

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

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FIRST DEPUTY PROSECUTING ATTORNEY



THE HONORABLE GILBERT S.C. KEITH-AGARAN, CHAIR
SENATE COMMITTEE ON JUDICIARY AND LABOR
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawai`i

March 31, 2017

RE: H.B. 1516, H.D. 1; RELATING TO ANIMAL FORFEITURE.

Chair Keith-Agaran, Vice-Chair Rhoads, and members of the Senate Committee on Judiciary and Labor, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”) submits the following testimony in support of H.B. 1516, H.D. 1.

The purpose of this bill is to clarify the forfeiture laws governing rescued animals who have been impounded pursuant to §711-1109.1 of the Hawaii Revised Statutes. Specifically, it allows a court to forfeit an animal prior to a filing or disposition of criminal charges upon the finding of probable cause.

The Department would suggest incorporating language that would align with our current civil asset forfeiture laws, specifically §712A-11(6), H.R.S. We ask that the Committee please consider the following addition:

“(9) An acquittal or dismissal in a criminal proceeding shall not preclude civil proceedings under this chapter.”

The proposed amendment would ensure that any dispositions held in a civil forfeiture hearing would be honored and not circumvented by any subsequent disposition in criminal proceedings.

For the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu supports the passage of H.B. 1516, H.D. 1. Thank you for the opportunity to testify on this matter.



AMERICAN KENNEL CLUB

Phil M. Guidry, J.D.
Sr. Policy Analyst
Government Relations

Wednesday, March 29, 2017

The Honorable Gilbert S.C. Keith-Agaran
Chairman, Hawaii Senate Committee on Judiciary and Labor
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: American Kennel Club Deeply Concerned with House Bill 1516 (HD 1)

Chairman Keith-Agaran and Members of the Senate Judiciary and Labor Committee:

The American Kennel Club (AKC) writes today with serious concerns with House Bill 1516 (HD 1), which you are scheduled to consider on Friday, March 31, 2017. We respectfully request the committee not approve the bill.

The American Kennel Club was established in 1884 and promotes the study, breeding, exhibiting, and advancement of purebred dogs. We represent over 5,100 dog clubs nationally, including 42 clubs in Hawaii. We advocate for the purebred dog as a family companion, advance canine health and well-being, protect the rights of dog owners, and promote the ideals of responsible dog ownership. As the world's largest purebred dog registry, the nation's largest purebred rescue network, and the only not-for-profit purebred dog registry devoted to the health and wellbeing of all dogs, the American Kennel Club actively advocates for humane treatment of all dogs.

The American Kennel Club strongly supports the humane treatment of dogs and believes that no dog should be kept in circumstances where its needs cannot be adequately fulfilled. We strongly believe that those convicted of animal cruelty should be held accountable, including paying for the costs of caring for the animals they mistreated.

Current law provides that in criminal cases, a humane society or SPCA holding an impounded animal may file a petition to the court requesting the court issue an order of forfeiture of the pet. The court must conduct a hearing within 14 days, and if it determines that probable cause exists that the defendant cruelly treated the animal, the court shall order the forfeiture of ownership of the animal. Defendants may preserve their ownership rights through the duration of the criminal case against them by posting a security bond or if they demonstrate that a proper care alternative has been arranged for the pet. Further the court may waive the requirement that a defendant post security for good cause shown. These provisions help ensure that a defendant is not erroneously deprived of their ownership rights, especially indigent defendants incurring significant costs to defend themselves.

In effect, current law provides procedural protections for defendants not yet convicted. HB 1516, however, would do away with those. In cases where no charges would be levied against a person; or if

charges were filed, in cases where a defendant were found not guilty or where charges were dropped, a person could be permanently deprived of their property and no recourse would be available, regardless of never having been proven to have committed a crime or violation.

Furthermore, a previous amendment to the bill moved its effective date to July 1, 2050. Despite this extraordinary concession aimed at quieting public contention with the legislation, an effective date 33 years in the future does not relieve AKC's concerns with this potentially unconstitutional legislation.

