Protection

The Humane Society of the United States (HSUS)-Humane Society International urge the Committees support for SB674, which would prohibit any person from selling, offering to sell, or possessing with intent to sell, any ivory product (teeth or tusks) or rhino horn. This measure would *NOT* prohibit the continued lawful possession or passing down of ivory items, their use for educational display in museums or for research or other scientific purposes, or prohibit any activity expressly authorized by federal law. In addition this bill proposes a 6 month extended effective date to allow those in possession of such items to sell those items, should they so desire, before the effective date of this act.

This measure is in response to *S.C.R. 149 that unanimously passed the Hawaii Legislature in 2013*. The Resolution asked Hawaii residents and businesses not to buy or sell ivory of unknown origin. Unfortunately, despite notice being provided to retailers, Hawaii continues to sell ivory of unknown and likely illegal origin, and without any documentation. Last August both New York and New Jersey enacted laws to prohibit the sale of ivory and rhino horn and 6 other states are currently considering similar measures this year.

Elephants are one of the most iconic and beloved wild animals. Yet today, these magnificent animals are being illegally gunned down and poisoned in unprecedented numbers—reaching nearly 100 killed per day— all for their ivory tusks. It is the demand for ivory that is driving this elephant massacre. Most of the demand for ivory is in China, where it is still legal to buy, carve and sell ivory. But, according to the results of the most recent, comprehensive ivory market survey published in 2008,¹ the United States is the second largest market for ivory and, within the United States, Hawaii is the third largest ivory market only behind New York, and California². The same survey estimated that almost *90 percent of the ivory items for sale in Hawaii were likely imported illegally* or of unknown origins¹. United States laws and regulations pertaining to ivory trade are confusing and riddled with loopholes that are exploited by those involved in the international and domestic ivory trade. This also leads to consumer confusion about what is legal and what is not. The result is a flourishing, poorly regulated domestic ivory market in the United States.

¹ Martin, E., and D. Stiles. 2008. Ivory Markets in the USA. Care for the Wild International and Save the Elephants. West Sussex, UK and London, UK.

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

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

- The Endangered Species Act (ESA):
 - The United Nations Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which currently prohibits the international commercial trade in African² and Asian elephant ivory, is implemented through the ESA. However, there are exceptions to this rule. Generally, any ivory possessed prior to July 1, 1975 is “pre-Convention” and can be traded internationally for commercial purposes. Sport-hunted elephant trophies can be imported but not for commercial purposes. CITES does not address the domestic trade in ivory. The ESA also has its own rules governing international trade as well as domestic trade in ivory. Under the ESA, the Asian elephant was listed as “endangered” in 1975 and the African elephant as “threatened” in 1978. This means that, in general, it is illegal to import, export or sell Asian elephant ivory on the domestic United States market, although it is legal to sell Asian elephant ivory legally possessed prior to 1975. However, the threatened status of the African elephant meant that ivory from that species continued to be imported, exported and sold domestically until 20 January 1990 when the CITES ivory trade ban became effective. African elephant ivory legally possessed prior to that date may be sold on the domestic market. Furthermore, import, export and sale of ivory that is “antique” (more than 100 years old) are allowed provided that there is documentation showing the age of the ivory. The ESA does not regulate the import, export or domestic trade in ivory from species like mammoths or warthogs, which is difficult to distinguish from elephant ivory.
- The African Elephant Conservation Act banned the importation of raw and worked ivory from African elephants as of January 1, 1990. The ban does not include sport-hunted elephant trophies.

However, these laws do not provide comprehensive control of the ivory trade to ensure that ivory offered for sale in the United States is not coming from recently poached elephants. For example, the United States does not: register or license all importers, manufacturers, wholesalers and retailers dealing in raw, semi-worked or worked ivory products; have recording or inspection procedures to enable appropriate government agencies to monitor the flow of ivory within the United States; have compulsory trade controls over raw ivory; have a comprehensive and demonstrably effective reporting and enforcement system for sale of worked ivory.

To summarize, it is legal to import, export and sell on the United States domestic market certain types of elephant ivory depending on the age of the ivory, the date the ivory was acquired or imported, and whether the ivory is from an Asian or African elephant. These variables are difficult for the public to comprehend and difficult for United States Fish and Wildlife enforcement officers to implement given they only intercept approximately 10 percent of ivory brought into the state.

The difficulty of enforcing these laws cannot be overlooked. Ivory is a term that can refer to the tusks of Asian or African elephants, or the tusks of extinct mammoths (dug up from the frozen

² California has the second highest amount of ivory for sale; however, the state prohibits the sale of certain elephant ivory.

tundra of Siberia or Alaska), or the teeth of hippos, walrus, sperm whale or narwhal. Only experts, using special equipment, can tell the difference between Asian and African elephant tusks, between elephant and mammoth tusks, or between ivory tusks and the teeth of other species. Even then, it is not always possible to tell the difference between ivories of these closely related species. The fact that ivory carvings can be made from other mammals, including extinct ones that are not regulated by international or domestic law, offers an easy means for smugglers to get around legal requirements by simply claiming elephant ivory carvings to be those of another species.

Furthermore, a 2002 investigation by the HSUS of ivory markets in the United States³ found ivory sellers who offered to provide fraudulent documents to investigators indicating that elephant ivory was mammoth ivory, that new ivory was old ivory, or that recently imported ivory was imported a long time ago.

This investigation also found:

- The United States has a large market for worked ivory; these markets are supplied, at least in part, by illegal imports from Hong Kong of ivory objects carved in China.
- Those in the ivory business offered tips about how best to smuggle ivory into the United States including placing small ivory items in their luggage in a certain manner to avoid detection by x-ray machines and importing ivory through United States ports, such as Alaska, where there are few United States Fish and Wildlife Service inspectors.
- There is no real disincentive to smuggling ivory into the United States. Although large-scale smugglers can be fined and imprisoned, small-scale ivory smugglers are usually only required to forfeit the ivory objects.

A 2008 study of ivory markets in the United States⁴ found:

- 24,004 ivory items were found in 657 outlets in sixteen towns and cities visited in the United States. Hawaii is the third largest retail ivory retail market in the United States after California and New York. The United States has the second largest ivory retail market in the world after China/Hong Kong, as determined by numbers of items seen for sale.
- 7,400 ivory items, or nearly one-third of the total, appeared to have been crafted after 1989, making their importation illegal. Inspection of pieces (mainly of Chinese origin) in shops suggested that many figurines, netsukes and jewelry items were recently made. Some African items also looked recently made.
- The United States legally imported some 3,530 tusks and about 2,400 raw ivory pieces between 1990 and 2005 and some of this material was illegally sold into the commercial market.

³ Humane Society of the United States. 2002. An Investigation of Ivory Markets in the United States. The Humane Society of the United States. Washington, DC, USA.
http://www.humanesociety.org/assets/pdfs/Ivory_Trade_Report.pdf

⁴ See footnote 1.

- Over 40,000 worked ivory items, excluding personal effects, were legally imported to the United States from 1995-2007. Previous studies found that ivory workshops in Asia and Africa produce fake antiques. Thus, even the imported worked ivory into the United States that seems old could be recently made.
- Federal and state authorities rarely inspect shops or Internet sites for illegal raw or worked ivory.
- Some contraband gets past Customs and there are no effective internal ivory transport and retail market controls.

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

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

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

Hawaii has long been a thriving hub of commerce and tourism between the Asia Pacific region and the United States mainland. Our close proximity to Asia also provides a convenient route for illegal wildlife to be trafficked into our State. As the 2008 and 2013 surveys demonstrated, a

staggering percentage of ivory items for sale in Hawaii came from illegal or unknown origins. SB674 would end our state's participation in the brutal ivory trade and would establish Hawaii as the national and global leader in protecting elephants.

Thank you very much for the opportunity to testify in strong support of SB674.

**STATEMENT OF THE
NATIONAL ASSOCIATION OF MUSIC MERCHANTS
CONCERNING
HAWAII SB 674**

The National Association of Music Merchants represents more than 9,000 companies which manufacture and sell musical instruments. This statement is submitted in connection with the consideration of SB 674 which would ban the sale of virtually all products containing elephant and mammoth ivory. For the reasons set forth herein, NAMM urges that action on SB 674 be deferred for the time being.

By way of background, small amounts of elephant ivory were used in a variety of musical instruments – e.g., acoustic guitars, pianos, violin bows, bassoons, bagpipes – although usage had essentially stopped by the time elephant ivory was listed on CITES Appendix I in 1990 and enactment of the African Elephant Conservation Act at approximately the same time.

NAMM believes that SB 674 is flawed in a number of respects:

- Although the federal Fish and Wildlife Service announced its intent to institute such a ban on interstate trade in elephant ivory, implementing rules have *not* yet been issued for public comment and FWS officials have publicly stated that any ban would *not* be total but would contain some exemptions, including but not limited to an exemption for any antique item over 100 years old. Hawaii should wait until the federal rules have been finalized so that any intrastate action would be consistent with interstate activity. SB 674 would include among the prohibited activity importation with intent to sell, which NAMM believes is an unconstitutional infringement on the federal government's power to regulate interstate commerce.
- Including mammoth ivory is not appropriate. Mammoth ivory is not included on any international or U.S. list of endangered species and therefore should not be included in this bill. In fact, mammoth ivory became an accepted substitute for elephant ivory in a number of instruments types, especially violin bows, which substitution has continued to the present time.
- An exemption should be added for musical instruments which contain less than 20% by volume of elephant ivory. Inclusion of musical instruments in the ban on the sale of ivory containing products would prohibit many musicians in the state from acquiring or disposing of the tools of their trade. Fish and Wildlife Service officials and conservationists have acknowledged that musical instrument sellers are not the

targets in the illegal ivory trade, since, among other reasons, the use of elephant ivory in guitars, pianos, violin bows, percussion and other instruments had for the most part stopped by the mid-1980's. Indeed, the broad ban enacted by New York State in 2014 recognizes the importance of musical instruments and contains an exemption for such products.

NAMM representatives would be happy to discuss the musical instrument industry's concerns in more detail.

For further information, contact James M. Goldberg at 202-628-2929 or jimcounsel@aol.com.



Hawaii Rifle Association

State Affiliate of the National Rifle Association
Founded in 1857

February 11, 2015

Testimony on SB674

IN OPPOSITION

Before ENE/CPM, Rm 225, 2/12/2015, 2:45pm

TRA/PSM, Rm. 229, 2/12/2015, 2:45pm

Hon. Chairs, Co-Chairs, Members,

HRA opposes this bill.

This bill makes criminals of anyone with antique gun grips or sight beads, musical instruments, scrimshaw, hatpins, or jewelry bearing small amounts of ivory from any source harvested long ago and offered for sale or transfer other than by inheritance. It takes value from private property without compensation. Appraisal as an antique, produced before 1989, or lawfully harvested, should be exemptions or represent an affirmative defense.

Elephant populations in sub-equatorial Africa in areas with good habitat development and game management policies are healthy and increasing in numbers according to the World Wildlife Fund web site, 2015.

It's in impoverished African areas with no political stability where elephant populations are threatened with extinction. This bill will not alter poaching in those areas. Bans are price supports for illegal activity there. Confiscated ivory and ivory harvested to protect subsistence farming and habitat degradation should be marketed to fund habitat improvement and anti-poaching enforcement.

Thank you for the opportunity to testify on behalf of HRA.

Dr. Maxwell Cooper
HRA Legislative Liaison
808 225-6944



The Nature Conservancy, Hawai'i Program
923 Nu'uuanu Avenue
Honolulu, HI 96817

Tel (808) 537-4508
Fax (808) 545-2019
nature.org/hawaii

Testimony of The Nature Conservancy of Hawai'i
Supporting S.B. 674 Relating to Wildlife Protection
Senate Committee on Energy and Environment
Senate Committee on Commerce and Consumer Protection
Thursday, February 12, 2015, 2:45PM, Room 225

The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of the lands and waters upon which life in these islands depends. The Conservancy has helped to protect nearly 200,000 acres of natural lands in Hawai'i. Today, we actively manage more than 35,000 acres in 11 nature preserves on Maui, Hawai'i, Moloka'i, Lāna'i, and Kaua'i. We also work closely with government agencies, private parties and communities on cooperative land and marine management projects.

The Nature Conservancy supports S.B. 674.

According to a June 2014 CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora) study, more than 20,000 elephants were poached in Africa in 2013. Seizures of illegal ivory in both Africa and Asia are at their highest levels in years. The survival of elephants in Africa is threatened—as is the security and stability of the places (mostly southern and eastern Africa) where they range because of the organized crime involved.

Demand for ivory in countries like China, Thailand, the Philippines, and Vietnam continues to be high. While the U.S. ivory market may be relatively small in comparison, it contributes to the detrimental effect on elephant populations. With increased demand comes increased world prices making elephant a poaching sophisticated enterprise supported by organized crime. According to CITES, poaching levels remain alarmingly high and continue to far exceed the natural elephant population growth rates, resulting in a further decline in elephant populations across Africa.

Efforts are underway in Africa to better train and equip wildlife rangers to control poaching as well as in Asia to educate consumers, erode the prestige of ivory and clean up the marketplace. Here at home we can do our part by ensuring that we set an example by clearly prohibiting sales of ivory.

Thank you for the opportunity to testify in support of this bill.

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STATE & LOCAL AFFAIRS DIVISION
DANIEL REID, HAWAII STATE LIAISON

February 11, 2015

The Honorable Ryan Yamane
Chairman, Senate Committee on Land and Environment

The Honorable Rosalyn Baker
Chairwoman, Senate Committee on Commerce and Consumer Protections

Re: Senate Bill 674 – OPPOSE

Dear Senators:

On behalf of the Hawaii members of the National Rifle Association, I oppose Senate Bill 674. This bill would do nothing to promote its purported goal of addressing poaching and the illegal ivory trade, while it would impose a heavy burden on law-abiding citizens.

Illegal trade in wildlife, as well as poaching for meat and products such as horns and tusks, takes its toll on the health and viability of wildlife populations. Further, it undermines the tremendous sustainability achievements made possible by hunters and other wildlife conservationists in the United States and other parts of the world. The NRA applauds serious efforts to stop poaching and the illegal ivory trade, but SB 674 would not materially contribute to that goal.

This bill would, however, harm those who have no part in these activities. American collectors, sportsmen, hunters, and recreational shooters have legally purchased firearms that incorporate ivory features for decades. These include some of America's most historically-significant and collectible guns. Historically, the U.S. Fish and Wildlife Service maintained the position that most ivory in the U.S. has been legally imported and that its sale in the U.S. did not materially contribute to the illegal ivory trade. Nevertheless, under SB 674 the import, sale, purchase, barter, and possession with intent to sell of any ivory (defined to include mammoth ivory), ivory product, rhinoceros horn, or rhinoceros horn product would be prohibited. The NRA is opposed to SB 674 because, if implemented, it would amount to the taking of property that had been acquired legally and in good faith. Needless to say, property that cannot be sold is radically diminished in value.

While the NRA stands in opposition to the illegal ivory trade and poaching, banning the trade and sale of legally owned, pre-ban ivory will not save one elephant (much less mammoths, ivory from which is covered in the bill, even though the creatures themselves are long extinct). The NRA is receptive to measures that directly target the illegal ivory trade and poaching. We do not, however, support symbolic measures that do little more than move the goalposts for law-abiding citizens and deprive them of the value of property that was originally obtained legally and in good faith.

Thank you for your consideration and I ask that you oppose this bill.

Cordially,

A handwritten signature in black ink, appearing to read "Dan Reid", written in a cursive style.

Daniel S. Reid
State Liaison



February 11, 2015

TO: Honorable Chair Gabbard, Vice-Chair Green, and Committee Members
Senate Committee on Energy and Environment
February 12, 2015, 2:45PM, Conference Room 225

FROM: Tara Easter, Staff Scientist for the Center for Biological Diversity

RE: Testimony of the Center for Biological Diversity IN SUPPORT OF SB674, Relating to Wildlife Protection

This testimony is submitted on behalf of the Center for Biological Diversity, a nonprofit organization with 800,000 supporters, many of which place significant value in protecting elephants and rhinos. The Center urges the committee to **support SB674**, which would prohibit the importation, sale, barter, or possession with the intent to sell of any ivory, ivory product, rhinoceros horn, or rhinoceros horn product.

The high demand for elephant ivory and rhinoceros horns have caused illegal poaching to sky rocket in Africa and Asia. These species are rapidly heading towards extinction unless we are able to stop the demand for their products. We have already forever lost a subspecies of rhino, the Western black rhino¹, and 100,000 elephants in just the last three years², including the famous and beloved Satao³. I have had the privilege of seeing and studying these animals in the wild in Namibia and Kenya. I learned to recognize individual elephants and their families and watched in amazement how they interacted with each other and with other species. There are few animals as charismatic and awe-inspiring as the African elephant, and I cannot bear to think of a future without them.

Despite current national and international laws that regulate the trade in wildlife products, the illegal trading of ivory and rhinoceros horn continues to run rampant. The United States is second only to China for having the largest market for ivory, and Hawaii has the third largest market of any state in the U.S., behind New York and California. To address this issue, New York and New Jersey enacted laws to prohibit the sale of ivory and rhino horn and other states, including California and Washington, are considering passing similar legislation this year.

With up to 90 percent of the ivory in Hawaii estimated to have come from illegal or unknown origins⁴, it is imperative that the senate passes SB674 to close loopholes in the ivory trade, reduce

¹ <http://www.iucnredlist.org/details/39319/0>

² <http://news.nationalgeographic.com/news/2014/08/140818-elephants-africa-poaching-cites-census/>

³ <http://tsavotrust.org/news/2014/6/13/kwaheri-satao-saying-goodbye-to-a-tsavo-icon>

⁴ Martin, E., and D. Stiles. 2008. Ivory Markets in the USA. Care for the Wild International and Save the Elephants. West Sussex, UK and London, UK.

confusion about what are legal vs. illegal products, reduce demand for ivory and rhinoceros horn, and ensure a permanent future for elephants and rhinos.

Thank you for the opportunity to testify in support of SB674. Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Tara Easter". The signature is written in a cursive, flowing style.

Tara Easter
Scientist
Center for Biological Diversity
PO Box 11374, Portland, OR 97211
teaster@biologicaldiversity.org



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A 501(c)(3) organization

February 10, 2015

Honorable Chair Gabbard, Vice-Chair Green and Committee Members
Senate Energy and Environment Committee
February 12, 2015 2:45 pm

RE: Strong Support for SB674 relating to the conservation of elephants and rhinoceros

Born Free USA, a national nonprofit animal protection and wildlife conservation organization, urges the Committee's support for SB 674 which would prohibit any person from importing, selling, offering to sell, or possessing with intent to sell any ivory product (teeth or tusks) or rhino horn. Born Free USA has studied wildlife trafficking for more than two decades and we can conclude that the elephant poaching epidemic across Africa has reached unprecedented crisis levels in recent years. In addition, rhino poaching is escalating exponentially. As the second largest ivory market in the world, the United States bears a significant responsibility to act now. Hawaii is the third largest market in the States for ivory products after New York and California. NY enacted a law to prohibit the sale of ivory and rhino horn and we are currently working on passing a ban in CA.

This bill is a crucial step toward managing the growing trade in illegally trafficked wildlife products in the United States. This bill would not prohibit the continued lawful possession or passing down of ivory items; their use of educational display in museums; or for research or other scientific purposes. Last year, both New York and New Jersey enacted laws to prohibit the sale of ivory and rhino horn and 6 other states are considering similar measures currently.

As you are aware, the elephant poaching crisis has become increasingly severe over the past several years with an estimated 35,000 to 50,000 elephants slaughtered per year. The website www.bloodivory.org specifically quantifies more than 103,000 elephants slaughtered by poachers since 2012 and approximately 96 elephants are slaughtered daily by poachers. As a result, certain populations of African elephants are vulnerable to extinction and may not withstand these poaching thresholds much longer. When these elephants disappear, if ivory markets are not eliminated, demand will lead poaching operations further east and south, decimating other African elephant populations. The demand for ivory is driving the ongoing massacre of our most iconic wild animal.

In recent years, it has been revealed that dangerous criminal syndicates and organized terrorist gangs engage in elephant poaching to acquire ivory, which they sell for arms to ply their deadly activities. Born Free USA, seeking an accurate and complete picture of the depths of this nefarious

activity, commissioned expert defense analysts to examine the military, national security, and localized conflict aspects to reveal the threats to elephants across Africa.

Their findings were compiled into our report *Ivory's Curse* and the conclusions are truly alarming. Criminal networks such as Janjaweed and the Lord's Resistance Army use profits from wildlife trafficking to purchase weapons and fund their brutal operations.

A second report, *Out of Africa*, identified shipping routes and the means by which ivory is extracted from poached elephants, transported to consolidation points, and bundled for shipment overseas by organized criminal syndicates.

As long as there is a market for in ivory—including in Hawaii—and poaching continues unfettered, these ruthless terrorist organizations and corrupt individuals and entities will continue to bring chaos, bloodshed, and insecurity to the region.

Additionally, all five rhino species are in serious danger due to poaching. Africa's rhinos are critically endangered, with a population of fewer than 5,000. South Africa, which is home to the majority of African rhinos, has seen a staggering increase in poaching numbers in recent years—from a handful in 2007 to 333 in 2010 to more than 1,000 in 2013 and again in 2014. There are only 3,000 one-horned rhinos remaining in India and Nepal, and Southeast Asia's Sumatran and Javan rhinos number only in the hundreds and tens, respectively. The horns, made of a substance akin to fingernails, are used in Traditional Chinese Medicine to allegedly cure a variety of ailments including cancer. Despite conclusive evidence that they have no curative properties, over a thousand rhinos are killed for their horns every year.

The harsh reality of the international wildlife trade is that there are poachers crossing from Mozambique into South Africa to slaughter Africa's imperiled wildlife—some of these illegal wildlife products could end up in the Hawaii marketplace masquerading as legal items.

Born Free USA believes it is the responsibility of the United States Congress and individual state legislature to do everything in their power to stop the slaughter of elephants and rhinos in Africa. It is imperative to completely ban the commercialization of ivory and rhino horn to close all loopholes. Unfortunately, it is too easy for documents to be forged and ivory disguised as antique.

There is absolutely no justification for selling elephant ivory or rhino horn in Hawaii or anywhere else in the United States.

Hawaii is a thriving hub of commerce and tourism between the Asia Pacific region and the United States. Hawaii's close proximity to Asia provides a convenient route for illegal wildlife to be trafficked into the State.



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Adam M. Roberts

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A 501(c)(3) organization

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Ending the illegal trade in wildlife parts is a core mission of Born Free USA, and I applaud the compassionate measures proposed in SB 674 to end Hawaii's participation in the callous ivory trade. Time is running out to save these majestic animals. I sincerely hope the Committee votes in favor of this crucial piece of legislation. SB 674 could represent part of a shift in the way the states of this nation deal with the wildlife trade, and help to bring much-needed relief to the elephant and rhino populations of the world.

Thank you very much for the opportunity to testify in strong support of SB 674.

Sincerely,

Rosalyn Morrison

Rosalyn Morrison
Born Free USA
(916) 642-3678
rosalyn@bornfreeusa.org

Chief Executive Officer:
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KEEP WILDLIFE IN THE WILD®



Lessons In Firearms Education

P.O. Box 25271
Honolulu, Hawaii 96825

February 10, 2015

Re: SB 674

Chairs Espero and Nishihara, Vice Chairs Baker and Harimoto,

Lessons in Firearms Education (LIFE) **OPPOSES** SB 674.

My name is Bill Richter and I am the President of Lessons in Firearms Education (LIFE). LIFE opposes SB 674.

Elephant populations in sub-equatorial Africa in areas with good habitat development and game management policies are healthy and increasing in numbers according to the World Wildlife Fund web site, 2015. Sales of confiscated poached ivory and ivory harvested for damage control funds anti-poaching enforcement and habitat preservation in impoverished African areas where elephant populations are threatened with extinction. Banning anything is just price support and will increase demand. This bill proposes to make criminals of anyone with antique gun grips or sight beads, musical instruments, scrimshaw, hatpins, or jewelry bearing small amounts of ivory from any source harvested long ago and offered for sale or transfer other than by inheritance. Appraisal as an antique, produced before 1989, or lawfully harvested should be exemptions. Museums should be exempted.

We respectfully request that you not pass SB 674

Very kind regards,

Bill Richter, President
Lessons in Firearms Education

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: ilojerry@gmail.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Wednesday, February 11, 2015 2:13:13 PM

SB674

Submitted on: 2/11/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jerry Ilo	Babooze Bowstrings	Oppose	No

Comments: In impoverished African areas with no political stability elephant populations are threatened with extinction. This bill will not alter poaching in those areas. Bans are price supports for illegal activity there. Confiscated ivory and ivory harvested to protect subsistence farming and habitat degradation should be and is marketed to fund habitat improvement and anti-poaching enforcement. This bill makes criminals of anyone with antique gun grips or sight beads, musical instruments, scrimshaw, hatpins, or jewelry bearing small amounts of ivory from any source harvested long ago and offered for sale or transfer other than by inheritance. Appraisal as an antique, produced before 1989, or lawfully harvested, should be exemptions or represent an affirmative defense.

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: alicesaul@hawaii.rr.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Saturday, February 07, 2015 7:27:45 PM

SB674

Submitted on: 2/7/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Alice Saul	Individual	Comments Only	No

Comments: Dear Senators on the Energy and Environmental Committee: I am writing to urge that you vote in favor of SB674 which will help to sustain the viability of elephants which are currently being killed at a purported rate of 674 every week due to poaching for their tusks. Thank you. Aloha.

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S.B. 674 Not pono as written

Aloha Kakou from Hilo, Hawaii.

I am a grandmother and a student at UH and have something to say about this complete ban on the sale of all Ivory. Like Michele Obama, I have Ivory jewelry that was carved in Hawaii and sold legally decades ago. I believe that I should have the right to sell my pieces if I choose to, and I believe that my daughter should have the right to sell the pieces that will be handed down to her, if she chooses. These jewelry items were sold without documentation and should not require documentation to be sold again. The companies and individuals who carved my Ivory pieces are no longer selling Ivory, dead or no longer in existence. The bill as written, needs to have an exemption or exception, for vintage, antique and ancient ivory, just like the mainland bill that made an exception for musical instruments.

I read S.B. 674 and find that it is not a fair matter to pass. Under the pretense of saving the elephants in Africa, you are being asked to sign this bill which makes it a crime to sell a piece of Ivory of any species or age-even if it was dug up from the earth from a prehistoric mammoth or mastodon. The bottom line is, and should be with the government, that fresh elephant Ivory only, is what should be illegal to sell and that alone has something to do with whatever fresh Ivory there is, on the market. I don't believe I have ever seen any fresh Ivory but believe trained dogs could sniff it and detect its presence.

Illegal Ivory harvesting/poaching should be stopped at the source-in Africa. In addition, the LEGAL HUNTING OF ELEPHANTS IN AFRICA should also be stopped! Most people believe that elephant hunting is illegal, but in fact, several countries in Africa allow it and sell expensive licenses to hunters-with a limit of two elephants, not one! This can be checked on the internet if you would take five seconds to google: elephant hunting Africa. This needs to stop-it IS horrible. In addition to the stopping of the legal and illegal killing of all elephants in Africa, the illegal export of fresh elephant Ivory should be stopped at its source, in Africa and at its destinations in containers-wherever. Vintage and antique Ivory collectors and admirers don't want or seek items of fresh elephant Ivory.

Only fresh elephant Ivory should be illegal to sell, not vintage, antique and ancient Ivory. Humans have been working Ivory for centuries, like the Hawaiians who would harvest whale teeth from beached whales, which would be carved into Niho Palaoa, and worn as a cultural symbol around the neck. This is not a bad thing! Will you tell Hawaiians that they are wrong to possibly sell and trade their Niho Palaoa or face felony prosecution for buying old whale teeth, etc to keep their practices in place? There is no need to penalize people for wanting or needing to sell their jewelry, or for buying old stock Ivory sources, like whale teeth, and the government has no business in our jewelry boxes. For goodness sake, Lahaina was the whaling capitol of the world in the 1800's, and there are certain beaches where an occasional whale would wash up and its teeth SHOULD be recycled and used by carvers! Our culture has history with Ivory.

Your bill states that enforcement agents have difficulty determining age and species upon visual inspection. I find that it is quite possible to identify elephant Ivory from other Ivories, basically upon visual inspection, but sometimes with a loupe. In this day and age, it is possible to carry out tests to establish both the age of a piece of Ivory and the species it came from. There is much information about this on the web, and I see that scientists in Scotland are leaders in the field. With CSI-type gadgets and meters available for most any test, the government can and should use forensic technology to identify fresh elephant Ivory, and leave Tutu alone if she chooses to sell her Pikake necklace. In today's world there's a test for just about everything, and the banning of all Ivory sales to make this an easy job for the government, is not in the people's best interest.

Taking the positive action of making the selling of fresh elephant Ivory to be the crime, enforcement officials should be professional and have a field test kit developed for their use-there's no excuse not to have one designed. Especially when enforcement officials are having difficulty! The Fourth and Fifth Amendments speak to the citizen's right to due process, and not to be deprived of property without it. In addition, we have the right to be secure in our persons, houses, papers and effects against unreasonable searches and seizures....without probable cause....particularly describing the...things to be seized. Just like all different types of drugs, weapons, pornography, etc, so it is with types of Ivory. It is the fresh elephant Ivory only, that should be particularly described and be subject to seizure-not Tutu's vintage jewelry that she chooses to sell. The bill as

written is wrong and needs to have an exception for previously legal Ivory items, sounds like pre-1990, even decades old elephant Ivory without documentation, because we were never given any when we shopped at Ming's, Gump's, and Sultan (now Na Hoku). Of course, there are old dated newspaper ads and catalogues-do those qualify?

Surely with the agents' CSI-meters and field test kits that would now be necessary, they can rule out confiscating our "legal" Ivory and be professional and certain that they are confiscating fresh elephant Ivory only. Please do the right thing and rework this bill and show by example that Hawaii, where Ivory has been part of our culture for hundreds of years, has exceptions for vintage, antique and ancient Ivory of all species. Sometimes the right thing to do is the hard thing and I understand that banning fresh elephant Ivory only would be harder for enforcement officials, but would be the right thing to do.

Mahalo for listening.

Anne Walsh

Hilo

From: [CPN Testimony](#)
To: [ENETestimony](#)
Subject: FW: Please support S.B. 674/H.B. 837: Prohibiting the Sale of Ivory and Rhino Horn
Date: Thursday, February 12, 2015 8:16:45 AM

-----Original Message-----

From: Asta [<mailto:nalehua@hawaii.rr.com>]
Sent: Wednesday, February 11, 2015 10:05 PM
To: CPN Testimony
Subject: Please support S.B. 674/H.B. 837: Prohibiting the Sale of Ivory and Rhino Horn

An average of 96 elephants are slaughtered daily by poachers and the market for rhino horns fuels their slaughter, leaving so few that they could be extinct in just 12 years.

As a Asian-Pacific hub where materials from animals are traded, Hawai'i has a critical opportunity to reduce the killing of elephants and rhinos by banning the trade in products such as ivory and rhino horn.

Please support S.B. 674/H.B. 837: Prohibiting the Sale of Ivory and Rhino Horn

Thank you,
Asta Miklius
P.O. Box 1003
Volcano, HI 96785

From: [Barbara Steinberg](#)
To: [ENETestimony](#)
Subject: SB674 testimony support
Date: Saturday, February 07, 2015 2:04:34 PM

I am in support of SB674

Prohibiting brutal trade in ivory and rhino horn in Hawaii. That Hawaii is the 3rd largest trader in this is enough reason.

I am teacher of children in Maui who I stand by in opposing the brutal killing of these very endangered animals for greed and cruelty

Killing them , sawing off their tusks and leaving them dying in pain .The children I teach are our future leaders in Hawaii who unanimously support this bill! I ask you to stand by these children as I do in this positive way.

These animals are treasured by the children and so many who pledge to protect endangered species .

Barbara Steinberg

PO Box 1764

Kihei Hi 96753

808-2696845

Sent from my ipad

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: thebowen@hawaiiantel.net
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Wednesday, February 11, 2015 12:10:55 PM

SB674

Submitted on: 2/11/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Bowen Dickinson	Individual	Oppose	No

Comments: I strongly oppose SB 674. This bill will only increase poaching, not reduce it, particularly in impoverished African areas where most poaching occurs, by driving the value of ivory up dramatically. Confiscated ivory and ivory legally harvested should be marketed to fund habitat improvement and anti-poaching enforcement. Making criminals out of everyone who trades in ivory that was legally harvested or antique, provides no solution to the problem, would be considered a restraint of trade, and would be totally unenforceable. I respectfully ask for a no vote Thank You Bowen Dickinson

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: poilady@aol.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Tuesday, February 10, 2015 9:40:11 PM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Brenda Reichel	Individual	Oppose	Yes

Comments: HAWAII STATE LEGISLATURE 2015 House Bill 837 Regarding Ivory Senate Bill 674 Regarding Ivory February 8, 2015 My name is Brenda Reichel, I have been Graduate Gemologist (GIA), jeweler and appraiser for over 32 years in Hawaii. I have been the gemology instructor for the Honolulu Museum of Art School for many years. I am against both of these Bills as written which furthers the hardship of small business, native artisans here in Hawaii and the rest of the United States. I agree that elephants and endangered species need to be protected at the border by Fish and Wildlife, U.S. Customs, TSA, U.S. Postal Service, to stop the illegal selling of Asian or African Elephant Ivory. Education is the most important aspect of saving elephants and endangered species. Elephant poachers need to be stopped in the country of origin. The State of Hawaii and the city and county governments is not where the proposed Bills would stop the illegal trade of elephant ivory. The federal government and its agencies need to do their job of enforcing our borders and stop illegal transportation of elephant ivory. China needs to take responsibility for their participation in the illegal trade of ivory and rhino horn. Thousands of people benefit from Prehistoric Woolly Mammoth Ivory, Mastedon Ivory, and Fossil Walrus Ivory. There are many people in the jewelry, antique, and estate industry and artisans that work with carve and or collect legally acquired ivory. I resent the characterization that any one that has any type of ivory is in some way automatically a criminal, just by possessing ivory in a retail, wholesale, estate sale, or auction. As stated in SB 674 "FURTHER, the ivory from other animal species, such as hippopotamus, narwhal, walrus, and whale, is difficult to distinguish visually from elephant ivory without a DNA analysis." This is incorrect as you can tell the types of ivory apart. I believe the Human Society of the United States and Humane Society International is incorrect in stating the 89 percent of ivory sold in Hawaii is "illegal" or of unknown origin. When was the last time, US Customs, Fish and Wildlife or any other government entity in Hawaii seized ivory or ivory products coming into our state? Prehistoric Woolly mammoth ivory is found by chance by Aboriginal the subsistence hunter, gatherer inhabitants of remote Alaskan and Russian regions. It is also a by-product of mining operations dotted throughout Alaska and Northern Canada, again found by chance. Fossil Walrus Ivory is found on the Ste. Lawrence Island in the Bering Sea off the coast of Seward Peninsula in Alaska, by chance. Prehistoric Woolly Mammoth ivory is found only by chance in the soil. Jobs are scarce to thousands of remote villages

were this material comes from. The money the finder garners is used for necessities that his family needs to survive in remote Alaskan, Canadian and Russian villages. Prehistoric Woolly Mammoth Ivory tusks are easily identifiable by math. They have distinct, uniquely characteristic crosshatching patterns known as Schreger lines. They intersect at an angle of 90 degrees or less. The same crosshatching pattern exists in Elephant ivory, however the pattern is different in that the intersecting lines cross at 115 degrees or greater. Walrus ivory has it's own distinct pattern and is entirely different from either the mammoth or elephant ivories. You can tell the difference. It is easy to distinguish. You do not need to be a scientist to tell the various types of ivory apart and its substitutes; bone, reconstructed bone, deer horn, cow horn, elk antler, moose antler, hornbill ivory, buffalo horn, fake shaw, bakelite, and plastic. There is also vegetable ivory. The small businesses that use these materials are artists of America, scrimshanders, sculptors, jewelers, gunsmith, knife makers and musical instrument craftsmen. Hawaii has a long history with China, Japan, whale trading going back to 1770s. The Bishop Museum, Iolani Palace, and the Honolulu Museum of Art have collections which include variety of types ivory. Ming's Jewelry, Sultan Company, Shirokiya, other businesses, and collectors buy and sell legally acquired ivory products. Lahaina as a whaling town has had retail stores with types of ivory. Whale, woolly mammoth, mastodon, boar's tusk, hippo, sharks teeth, walrus. There is no reason to make it illegal to sell antique, vintage organic dentine varieties of all ivory. Rhino horn is comprised of compacted strands of keratin, (hair). Yes the rhino needs to be protected too from poachers. If you are going to ban any and all types of ivory, you should consider our state gemstone "BLACK CORAL". Black coral is a beautiful gemstone which reminds tourists of our islands. Red Coral, Salmon coral, and white coral come from the far western reaches of the Hawaiian Islands. Hermes Reef and Pearl Atoll in the late Victorian Era and early 1900s's was a major source of shells used for buttons. Natural and cultured pearls, amber, mother of pearl shell, even abalone have organic material we use in jewelry, and musical instruments. Collectors of Ming's Jewelry would not be able to sell any of their collection to someone wanting piece of paradise. There are collectors all around the world that seek out jewelry from Hawaii with our exotic flowers and Hawaiian motifs carved in ivory and other organic materials. Historically Hawaiians have carved and used various types of ivory of the years dating to pre-contact. Antique ivory (over 100 years old) and ivory covered by the previous ban should not be illegal under the proposed Bill or by Executive order. The organic ivory material must be documented correctly and in compliance with Convention on International Trade in Endangered Species. Even if you want to donate your ivory to a museum or education entity you still have to have it appraised for donation purposes, you would receive a benefit on your taxes in the year you make the donation. You are doing more harm than good by making any and all ivory illegal to possess, barter, trade, or sell. Sincerely Brenda Reichel, GG, ASG, AGA, CIA, ISA Graduate Gemologist (GIA) Accredited Gemologist Association, AGA Accredited Senior Gemologist Certified Insurance Appraiser 820 West Hind Drive #1229 Honolulu, HI 96821 808-735-2301

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To: [ENETestimony](#)
Cc: heaviescc@gmail.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Tuesday, February 10, 2015 8:07:08 AM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Brendon Heal	Individual	Oppose	No

Comments: It is already illegal to sell or trade in ill got ivory.

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: bisaacso@hawaii.edu
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Tuesday, February 10, 2015 2:48:58 PM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Isaacson	Individual	Oppose	No

Comments: We don't need and elephants and rhinos don't need another knee jerk ivory and horn ban. This is a very difficult problem given the economics of the countries that have the subject species and countries who trade as well as the agencies who try to limit illegal trade and associated poaching. Legitimate sales fund anti-poaching efforts, and ivory and horn have been traded for centuries, leaving innocents liable for prosecution with a stroke of the pen. Much better solutions exist in lieu of bans.

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From: [CPN Testimony](#)
To: [ENETestimony](#)
Subject: FW: S.B 674/H.B. 837 Ban The Sale and Trade of Ivory and Rhino Horn
Date: Monday, February 09, 2015 1:31:26 PM

From: cindy walker [mailto:cinergizerbunny2003@yahoo.com]
Sent: Wednesday, February 04, 2015 1:33 PM
To: CPN Testimony
Subject: S.B 674/H.B. 837 Ban The Sale and Trade of Ivory and Rhino Horn

Dear Hawaii Legislators,

I am a deeply concerned Hawaii citizen about the Illegal trade of Rhino Horn & Ivory in our State.

The scourge of Elephant and Rhino poaching has reached a record crisis! It's absolutely shocking!

With an estimated 35,000 to 50,000 Elephants poached per year for their Ivory & over 1200 Rhino's poached in 2014 for their Horn, time is running out for two of our world's keystone species. African Elephants are now vulnerable to Extinction and may not withstand these poaching thresholds much longer. We must stand together to save these magnificent animals from a cruel and barbaric trade.

Poaching Ivory is not only bringing the extinction African Elephants which is an abomination in itself, it is fueling the war on Terror & costing many brave men & woman their lives trying to Save and Protect these animals.

Immediate, robust, and unequivocal action is required if we are to beat back the Elephant and Rhino murderers and Ivory profiteers.

The brutality of Elephant and Rhino poaching — entire families gunned down, individual animals' faces sawed in two to extract the coveted ivory tusks — should be enough to persuade a global crackdown on the Ivory Trade. The Blood Ivory must end, once and for all!

Please my fellow citizens of Hawaii, I strongly urge you take a stand against ancient "customs" and "mythical" beliefs and Ban the Selling/Trading of Ivory & Rhino Horn in Hawaii.

One Elephant is barbarically murdered every 15 minutes for the Ivory, a 100 a day 35,000-50,000 a year. The Elephants and Rhino don't have much time left, less than 10 years til extinction.

NOONE needs to wear Ivory but an Elephant! Rhino Horn is simply made of Keratin, the same as our fingernails. Let's BAN THE TRADE NOW HAWAII!

Much Aloha,

Cindy Walker

Haiku, Hawaii

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: damon.kondo@gmail.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Wednesday, February 11, 2015 11:04:57 AM

SB674

Submitted on: 2/11/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
D. H. Kondo	Individual	Oppose	No

Comments: It's in impoverished African areas with no political stability where elephant populations are threatened with extinction. This bill will not alter poaching in those areas. Bans are price supports for illegal activity there. Confiscated ivory and ivory harvested to protect subsistence farming and habitat degradation should be marketed to fund habitat improvement and anti-poaching enforcement. This bill makes criminals of anyone with antique gun grips or sight beads, musical instruments, scrimshaw, hatpins, or jewelry bearing small amounts of ivory from any source harvested long ago and offered for sale or transfer other than by inheritance. Appraisal as an antique, produced before 1989, or lawfully harvested, should be exemptions or represent an affirmative defense.

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: kaneohegs@aol.com
Subject: *Submitted testimony for SB674 on Feb 12, 2015 14:45PM*
Date: Tuesday, February 10, 2015 9:58:16 AM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
daniel oshima	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: tribaldread@yahoo.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Tuesday, February 10, 2015 11:14:12 PM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Derek A Buendia Jr	Individual	Oppose	No

Comments: I oppose this bill

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My name is Don Nigro. For over 22 years I've had an antique and coin shop in Hilo, Hawaii.

I am here to share my experiences and knowledge as it pertains to the question of vintage and antique carved ivory in Hawaii.

Firstly and foremost, it's important to dispel the notion that any legitimate shop like mine makes any significant amount of money selling ivory. Of the few millions of dollars my shop has generated into Hawaii's economy over the last 22 years, I can honestly say that less than \$6,000 of that was from the sale of ivory! Contrary to what some would have you believe, vintage and antique carved ivory in Hawaii is not a big business. The market is very thin; and replication of old style ivory would be a fool's errand.

So why then, you may ask, am I here?

I'm here; because in this instance, it really IS the principle that matters.

The proposed ban by radical animal rights activists would needlessly impact the character of antique shops throughout Hawaii. Shops which have historically served as repositories of the old, the unique and wonderful; which have served as a place to buy, sell and trade will suddenly be denied dealing in what heretofore has been legal ivory.

There is no need to deny us this role in the community. What we carry is old, uniquely encountered pieces. We don't carry dozens of identical, freshly carved "blood ivory" pieces in our inventory awaiting a place on our shelves.

There are no salespeople showing up; taking our next ivory orders for shipment. None of us are placing orders thru the Internet. It just doesn't happen.

We, the antique dealers in Hawaii, are totally blameless in the plight of modern day animal poaching. For animal rights activists to claim otherwise, is totally disingenuous on their part.

The most glaring flaw in our adversary's position is that NO "ivory cartel" is going to waste its time or money creating a thousand carved items for which nearly that many outlets would need to be found to place its product. The simple dynamics and lack of cost-effectiveness in that scenario destroys any animal rights activists' credibility in their blame-game posturing to the contrary. Disproven is any likelihood, therefore, that shops like mine carry fresh-harvested "blood ivory" at all. We don't have it; we don't want it.

This speech is a followup to my recent letter to Hawaii State legislators.

My adversaries are quick to suggest that no antique dealers are to be trusted on the question of what is vintage or antique carved ivory. They maintain, if permitted or allowed, all antique dealers would just claim any and all ivory we possess is vintage or antique to circumvent the law.

Frankly, I don't appreciate being called a liar and a cheat. Nor do other decent people in the business.

Simply stated, what's happening is that Animal Rights advocates are waging an unnecessary class warfare against Antiquarians. In their quest to prohibit all ivory, no

consideration is given collectors, heirs or dealers in vintage and antique ivory. Indeed, even recognized world class, licensed experts in New York have now had the rug pulled out from under them.

Scholarship, expertise; sensibilities mean nothing to activists. They don't care whom they hurt or discredit in their quest to save animals. Your constituents, people, human beings don't matter to such folks. And here you're listening to such radical activists??

ANIMAL RIGHTS NEED NOT TRAMPLE HUMAN RIGHTS. Please keep that in mind.

Please know that animal rights zealots will not be truly happy until they force mankind to abandon hunting and fishing, wildlife parks, circuses, rodeos and aquariums; until no one wears animal products including leather and fur and no one eats meat. These people are totally intolerant to differences of opinion. They aren't content to just quietly, peacefully live their chosen lifestyles. Instead they're obsessed with forcing everyone else to kowtow to their beliefs. Don't allow yourself to be used by them. Don't allow yourself to be used by them.

I had one of their leading advocates flatly say to me last year, "People don't need ivory."

To which I say, "Hell'o?! Who are you to decide that for me and the rest of humanity?!"

Saying that to me is like saying: people don't need beauty; people don't need exultation, nor joy; because ivory being among the most extraordinary substances in the known universe, once exquisitely carved, has brought beauty, exultation, joy and more to mankind for thousands of years.

But back to the day to day reality in my shop. I've had local people crying, yes crying in their desperation of needing to sell something to raise money. In total disregard to such human suffering, animal rights advocates would coldly have me send such people packing. I would not be able to buy their heirlooms ivory jewelry or statuary; I would not be able to help them, period. That's just not right! You, the legislators, need to be made aware of this.

When I first got wind that ivory could possibly become a "prohibited substance", I pulled together an educational display of about a dozen ivory artifacts that had been scattered around my shop. With printed text stating that the pieces were not for sale; suddenly an amazing phenomenon happened. People were suddenly clamoring to buy these same ivory pieces that had sat under-appreciated and unsold in my shop for from three to eight years! All it took was a prohibition, the very mention "not for sale" and suddenly there was an urgent demand which never before existed! Ladies and gentlemen, I submit the new prohibitions, these unnecessarily widened sanctions against ivory sales, particularly in America and Europe; will likewise only inflame a global lust for ivory and horn! Add to that the utterly senseless destruction of stockpiles of raw ivory around the world; and a tremendous gift of unimaginable profitability had been handed to Africa's and China's black market. Moreover an even greater incentive has been created to decimate into extinction all remaining elephants and rhinos in the wilds.

And finally there is another aspect of enforcing an ivory ban which has escaped publicity until now.

I'm talking about the wanton destruction of art and antiques. Though only a **SMALL** portion of the confiscated artifacts, would rise to the level of fine art, masterpiece or significant antique; it would nevertheless be a crime against humanity to destroy it. There is no justification on earth that should allow for the destruction of mankind's finest artistic achievements! None!

The agenda of the radical animal rights activists of inciting mob rule and destroying even significant ivory, **MUST** come to an end. These activists would have you stand with the likes of Chairman Mao's Red Guard Army; Hitler in his quest to quash "degenerate modern art" and the Conquistadors in the initial contacts in the Americas. History rightly condemns anyone who destroys art! Do you wish to take your place and stand next to such historic villains?!

I therefore ask that you stop and realize the path animal rights zealots would have you take (actually more accurately would be, to have you continue.)

I'm appalled that fine art and antiques have been and may continue being destroyed. I'm also appalled that elephants and rhinos are needlessly being killed. Everyone should be equally appalled by both! Both of these atrocities need to end; and end **NOW!**

There's a reason for commonsense sayings like, "Two wrongs, don't make a right." and "The ends, don't justify the means." Reflect on them a moment; and gain a proper perspective of the issue at hand.

I now ask that you focus your attention towards Africa and Asia. That's where the poaching, the transport, distribution, carving, auctioning and warehousing of ivory and horn is happening and needs to stop. In America and Hawaii, what's needed is to step up the interception of shipments of any illegal animal product coming here.

Other than that, I ask that you have the decency to leave law-abiding Americans and your fellow Hawaiians alone. Their innocent generational recycling of old stock ivory in America, is not part of the problem. Please recognize that fact and act accordingly.

Thank you.

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: dctactical@hawaii.rr.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Wednesday, February 11, 2015 9:13:04 PM

SB674

Submitted on: 2/11/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Dwayne Lim	Individual	Oppose	No

Comments: I strongly oppose SB674.

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: edward.g.bohlen@hawaii.gov
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Sunday, February 08, 2015 2:22:19 PM

SB674

Submitted on: 2/8/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Edward Bohlen	Individual	Support	No

Comments: Hawaii should do its part to stop the illegal and cruel poaching of endangered elephants and rhinos by banning in Hawaii the importation, sale, barter and possession with intent to sell ivory and rhino horn. Mahalo.

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: oldskipper1@hotmail.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Tuesday, February 10, 2015 8:54:58 PM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Edward Hampton	Individual	Oppose	No

Comments: This bill is just more "feel good" legislation. It solves no problem and addresses no crime. As such, it is completely worthless and a waste of perfectly good paper and time. Paid for by your constituents. Please save some of both and place this in the "round" file and move on to things of greater import.

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From: [Elizabeth Buff](#)
To: [ENETestimony](#)
Subject: Testimony in Support of SB674
Date: Monday, February 09, 2015 6:51:49 PM

I am writing to express my support of SB674, which would prohibit the sale and trade of elephant ivory and rhinoceros horn in Hawaii. These beautiful animals are gravely endangered chiefly due to the trade in their tusks and horns, and may be extinct in a few short decades - before our lives are over - if we do not take action to stop this.

Hawaii is the 3rd largest retailer in ivory in the country, and so we have a real duty to step up and put a stop to this trade. People do not need ivory or rhino horn - only those animals need those things. Let's stop taking what is not ours.

Please create a world where our children and grandchildren will know what elephants and rhinoceroses are by supporting SB674.

--

Very Respectfully,

Elizabeth K. Buff
Kailua, HI

"Unless someone like you cares a whole awful lot, nothing is going to get better. It's not."

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: bizkellam@gmail.com
Subject: *Submitted testimony for SB674 on Feb 12, 2015 14:45PM*
Date: Tuesday, February 10, 2015 11:00:44 AM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Kellam	Individual	Oppose	No

Comments:

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From: [Elizabeth O'Connor](#)
To: [ENETestimony](#)
Subject: IVORY
Date: Wednesday, February 04, 2015 8:31:21 PM

Please end Hawaiian buying, selling, and using Ivory in any form for any reason. It is cruel and immoral to torture and kill elephants for any reason and Hawaii is participating in this crime against the world's elephants by purchasing Ivory. Please outlaw Ivory in Hawaii.

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: ej@hawaiiantel.net
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Monday, February 09, 2015 3:28:50 PM

SB674

Submitted on: 2/9/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
ellen jackson	Individual	Support	No

Comments: Deer Chair and Committee; Please pass this important bill. Allowing these sales here makes us look like some third world banana republic to the rest of the world. Thank you.

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: ehkaneshiro@gmail.com
Subject: *Submitted testimony for SB674 on Feb 12, 2015 14:45PM*
Date: Tuesday, February 10, 2015 11:53:54 PM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Eric Kaneshiro	Individual	Oppose	No

Comments:

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From: [Fiona Gordon](#)
To: [ENETestimony](#)
Subject: SUPPORT for SB674
Date: Tuesday, February 10, 2015 11:51:19 PM
Attachments: [Gordon Consulting logo11.png](#)

Testimony – I support SB674 http://www.capitol.hawaii.gov/session2015/bills/SB674_.htm to be heard on Thursday 12 February, Hawaii.

Kindest regards,
Fiona Gordon
NEW ZEALAND.

Fiona Gordon
Principal Consultant

+64 6 3577 300
+64 2 73738 277



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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: dandeknis@gmail.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Thursday, February 12, 2015 9:21:25 AM

SB674

Submitted on: 2/12/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Frank D Deknis	Individual	Oppose	No

Comments: This bill makes criminals of anyone with antique gun grips or sight beads, musical instruments, scrimshaw, hatpins, or jewelry bearing small amounts of ivory from any source harvested long ago and offered for sale or transfer other than by inheritance. Appraisal as an antique, produced before 1989, or lawfully harvested, should be exemptions. Thank you

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From: owlit1@gmail.com
To: [ENETestimony](#)
Subject: I support SB674
Date: Monday, February 09, 2015 9:14:06 AM

I support [SB674](#) is the Senate version of the ivory bill—674 represents the number of elephants killed *every week* due to poaching for their tusks! On **Thursday, February 12 at 245pm** the Senate Energy and Environmental Committee will consider this bill.

Money, money, money ---Poaching.....must be stopped!!! We as a species with the ability to protect the elephants must do everything possible to do so. Tusk.....Ivory- we must make it a crime to import or sell.

This is heart wrenching that this is happening to these elephants.

Frannie Pueo (808) 769-1128
P.O. Box 943
Mt. View, Hi 96771

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: kimo501999@aol.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Thursday, February 12, 2015 8:08:27 AM

SB674

Submitted on: 2/12/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
James Revells	Individual	Oppose	No

Comments: I oppose this bill.

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for SB674 on Feb 12, 2015 14:45PM*
Date: Wednesday, February 04, 2015 5:12:37 PM

SB674

Submitted on: 2/4/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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From: [Jeanne Bennett](#)
To: [ENETestimony](#)
Subject: hB 674 support
Date: Sunday, February 08, 2015 11:36:53 AM

I can't believe Hawaii has anything to do with ivory trade
I thought that was illegal already years ago
What next, opium dens and slavery will be allowed again
We aren't cave men
Let's stop supporting killing elephant before they go the way of the mastodon
Jeanne Bennett

Sent from my iPhone

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: kraakas@gmail.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Wednesday, February 11, 2015 9:11:55 AM

SB674

Submitted on: 2/11/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jeffrey Nagashima	Individual	Oppose	No

Comments: Elephant populations in sub-equatorial Africa in areas with good habitat development and game management policies are healthy and increasing in numbers according to the World Wildlife Fund web site, 2015. It is in the impoverished African areas with no political stability where elephant populations are threatened with extinction. This bill will not alter poaching in those areas. Bans are price supports for illegal activity there. Confiscated ivory and ivory harvested to protect subsistence farming and habitat degradation should be marketed to fund habitat improvement and anti-poaching enforcement. This bill makes criminals of anyone with antique gun grips or sight beads, musical instruments, scrimshaw, hatpins, or jewelry bearing small amounts of ivory from any source harvested long ago and offered for sale or transfer other than by inheritance. Appraisal as an antique, produced before 1989, or lawfully harvested, should be exemptions or represent an affirmative defense.

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From: [Jennifer Chiwa](#)
To: [ENETestimony](#)
Subject: Support of SB 674 for ENE/CPN Hearing 02-12-15, 2:45 pm
Date: Wednesday, February 11, 2015 3:07:38 AM

Aloha, Members of the Committees on Energy and Environment, and Commerce and Consumer Protection. Please support SB 674 which establishes the offense of the unlawful sale or trade of elephant ivory or rhinoceros horn. Passing this bill would be taking a stand for wildlife preservation and animal welfare. Hawaii is a leader in these matters because killing of sharks for sale of their fins is unlawful. Please continue Hawaii's leadership in wildlife preservation and animal welfare by supporting SB 674. Mahalo.
Jennifer Chiwa

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: jdriss13@gmail.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Wednesday, February 11, 2015 2:38:00 PM

SB674

Submitted on: 2/11/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jocelyn Idriss	Individual	Support	No

Comments: I strongly support SB674 being passed by the 2015 Hawaii State Legislature. The time has come for the world to protect what precious life forms and natural resources we have left. This bill--upon enforcement--would strongly help international efforts at stopping illegal elephant and rhino poaching and the black market ivory trade. There is absolutely no reason that anyone should be opposing this bill, except to add harsher penalties to violators. Please do what is right for the world and show aloha to all forms of life. Mahalo, Jocelyn Idriss, 22 years old, Honolulu, Hawai'i.

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: joel@prymis.com
Subject: *Submitted testimony for SB674 on Feb 12, 2015 14:45PM*
Date: Tuesday, February 10, 2015 8:25:28 AM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Joel dela Cruz	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: jfischer@hawaii.edu
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Wednesday, February 04, 2015 4:32:47 PM

SB674

Submitted on: 2/4/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

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

Comments: SB 674. PLEASE PASS THIS BILL! We are facing a severe choice with this bill, but one that should be easily decided by your committee: Save the remaining elephants or support the few people who want to make a little money by selling the remains of slaughtered animals. Who in the name of humanity could ever support the monied interests. Now, some of the purely financially interested may argue that they only want to sell legally "harvested" ivory. What a horrible thought, as though legal regulation allowing the killing of these magnificent creatures make a difference. And the use of the term "harvested" shows the depths of depravity of people who want to make money off of killing. They equate the slaughter of elephants with the harvesting of a crop of wheat. AWFUL!! Banning the sale of ANY ivory will absolutely end the slaughter of elephants. Please pass this bill. Thanks, joel

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: jonagustine_lim@yahoo.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Tuesday, February 10, 2015 11:11:06 AM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jonagustine Lim	Individual	Oppose	No

Comments: Please oppose this bill. Trade in ill gotten ivory is already prohibited.

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From: kshimata@hawaiiantel.net
To: [ENETestimony](#)
Subject: SB 674: Ban Ivory in Hawaii
Date: Wednesday, February 11, 2015 11:04:02 AM

Honorable Senators,

I am a Hawaii resident & voter. Every piece of ivory that I see looks like a dead elephant. I strongly support a total ban on the sale & trade of all ivory products in Hawaii.

Thank you for your consideration.

Sincerely,

Kathy Shimata
3453 Pawaina St
Honolulu 96822

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: itsmeksn@gmail.com
Subject: *Submitted testimony for SB674 on Feb 12, 2015 14:45PM*
Date: Wednesday, February 11, 2015 6:54:16 AM

SB674

Submitted on: 2/11/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kerry Nagai	Individual	Oppose	No

Comments:

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Re: SB674

Aloha,

I believe that while SB674 though well intended, it could lead to serious issues. If someone brings in a family heirloom, how would that person prove that the ivory is of legal origin? Or is someone bought a legal product in a private sale, how would they prove that the item was legal?

Under this bill the possibility that the burden of proof could be shifted from the state to the individual and that is self-incrimination.

There are better ways to combat the illegal trade in ivory. This bill would only confuse the issue.

Kevin J. Cole

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: kaohik001@hawaii.rr.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Wednesday, February 11, 2015 7:06:36 PM

SB674

Submitted on: 2/11/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Kaohi	Individual	Oppose	No

Comments: Any ban on possession of Ivory must exempt Ivory obtained legally.

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: KevinJMulkern@gmail.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Wednesday, February 11, 2015 5:54:44 PM

SB674

Submitted on: 2/11/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Mulkern	Individual	Oppose	No

Comments: I am concerned this may make criminals out of law abiding citizens.

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: koryohly@outlook.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Wednesday, February 11, 2015 3:12:58 AM

SB674

Submitted on: 2/11/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kory Ohly	Individual	Oppose	No

Comments: I oppose SB674 Relating to Wildlife Protection I can imagine the authors of SB674 thinking, "So, making the killing of elephants illegal didn't work? Banning the buying and selling of freshly harvested ivory from illegally killed elephants didn't work? There is still a market for illegal ivory, illegally poached, and illegally smuggled, despite the laws against it which make it illegal? This is not good. Hmmm, how to solve this problem: I've got it! Write a law making it illegal to buy and sell legally owned ivory in Hawaii!" This legislation is "feel-good" garbage, intended to make the passers feel like they're doing something good, while disregarding the fact that it is entirely ineffective, and has unfair consequences. To protect wildlife, "eliminate the markets and profits?" Are you kidding me? Making a product illegal does not prevent it from being bought and sold. It just changes the conditions under which it's bought and sold. Furthermore, because it's difficult to distinguish the types of ivory, and whether it was obtained in a manner that you find acceptable, you propose to make it all illegal? This will make it illegal to sell any product with ivory, even if it's legally owned. This is NOT fair. If you want to protect elephants, consider other ways to protect them: Maybe you can severely prosecute the poachers who kill them. Might deter others. Or send money to those who are trying protect the elephants. Presumably they're already trying? Maybe you could suggest they dehorn (detusk?) elephants, to preempt the inevitable poaching? DON'T pass an ineffective law with unfair consequences, just to make yourself feel like you're doing something good.

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From: [Laurie Pottish](#)
To: [ENETestimony](#)
Subject: SB674
Date: Sunday, February 08, 2015 3:22:15 PM

Aloha:

I support SB674. Please vote to pass this bill.

Sincerely,

Laurie Pottsih
Maui, Hi 96768

TESTIMONY FOR SB 674 RELATING TO WILDLIFE PROTECTION

Testifier's name: Linda Lee, private citizen

Committee: ENE/CPN

Date and time: Thursday, February 12, 2015 at 2:45 p.m. HST

Measure Number: SB 674

Testimony:

My name is Linda Lee and I am a collector of and considered an expert in Ming's Honolulu jewelry. I have a large collection of Ming's ivory jewelry but rarely sell Ming's ivory.

I would like to request an exemption to SB 674 by the inclusion of the ability to sell identifiable Ming's Honolulu ivory jewelry.

Background

Ming's Honolulu jewelry store was established in 1941 by Wook and Shay Moon shortly before WWII. During the war, gold and silver were very scarce and Wook Moon (hereinafter Mr. Moon) being a master carver produced carved African elephant ivory jewelry. After the war, Mr. Moon provided jobs for many Nisei veterans who worked or went to school during the day and worked in his ivory factory at night.

The jewelry was very popular and purchased by locals as well as tourists visiting Hawaii since the 1940s. At its peak, Ming's had 5 stores in Hawaii and stores in San Francisco, New York City, Miami, Houston, Fort Lauderdale and Atlanta. Ming's closed their last downtown Honolulu store in 1999.

Reasons for Exemption

- When the trade of Asian and African elephant ivory was banned in 1975, Mr. Moon pulled all his ivory jewelry (though "old stock" was still legal to be sold; e.g., ivory was still sold at Liberty House until their stock ran out) and Ming's never sold ivory again. All Ming's ivory jewelry was produced on or before 1975.

- There are collectors and buyers of Ming's ivory in Honolulu. A small amount of Ming's ivory is sold every year mainly to ladies who are looking for something their mother or grandmother had or ladies who have had their Ming's ivory stolen.
- Ming's ivory jewelry would not be copied or mass produced – there are few sales and no profit in this business.
- Ming's ivory jewelry is identifiable by jeweler markings. I am not asking for an exemption for Ming's ivory jewelry that is not marked.
- Ming's and the Moon family have supported many workers in Hawaii. Their jewelry is loved by many women who hope to give it to their daughters and granddaughters who would have to ability, if necessary, to sell the jewelry and continue the legacy of Ming's.

For these reasons, I humbly ask for your consideration in adding an exemption to SB 674 by allowing identifiable Ming's ivory jewelry to continue to be sold.

Thank you and I hope you will have questions for me.

From: [CPN Testimony](#)
To: [ENETestimony](#)
Subject: FW: ivory ban
Date: Thursday, February 12, 2015 8:37:05 AM

From: l.osakoda@hawaiiantel.net [mailto:l.osakoda@hawaiiantel.net]
Sent: Wednesday, February 11, 2015 9:57 AM
To: CPN Testimony
Subject: ivory ban

Please save the beautiful, kind elephants from this terrible injustice. Ivory is used mainly for jewelry and not for necessities.

Please have a heart.

Thanks.

Linda

ROSEHILL & ASSOCIATES

Government, Community, and Public Affairs

Committee on Energy And Environment
Senator Mike Gabbard, Chair
Senator Josh Green, Vice Chair

Committee on Commerce And Consumer Protection
Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice chair

Re: SB 674 Relating to Wildlife Protection
Hearing Thursday, February 12, 2015, 2:45pm, Conf. room 225

Thank you for the opportunity to testify. My name is Linda Rosehill. Although I support the general policy and intent of SB 674 it is troubling in its application to items of specific significance to Hawaii's history and culture. Others will speak to the effect that this ban will have on items of Hawaiian cultural significance, I would like to testify on the effect this bill would have on the sale of Ming's jewelry. I have, as do many other families in the state a small collection of Ming's jewelry, some of which contain or are mostly carved pre ban (1975) ivory. Collected piece by piece over my lifetime many pieces given to me as gifts from family members, this is perhaps my most treasured pieces of jewelry. They're beautiful miniature pieces of art that I will one day pass on to my granddaughter. While I do not intend to sell my jewelry I would not want that restraint imposed on my granddaughter should she choose or have to sell my collection in the future. Furthermore, I would like to continue to purchase Ming's pieces as I find them.

I would propose that the bill be amended in the following fashion:

1. Add a paragraph to the preamble as follows (after line 8, page 3):
The legislature recognizes that the use of ivory in Ming's jewelry and in instruments and adornments significant to the Hawaiian culture are unique to Hawaii. Therefore it is also important to preserve and protect these items that are a unique part of Hawaii's history and that of the host culture.
2. Add "other than those exempted because of their unique part of Hawaii's history and/or their cultural significance" (after line 13, page 3).
3. Add a definition of Ming's jewelry "Ming's jewelry means any jewelry manufactured by the Ming's containing pre 1975 ban ivory".
4. Add a definition of "items of cultural significance".
5. Add a section identifying the exemptions.

And amending the bill throughout as is necessary to effectuate the exemption as outlined above.

Thank you for the opportunity to testify.

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: lbc@hawaiiantel.net
Subject: *Submitted testimony for SB674 on Feb 12, 2015 14:45PM*
Date: Wednesday, February 11, 2015 10:18:40 PM

SB674

Submitted on: 2/11/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
lois crozer	Individual	Support	No

Comments:

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From: [Margaret Sueoka](#)
To: [ENETestimony](#)
Subject: SB674
Date: Saturday, February 07, 2015 1:41:54 PM

Please support this bill and make it illegal to sell rhino horn and ivory in Hawaii.

Thank you,
Margaret Hanson
6295 Olohena Road
Kapaa, HI 96746

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: data35@hawaii.rr.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Tuesday, February 10, 2015 12:58:19 AM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Marvin Dryden	Individual	Oppose	Yes

Comments: Marvin Dryden OPPOSES SB674. Elephant populations in sub-equatorial Africa in areas with good habitat development and game management policies are healthy and increasing in numbers according to the World Wildlife Fund web site, 2015. I OPPOSE SB674.

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From: [Mary Mark](#)
To: [ENETestimony](#)
Subject: SB674
Date: Monday, February 09, 2015 8:57:17 PM

Please support the animals that are killed for their tusks and make tougher laws to protect them since there are so many people either ignorant that they are killed for this or are so heartless they don't care and want it for an accessory. Of course they themselves would be horrified to be treated as such themselves. Maximum protection laws are needed now for creatures who cannot protect themselves from human greed and coldheartedness.

February 12, 2015

Senator Mike Gabbard, Chair
Committee on Energy and the Environment
Senator Roslyn Baker, Chair
Committee on Commerce and Consumer Affairs
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

RE: Testimony in support of SB 674 Relating to Wildlife Protection

Thank you for accepting this written testimony on behalf of the Hawaiian Humane Society in support of SB 674. This bill prohibits ivory and rhinoceros horn sales and trade within the State. Our organization cares about the suffering of all animals and we support its prevention.

The needless and inhumane killing of the animals in order to obtain the ivory and rhinoceros horn is both an animal welfare issue and one of conservation.

We urge you to pass this bill.

Mary Steiner

Policy Advocate

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: savardm001@hawaii.rr.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Wednesday, February 11, 2015 5:29:09 AM

SB674

Submitted on: 2/11/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Savard	Individual	Oppose	No

Comments: Elephant populations in sub-equatorial Africa in areas with good habitat development and game management policies are healthy and increasing in numbers according to the World Wildlife Fund web site, 2015. It's in impoverished African areas with no political stability where elephant populations are threatened with extinction. This bill will not alter poaching in those areas. Bans are price supports for illegal activity there. Confiscated ivory and ivory harvested to protect subsistence farming and habitat degradation should be marketed to fund habitat improvement and anti-poaching enforcement. This bill makes criminals of anyone with antique gun grips or sight beads, musical instruments, scrimshaw, hatpins, or jewelry bearing small amounts of ivory from any source harvested long ago and offered for sale or transfer other than by inheritance. Appraisal as an antique, produced before 1989, or lawfully harvested, should be exemptions or represent an affirmative defense.

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: mmmmahalo2000@aol.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Saturday, February 07, 2015 4:26:26 PM

SB674

Submitted on: 2/7/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

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

Comments: Please support this bill in your ENE/CPN committees. While we can't control this behavior at the source of this slaughter going toward extinction, we can remove the profit motive by kapu here in Hawaii. It is long past time Hawaii said no to ivory. Mahalo, Mike Moran, Maui

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SB674

RELATING WILDLIFE PROTECTION

Senate Committee on Energy and Environment
Senate Committee on Commerce and Consumer Protection

February 12, 2015

2:45 p.m.

Room 225

The Office of Hawaiian Affairs (OHA) Committee on Beneficiary Advocacy and Empowerment will recommend to the Board of Trustees a position of **COMMENT** on SB674, which seeks to protect animal species with ivory teeth and tusks, including whales, and all rhinoceroses.

OHA appreciates the intent of this bill, and agrees that action is needed to address the illegal trafficking of ivory and horns from critically endangered and protected species. However, OHA has concerns that the breadth of this bill may negatively and unnecessarily impact our beneficiaries and the perpetuation of Native Hawaiian cultural practices.

Salvaging ivory from beached whales for cultural purposes is a well documented traditional practice in Hawai'i. However, this practice is currently prohibited by federal laws such as the Marine Mammal Protection Act. OHA is actively seeking discussion with the appropriate federal entities to determine whether the possibility exists for salvaged ivory from beached whales to be legally distributed for non-commercial use, in the perpetuation of such traditional practices. Furthermore, Hawaiian families have retained possession of ivory pieces that have been passed down through the generations, from traditional and historic times. OHA notes that the current language of HB837 (page 10, lines 1-4), a House bill with a similar purpose to the instant measure, accordingly provides an exception for the possession of salvaged and historic ivory pieces for personal use, as well as the transfer by bequest of any lawfully imported and acquired ivory or rhinoceros horn. **Should the Committees decide to pass this measure, OHA requests amending SB674 to incorporate a provision similar to the exception in HB837.**

Hawaiian practitioners have adapted to federal prohibitions on traditional sources of ivory, and now use legal ivory sources to make jewelry and other items for commercial sale. Mammoth, mastodon, and fossilized walrus ivory are all examples of ivory that in some cases may be readily identifiable as such, have no or very limited federal restrictions, and can therefore be legally obtained in the United States. In its current form, this bill may criminalize the use of such ivory by OHA's beneficiaries, notwithstanding its legality under federal law. Therefore, the Committees may wish to consider including a provision that would allow such ivory to continue to be used.

Mahalo for the opportunity to testify on this measure.

From: [Priscilla Grunauer](#)
To: [ENETestimony](#)
Date: Monday, February 09, 2015 6:39:03 AM

Support for SB674

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: refrey2001@yahoo.com
Subject: *Submitted testimony for SB674 on Feb 12, 2015 14:45PM*
Date: Tuesday, February 10, 2015 8:53:26 AM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Frey	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: setterplace@hawaii.rr.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Tuesday, February 10, 2015 10:02:44 AM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Okawa	Individual	Oppose	No

Comments: It is an infraction of Federal Protection of Interstate commerce and subjects honest merchants and individuals to illegal seizure. It is based on erroneous information of the status of elephants. There are already numerous treaties and federal laws addressing the situation. You are over-reaching State rights.

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: jingkieandrobin@yahoo.com
Subject: *Submitted testimony for SB674 on Feb 12, 2015 14:45PM*
Date: Wednesday, February 11, 2015 4:08:58 PM

SB674

Submitted on: 2/11/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Robin	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: babyjean@hotmail.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Sunday, February 08, 2015 7:47:29 PM

SB674

Submitted on: 2/8/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Ronnie Perry	Individual	Support	No

Comments: I strongly support this bill. The elephant and the Rhino will be extinct very very soon if we do not ban ivory and rhino horn from being sold in our state. This is URGENT. Extinction is forever. Please pass this bill!! Mahalo, Ronnie Perry

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From: [Rosemary Karlsson](#)
To: [ENETestimony](#)
Subject: SB674 - I support
Date: Saturday, February 07, 2015 12:48:49 PM

Please outlaw ALL trade of ivory in Hawaii. It is barbaric to kill animals so people can make jewelry or chess pieces out of their tusks.

Rosemary Karlsson
PO Box 492266
Keaau, HI 96749
16-1885 Uilani Drive, Keaau

808-966-6589

- [SB674](#) is the Senate version of the ivory bill—674 represents the number of elephants killed *every week* due to poaching for their tusks! On **Thursday, February 12 at 245pm** the Senate Energy and Environmental Committee will consider this bill. Please email SUPPORT for SB674 to ENETestimony@capitol.hawaii.gov

Hawaii State Legislature
State Senate
Committee on Energy and Environment
Committee on Commerce and Consumer Protection

State Senator Mike Gabbard, Chair
State Senator Josh Green, Vice Chair
Committee on Energy and Environment

State Senator Rosalyn H. Baker, Chair
State Senator Brian T. Taniguchi, Vice Chair
Committee on Commerce and Consumer Protection

Thursday, February 12, 2015, 2:45 p.m. Room 225
Senate Bill 674 Relating to Wildlife Protection

Honorable Chairs Dr. Mike Gabbard and Rosalyn H. Baker, Vice Chairs Josh Green and Brian T. Taniguchi, and members of the Senate Committee on Energy and Environment and the Senate Committee on Commerce and Consumer Protection,

My name is Russel Yamashita and appreciate the opportunity to testify in opposition to SB 674 Relating to Wildlife Protection. As well intentioned as the purpose of this legislation may be, the remedy sought by this bill is draconian, heavy handed and ill conceived. Not only does this legislation in reality does nothing to stop the slaughter of wildlife in Africa, it is culturally repulsive and insensitive to the people of Hawaii whose families have works of art that have or contain ivory.

Speaking as an American of Japanese Ancestry, my family and many of our friends own Japanese art pieces called Netsuke. Many of these sculptures are hundreds of years old and are valued culturally as part of our Japanese heritage. The Netsuke was originated in the 17th century to be attached to pouches which served as pockets on kimono. Collectors of Netsuke value not the ivory content of the piece, but rather the artistic skill and craftsmanship which each piece represents.

Even the Honolulu Academy of Arts maintains a small collection of Netsuke as part of its Asian art collection. The International Netsuke Society lists 217 museums worldwide that have Netsuke collections, which include 82 museums in the United States. In fact, the Society on its homepage has a statement which states:

“The International Netsuke Society is vehemently opposed to the poaching of elephant ivory, rhinoceros horn and any other material taken from endangered species. Opposes trafficking, trade or commerce of illegal ivory, horn or any other illegal material. Supports and complies with all international laws and regulations, including but not limited to the Convention on International Trade in Endangered Species (CITES), the Endangered Species Act, and the African Elephant Conservation Act.”

This legislation renders worthless any family heirlooms and collections and would be the equivalent to ban the sale of any type of artwork. What action can the Hawaii resident look forward to the next time, banning the artistic works of another culture because of their promotion of terrorism? Maybe the Doris Duke Foundation for Islamic Arts should be the next target of this legislature. It is a slippery slope when laws banning things start popping up in a state that suppose to be the “melting pot of the pacific”. Are we to be seen as the legal venue for the artistic version of the Scopes Trial?

Additionally, this legislation probably is in violation of the Fifth Amendment by taking property without just compensation. Normally, this came up in situations of government condemnation cases for public purposes, but has be expanded in recent situations where government actions have diminished property values. In this case, the legislature’s action will render any Netsuke artwork worthless.

In conclusion, the advocates of this legislation cannot point to any actual effect of this bill will have to save even one elephant or rhinoceros. Ill conceived and culturally insensitive legislation of this type are best left to more homogenous jurisdictions. I respectfully request that this legislation be killed by your committees.

February 12, 2015

TESTIMONY of RUSSELL TAKATA regarding SB 674 RELATING TO WILDLIFE PROTECTION.

CHAIRMAN GABBARD, CHAIRMAN BAKER, AND MEMBERS OF THE COMMITTEE ON ENERGY AND ENVIRONMENT AND THE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS,

I STRONGLY OPPOSE this measure. Essentially, this bill will make some law-abiding citizens criminals! Collectors of antique firearms, sportsmen, and common residents fall in this group. Ivory has been around for a long time and found in antique firearms, pistol grips, knife handles, tool handles, jewelry, furniture, and even jewelry. The general prohibition and possession, the broad definitions of ivory and rhinoceros horn, and the presumption of "intent to sell" when in possession of such in a retail outfit, are too general and vague challenging the innocence of law-abiding citizens. I strongly suggest the addition of exemptions for ivory and ivory products acquired before the federal ban in 1990 and on lawful possession after 1990. This bill will not reduce poaching, but rather, has the potential for more illicit trade and sales.

Thank you for the opportunity to testify on this measure.

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: sbeckham@waikikihealth.org
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Tuesday, February 10, 2015 10:03:53 AM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Sheila Beckham	Individual	Support	No

Comments: I have spent many years throughout the African continent and am appalled by the senseless maiming of innocent animals for the ivory trade. I realize that many people have ivory treasures but I believe unless we halt any sale or trade of ivory products, the slaughter of thousands of elephants will continue. Please vote in favor of this measure.

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Honorable Chair and Members of the Committee

There seems to be a problem with SB 674, finding the relevant statistics where Hawaii ranks 3rd in ivory trade or illegal trade; the sources appear to be stated opinions on-line. Is the Hawaii ranking basis racist because Hawaii has a large Asian population? The bill states that Humane Society sponsored a study, which in my opinion is like the Tobacco Industry sponsoring a study with positive results for their cause. There is no information on the statistical sample size and source of information; it is very easy to deceive people with use of percentages alone. The proposed bill also reflects an innuendo that 89% of ivory sold in Hawaii is illegal; it is again my opinion that the "researcher" could not make a determination of the ivory's source and therefore concluded it must be illegal.

The second problem with this bill is who will be funding enforcement of the proposed law. These types of bills appear to be mostly political in nature, because it is a focus on United Nations type problems. The bill proposal speaks of international issues; there are also no measurable illegal trade statistics for the United States.

I would recommend at a minimum, deferment of this type of bill until more definitive statistics demonstrate that there is a problem in Hawaii. As an example, passing this bill could have unintended consequences in the form of discrimination towards native Alaskans.

Thank you for your time.

Stacy Inouye

From: hawaiidogmom@gmail.com
To: [ENETestimony](#)
Cc: SMCLAUGHLIN808@GMAIL.COM; [Emma McRae](#); [Hanna Forsten](#)
Subject: SUPPORT FOR SB674
Date: Saturday, February 07, 2015 2:59:47 PM

Please support SB674. The number 674 represents the number of elephants killed every week due to poaching for their tusks! Hawaii is the third largest retailer of ivory in the United States and should play no part in this destructive trade. Sincerely, Stephanie McLaughlin, 95-310 Haakualiki Place, Mililani, Hawaii, 96789, phone 808-3844764

Sent from Windows Mail

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: sthazam@yahoo.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Tuesday, February 10, 2015 6:36:04 AM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Stephen T Hazam	Individual	Oppose	No

Comments: Please oppose SB 674. This bill will not achieve its desired effects, but rather, will have unintended and adverse consequences. Thank you for the opportunity to submit testimony.

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: macsak@gmail.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Tuesday, February 10, 2015 8:46:51 AM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
steven a kumasaka	Individual	Oppose	No

Comments: oppose

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: susan.mulkern@gmail.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Wednesday, February 11, 2015 5:54:43 PM

SB674

Submitted on: 2/11/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Shaheen Mulkern	Individual	Oppose	No

Comments: I strongly oppose this bill. I am concerned this bill will make criminals out of law abiding citizens.

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: suyin@hawaii.edu
Subject: *Submitted testimony for SB674 on Feb 12, 2015 14:45PM*
Date: Wednesday, February 11, 2015 8:18:01 AM

SB674

Submitted on: 2/11/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Suyin Phillips	Individual	Support	No

Comments:

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From: [Suzanne Beer](#)
To: [ENETestimony](#)
Subject: Ban ivory
Date: Tuesday, February 10, 2015 10:54:35 PM

I am asking you to please support the billSB674 to ban ivory. thank you.

Kind Regards
Suzanne Beer.

From: [p.pearson](#)
To: [ENETestimony](#)
Subject: S.B. 674
Date: Wednesday, February 11, 2015 10:57:48 AM

I support this bill to ban the sale and trade of ivory or rhinoceros horn. These animals are becoming extinct if not already. This slaughter needs to stop.

From: [Tim Dow](#)
To: [ENETestimony](#)
Subject: Fwd: SUPPORT
Date: Saturday, February 07, 2015 1:06:02 PM

Sent from my iPhone

Begin forwarded message:

From: Tim Dow <touchdown72@gmail.com>
Date: February 7, 2015 at 1:01:41 PM HST
To: "WALTestimony@capitol.hawaii.gov"
<WALTestimony@capitol.hawaii.gov>
Subject: SUPPORT

I urge you to please support this bill, banning the sale of undocumented ivory here in Hawaii. If there is any hope for the largest land mammal left on earth it will take bills like this one to be passed. Please have the courage to stand up for those who cannot speak. Elephants and rhinos are being poached and slaughtered for their ivory tusks due to the ridiculous amount of money one can get for them. This money fuels terrorist operations such as Boko Haram, as well as other illegal activities. This bill is logical and will help in the goal of preserving elephants and rhinos.

Mahalo,
Tim J. Dow
Waikiki

From: [Tina Bounds](#)
To: [ENETestimony](#)
Subject: I SUPPORT SB674
Date: Wednesday, February 11, 2015 7:43:44 PM

Mahalo,

Tina Bounds

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: tom1.galli@gmail.com
Subject: *Submitted testimony for SB674 on Feb 12, 2015 14:45PM*
Date: Tuesday, February 10, 2015 8:24:12 PM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Tom Galli	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: hawaiihuntingassociation@hawaiiantel.net
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Tuesday, February 10, 2015 10:10:54 AM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Tom Lodge	hawaii hunting association	Comments Only	No

Comments: Can support with Amendments for firearms, musical instruments and picks, jewelry of known origin and heirlooms.

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From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: tom@twilight.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Tuesday, February 10, 2015 11:06:30 PM

SB674

Submitted on: 2/10/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Tom Markson	Individual	Oppose	No

Comments: I oppose this bill as it is written. It does not exempt antique ivory harvested before 1989.

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From: [Victoria Anderson](#)
To: [ENETestimony](#)
Subject: Please support SB 674 in the strongest terms!
Date: Monday, February 09, 2015 12:35:13 AM

Dear Members of the Senate Energy and Environmental Committee,

I am dismayed that Hawaii plays such a huge role in the illegal trafficking of wildlife. We are the THIRD largest retailer of illegal ivory in the nation; possibly FIRST in internet sales! As you have by now become aware:

--An estimated 89% of the ivory sold in Hawaii is of illegal origin.

--Poachers bring down one elephant every 15 minutes, cut his or her tusks out of her face, and leave her to die. In the 2 years since February 2013, when [SCR149/SR108](#) was introduced in the HI State legislature, 70,080 elephants have died this way. It is well past time to pass and enforce this law.

--Many wildlife and conservation organizations estimate that elephants may be extinct in as few as 11 years due to the current rate of killing.

--Every 9 hours a rhino is killed for his or her horn; an almost 8000% increase in rhino poaching over the last five years puts all five remaining rhino species on the brink of extinction.

--Wildlife poaching supports terrorist activities and is contributing to the destabilization of Africa - killing humans and animals.

--Our only hope for the survival of these highly intelligent and sentient fellow creatures lies in an immediate end to this massacre.

I know that many of you share my deep love, admiration, and concern for elephants and rhinos. Please do all you can to help. And ask all your fellow legislators to help.

Aloha,

Victoria Anderson

We don't have to engage in grand, heroic actions to participate in the process of change. Small acts, when multiplied by millions of people, can transform the world.”

— [Howard Zinn](#)

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Victoria B. Anderson
Associate Professor of Linguistics
University of Hawai`i at Manoa
vanderso@hawaii.edu, 808-956-8602

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: viviansuet@hotmail.com
Subject: Submitted testimony for SB674 on Feb 12, 2015 14:45PM
Date: Sunday, February 08, 2015 11:33:33 AM

SB674

Submitted on: 2/8/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

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

Comments: Did you know Hawaii is the second largest seller of ivory in the U.S.? Let's make Hawaii a true paradise, where all ivory sales are outlawed! It is estimated that nearly 100 elephants are killed daily to supply this illegal demand and trade in ivory, some of which is in Hawaii. The poachers kill the elephants in order to cut off the elephant's tusks. (See picture) Ivory tusks with elaborate carvings on them can be sold for up to \$3,000 per kilogram. In 1980, there were 1.2 million elephants in Africa. At the start of 2014, due to poaching, wildlife officials estimate that there are around 500,000 elephants remaining! Despite everything done for the elephants, so long as there is international demand for ivory we will fail to save the magnificent elephants. We need to crush the demand and the illegal trade if we are to secure the future of elephants. Hawaii can play a key role in the survival of elephants and ending the bloody massacre of elephant families for the ivory trade by setting a bold and courageous example to the rest of the developed world. **BE THE CHANGE !** Does Money Always Have to Rule Decisions ? Please show Aloha for all, Mahalo.

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My name is Watters O. Martin, Jr. and I am the *Ali'i 'Aimoku* of the Daughters and Sons of Hawaiian Warriors **MAMAKAKAUA** and the Vice Chairman of the Board of Directors of Bishop Museum. I am not writing on the behalf of either organization, but as a private citizen.

I am objecting to SB 674.

It is outrageous that this law would cause our Hawaiian Cultural Artisans to become Criminals in these islands.

The ivory from Sperm Whales were *kapu* to the *Ali'i*. The *lei niho palaoa* [ivory necklace] was a symbol of their rank and the *mana* they possessed.

After the arrival of Captain James Cook in the late 1770's, Walrus Tusks and Whale Teeth were fashioned into *lei niho palaoa, kupe'e* [wrist and ankle adornment] and other items of personal adornment worn by our *Ali'i*. Ivory decorated our hand *kahili*, the tusks of the Narwhal Whale were utilized for our *puloulou* or tabu stick as seen today in the Throne Room at 'Iolani Palace.

Ivory fashioned into cultural symbols, identify us as Hawaiians, the indigenous people of these islands.

This SB 674 would relegate us to wear Plastic.

From: mailinglist@capitol.hawaii.gov
To: [ENETestimony](#)
Cc: HARRISMDW001@hawaii.rr.com
Subject: *Submitted testimony for SB674 on Feb 12, 2015 14:45PM*
Date: Saturday, February 07, 2015 2:30:37 PM

SB674

Submitted on: 2/7/2015

Testimony for ENE/CPN on Feb 12, 2015 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
William Harris, M.D.	Individual	Support	No

Comments:

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TESTIMONY ON SENATE BILL No. SB674

POSITION: Support

TO: COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

HEARING DATE: Thursday, 02-12-15, 2:45PM

Hawaii State Capitol : Room# 225

Dear Lead Committee Chair Senator Mike Gabbard, Senator Rosalyn H. Baker, and Committee Members :

I support SB674. Earlier last year, the US government announced it would act to stop commercial ivory trade, sending an unequivocal message that the US will not tolerate the senseless slaughter of elephants and other wildlife - or the global crime syndicates that wildlife trafficking supports.

As skyrocketing demand for illegal ivory, ruthless criminal networks plunder the wild. Wildlife crime is continually slaughtering the world's best-loved species. This is about more than elephants: Organized crime has moved into ivory in a big way. Wildlife crime is estimated to be worth \$10 billion annually to criminals and it costs the planet some of the world's best-loved species. It is increasingly controlled by the same criminal networks that smuggle arms, drugs and humans.

Criminal kingpins involved in illegal wildlife trade distribute guns, intimidate communities, exploit the poor and bribe South African officials to get what they want. If we fail to act now, it would allow crime to flourish and fuel regional conflicts—and even fund terrorist groups in some countries.

We are urging Hawaii to help end the devastating slaughter of elephants for their ivory, and to ensure that the United States is not helping to drive the illegal wildlife trade. Along with 80% of the American people, I strongly support ending commercial trade in elephant ivory in Hawaii. I believe we must take all necessary steps to protect these magnificent creatures from extinction.

Fewer than half a million elephants remain in Africa's savannas and jungles--a 95% plunge over the last 50 years. Recently, the killing has surged: Poachers are slaughtering on average one elephant every 15 minutes, and some populations are now on a path to extinction. Reports from US intelligence agencies and the UN also show that profits from ivory trafficking are fueling crime, corruption and violence in fragile African democracies and financing organizations that threaten both American and African security.

America's role in the consumption and sale of ivory makes us complicit in this crisis and weakens our moral authority to lead internationally. US is the world's second-largest market for wildlife products, Hawaii is the third largest market for ivory products within the United States.

And significant amounts of illegal elephant ivory have been found entering the American market through Hawaii. We must strengthen our laws to prevent this from happening and to encourage other states to act with similar urgency.

I thank you in the administration, for your leadership on this issue. Combined with new US efforts to combat wildlife trafficking, the ivory rules proposed to ban ivory sales can help turn the tide for Africa's elephants.

I share the American public's desire to halt the US role in the illegal ivory trade, and I believe that the decision to halt elephant ivory commerce in the US is the right response to the current crisis.

For the sake of the world's elephants, I urge you to help pass a 'Total Ban on Ivory Sales'. We need your help to act now to end elephant slaughter.

Mahalo Nui Loa.
Sincerely,

Zojing Wong
ANIMAL ACTIVIST
EMAIL : zijing@aol.com

Supporting facts taken from World Wildlife Fund (worldwildlife.org), and National Geographic

Africa's poaching crisis: 'saving the wild' quotes of 2014

Posted on Dec 15, 2014 in [Jamie's blog](#)



By Jamie Joseph

If Africa's poaching crisis were a novel it would read like a chilling thriller filled with penurious poachers and Asian King Pins, determined conservationists and dirty politicians, pimps and prostitutes, war lords and white collar criminals, and rangers risking their lives against all odds to protect what little wildlife we have left.

Reading over the stories I wrote this year, from interviews with global thought leaders to my assignments living amongst the wild things, pulls a hazy lens into the sharp focus of hindsight. Rhino poaching is at a record high, we're losing up to 100 elephants a day, and I have no idea what the future holds.

But what I do know is that the solutions to ending this vile trade are out there, and with more public pressure, and a lot of political will, we can navigate our way out of this wildlife genocide.

Below is a selection of 'saving the wild' quotes from 2014.





Photo credit: Brent Stirton

Damien Mander, Founder of International Anti Poaching Foundation

“If under any other scenario, armed units were to cross international borders and violently take out high profile targets, it would be a front-page incident or act of terrorism. Yet this environmental terrorism happens daily in the poaching of high target species in many parts of Africa, and we sit here struggling to justify to the international community that rangers need the same access to training and equipment as our soldiers do.”

“Unfortunately, much of the equipment desperately needed to protect what wildlife we have left is collecting dust in military warehouses, while the conservation industry struggles along, trying to replicate technology that was superseded decades ago.”



Photo credit: Robyn Preston



Dr Jane Goodall, Founder of Jane Goodall Institute

"There is that saying, we haven't inherited the planet from our parents, we borrowed it from our children. But borrow means you plan to pay back, and we've been stealing. And that is why I am working so hard with youth to create a critical mass of young people empowered to be guardians of our natural world. They are my hope for the future."

"Sometimes rangers aren't even paid, and in some situations if they get killed their widow and children are thrown out of their homes because space is needed for the replacement. We need to make the rangers feel that they're valued."



Photo credit: WildAid Ambassador Yao Ming



Peter Knights, Co-Founder and Executive Director of WildAid

“The response to poaching crises has been to increase enforcement – to escalate the war while only dealing with symptoms. Demand reduction defunds the war and deals with the root cause. If you hit the demand hard you break the back of the problem and make enforcement more affordable for the future.”

“If China banned ivory sales the economic and cultural impact there would be minuscule, but it would really help Africa – and the boost for China’s image in Africa and globally would be immense.”

Jamie Joseph, Founder of savingthewild.com / On assignment in Zimbabwe

Humans have a lot to learn about love and loyalty from these compassionate giants. Compassion; ultimately it is the game changer that can save elephants from a brutal extinction. We are in the midst of a wildlife holocaust, and I struggle to understand how a civilisation as advanced as we are can still be so savage. People that are buying ivory trinkets and ivory carvings need to stop and take a long, hard look at the mirror and decide how much blood they really want on their hands.

They need to make a choice: *this craft, or this species?*

Jamie Joseph is a writer and environmental activist. She is currently based in various parts of Africa, reporting from the frontline of the poaching crisis.

National Geographic News

100,000 Elephants Killed by Poachers in Just Three Years, Landmark Analysis Finds

Central Africa has lost 64 percent of its elephants in a decade



One of the largest mass elephant slaughters in decades took place in Bouba Ndjidah National Park, Cameroon, in 2012. Armed with grenades and AK-47s, poachers killed more than 300.

By Brad Scriber

National Geographic

Published August 18, 2014

Ivory-seeking poachers have killed 100,000 African elephants in just three years, according to a new study that provides the first reliable continent-wide estimates of illegal kills. During 2011 alone, roughly one of every twelve African elephants was killed by a poacher.

In central Africa, the hardest-hit part of the continent, the regional elephant population has declined by 64 percent in a decade, a finding of the new study that supports another recent estimate developed from field surveys.

The demand for ivory, most notably in China and elsewhere in Asia, and the confusion caused by a one-time sale of confiscated ivory have helped keep black market prices high in Africa.

The new study, published in the August 19 issue of *Proceedings of the National Academy of Sciences*, led by George Wittemyer of Colorado State University, included local and regional population estimates and concluded that three-quarters of local elephant populations are declining.

The study authors conducted the first large-scale analysis of poaching losses using data on illegally killed elephants maintained by CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora).

Wittemyer and his team hope the new information will move the discussion beyond anecdotes and wild guesses. "I think it's the only quantitatively based estimate out there," he said.

Researchers and conservationists hope the analysis will prompt policy makers to take further action to stem the years-long onslaught of poaching, which now threatens the survival of elephants in Africa.

Previous estimates of population declines produced by study co-authors Julian Blanc and Kenneth Burnham, both of CITES, used similar data to examine poaching trends, but those estimates limited the analysis to just 66 sites that were being monitored.

"Nobody's put out any scientifically-based numbers for the continent," Wittemyer said. "People have said numbers, but they're based off guesses. This is the first hard estimate we have at that level."



Confiscated elephant tusks and boxes of figurines carved from ivory sit in the main hall of the National Wildlife Property Repository, in Colorado.

Photograph by Kate Brooks, Redux

Targeting the Policymakers

Although conservationists have agreed for years that there's an ongoing poaching crisis with huge implications for the future of African elephants, the authors point out that it's been "notoriously difficult to quantify" the raw number of animals killed by poachers.

In recent years poachers have perpetrated mass killings, such as the 2012 slaughter of hundreds of elephants with automatic weapons in Bouba Ndjidah National Park in Cameroon.

Poachers have also used poisoned arrows to kill iconic individual elephants. In February, a poison-tipped arrow killed Torn Ear, a well-known Kenyan elephant. (See "[Mourning the Loss of a Great Elephant: Torn Ear](#).") Three months later, Satao, another of Kenya's most beloved elephants, was also killed by a poisoned arrow by poachers, who cut off his face to remove his massive tusks. (See "[Beloved African Elephant Killed for Ivory—'Monumental' Loss](#).")

These criminal acts have prompted some official actions, including a U.S. ban on the commercial trade in ivory, but the killings continue at an unsustainable level, with new births unable to keep pace with the killings.

"At the higher policy levels there have been a lot of questions and debate about what the numbers actually are, what they indicate, and how we should be interpreting them," Wittemyer noted.

"There hasn't been a robust scientific piece to rely on definitively as the source. In my mind what we've locked down here and provided the community—and in my mind we're really targeting the policymakers—are

definitive numbers on which they can act and on which they can discuss and debate approaches they can take."

Hard-Won Numbers

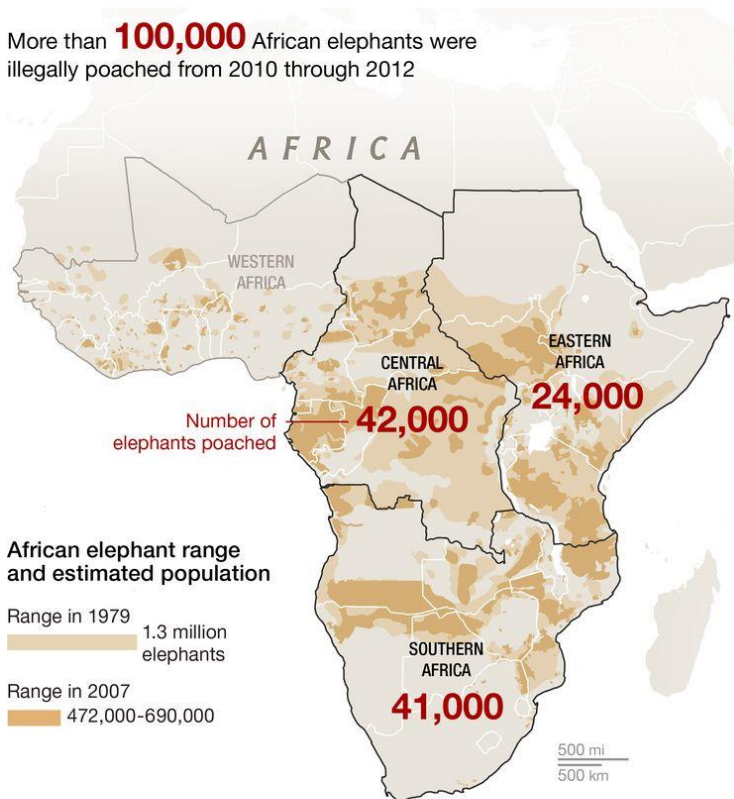
In 2002 CITES created a program called MIKE (Monitoring the Illegal Killing of Elephants) to attempt to quantify the number of elephants killed by poachers. Rangers at MIKE sites note all dead elephants they find and determine what proportion of the dead animals was illegally killed.

But the growing number of locations where monitoring is done—the program now monitors between 30 and 40 percent of the population—is still only a portion of the range of the species, and there are big differences in how closely these sites are monitored.

Another problem is that no one knows how many African elephants there are. Elephants are present over many thousands of square miles, which makes it expensive and time-consuming to estimate their overall numbers.

New Poaching Numbers

More than **100,000** African elephants were illegally poached from 2010 through 2012



Elephant populations in western Africa, representing about 2 percent of the species, were excluded from the study. Regional estimates differ from continental totals because statistical models generated regional and continental estimates separately.

VIRGINIA W. MASON AND BRAD SCRIBER, NGM STAFF

SOURCES: COLORADO STATE UNIVERSITY; SAVE THE ELEPHANTS; MONITORING THE ILLEGAL KILLING OF ELEPHANTS (MIKE); DEPARTMENT OF ZOOLOGY, UNIVERSITY OF OXFORD; KENYA WILDLIFE SERVICE; DIANE SKINNER, AFRICAN ELEPHANT SPECIALIST GROUP, IUCN.

The most recent comprehensive population estimate for the continent—a range of between 472,000 and 690,000 elephants—was published in 2007 by the IUCN's African Elephant Specialist Group. That figure was based on the best available data at the time, which for some locations were already nearly a decade old.

The African Elephant Specialist Group continually collects updated population survey data for portions of the continent and shares them with researchers via its public database. But it has yet to produce a new comprehensive population estimate for the continent. Meanwhile, a continent-wide aerial survey, the Great Elephant Census, is under way, with results expected in mid-2015.

Modeling the Numbers

For their study, Wittemyer and his co-authors used the most recent population numbers available from the African Elephant Specialist Group database for well-monitored locations. The researchers calculated that in the absence of poaching, about 3 percent of an elephant population would be expected to die each year.

Applying the percentage of deaths from poaching in 2010 through 2012, derived from MIKE data at the most closely monitored sites, they were able to calculate the percentage, and the numbers, of elephants poached regionally and continent-wide.

Kenneth Burnham, the statistician with the MIKE program who devised this method, used a similar approach to project the number *National Geographic* magazine used in its October 2012 cover story, "Ivory Worship." The magazine reported that "it is 'highly likely' that poachers killed at least 25,000 African elephants in 2011. The true figure may even be double that."

The new study puts the 2011 number at 40,000 elephants slaughtered at the hands of poachers.

Trevor Jones, of the Southern Tanzania Elephant Project, who didn't participate in the study, said, "I think this paper represents an honest attempt to interpret the MIKE data, and no doubt its results and conclusions are broadly correct in describing an overall trend of large declines in elephant populations across Africa."

He points to continued misgivings about the MIKE numbers because they are based on a smaller number of carcasses than aerial surveys. "Aerial censuses of the Selous Game Reserve," Jones said, "estimate a decline from 2009 to 2013 of 39,000 to 13,000—yet the MIKE data estimate 4,931 elephants poached from 2010 to 2012."

Jones, like many others, is eager for the results of the forthcoming Great Elephant Census. "The best way to update data on population sizes in most areas is by aerial sampling, and I strongly suspect that the census is going to confirm the unprecedented scale of the current crisis for elephants across the continent. Those results cannot come a day too soon."

But aerial surveying has drawbacks too. Forest elephants can't be seen from the air, and assessing their numbers takes labor-intensive foot surveys of dung piles. A recent forest elephant survey took "80 foot-surveys; covering 13,000 km; 91,600 person-days of fieldwork," according to the study abstract.

What We Lose When We Lose Elephants

The huge scale of the losses of African elephants could reduce genetic diversity to the point where healthy and robust populations become dangerously weakened.

But, as Wittemyer said, the problem is greater than genetic diversity. "You're talking about the distribution of species and its ecological role."

Elephants are vital to the web of life in Africa. As a keystone species, they help balance all the other species in their ecosystem, opening up forest land to create firebreaks and grasslands, digging to create water access for other animals, and leaving nutrients in their wake. Sometimes called the "megagardeners of the forest," elephants are essential to the dispersal of seeds that maintain tree diversity.

Since three out of four local populations are declining, those losses have serious ecological implications. "That's a problem we probably didn't speak to strongly enough in this paper," Wittemyer said.