We are not alone in our concerns over the permanent erroneous deprivation of an innocent individual's property rights in their animals. A federal district court declared a similar lack of procedural protections unconstitutional in 2009. (*Louisville Kennel Club, Inc. v. Louisville/Jefferson County Metro Government*, Civil Action No. 3:07-CV-230-S., October 2, 2009.)

Like current law, HB 1516 also fails to specifically protect the property interests of non-possessory co-owners of impounded animals.

For these reasons, the AKC opposes HB 1516 as introduced, and implores you to not approve HB 1516. We appreciate your consideration of these concerns. We along with our Hawaii federation of dog clubs, the Pacific Pet Alliance, are happy to further assist you in crafting reasonable and effective laws that respect Hawaii's responsible dog owners and breeders.

Sincerely,

A handwritten signature in black ink, appearing to read "Phil M. Guidry".

Phil M. Guidry, JD
Sr. Policy Analyst, AKC Government Relations



Hawaiian Humane Society
People for animals. Animals for people.

2700 Waiialae Avenue Honolulu, Hawaii 96826
808.356.2200 • HawaiianHumane.org

Date: March 30, 2017

To: Chair Sen. Gilbert Keith-Agaran
Vice Chair Sen. Karl Rhoads
and Members of the Committee on Judiciary and Labor

Submitted By: Stephanie Kendrick, Public Policy Advocate
Hawaiian Humane Society, 808-356-2217

RE: Testimony in strong support of HB1516: Relating to Animal Forfeiture
Friday, March 31, 2017, 9:30 a.m., Capitol conference room 016

The Hawaiian Humane Society strongly supports the passage of HB1516, which would allow for a society for the protection of animals to petition for full custody of animals that have been rescued prior to the filing of criminal charges against the owner of the animals. This is a critical improvement to the existing statute and we urge the committee to pass this measure.

Our strong support of HB1516 is based on firsthand experience with animal suffering. The Hawaiian Humane Society rescued more than 300 dogs from a Waianae property as part of an animal cruelty case in October. Under existing law, which prohibits pursuing forfeiture of animals in a cruelty case before criminal charges have been filed, we were not able to file for forfeiture until March 2, five months after the rescue. That case is being heard in Kapolei as I speak with you this morning.

While we are hopeful that today's proceedings will allow us to finally place these animals in permanent homes, the delay has been an injustice to them. The Hawaiian Humane Society has spent more than \$690,000 to provide the dogs with much needed care and hundreds of foster care volunteers have helped to provide temporary homes.

Passage of HB1516 will allow for the potential of forfeiture to occur **prior** to criminal charges being filed so that situations like the one happening right now can be avoided in the future.

We are asking for clarification of Section 2 (5) of the law to make the language more specific. That proposal is attached.

Please pass HB1516 and help to minimize the suffering of animals. I would be happy to provide any assistance the committee requests regarding this measure.

A BILL FOR AN ACT

RELATING TO ANIMALS.

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

1 SECTION 1. The legislature finds that the final disposition
2 of rescued animals can be delayed while preparing for a
3 criminal case, especially when large numbers of animals are
4 involved. The delay imposes extraordinary costs and strains
5 upon the humane society that is tasked with the care of the
6 animals; postpones the full recovery of the animals that are
7 being held unnecessarily; and prevents the adoption of the
8 animals.

9 The purpose of this Act is to clarify that if the court
10 finds probable cause and grants the petition of the
11 incorporated humane society or duly incorporated society for
12 the prevention of cruelty to animals for forfeiture of the
13 animal prior to the filing or disposition of criminal
14 charges, the animal shall be forfeited to the care of the
15 humane society or duly incorporated society for the
16 prevention of cruelty to animals. On the other hand, if
17 there is no probable cause, then the animal shall be
18 returned to the owner.

19 SECTION 2. Section 711-1109.2, Hawaii Revised

1 Statutes, is amended to read as follows:

2 **"§711-1109.2 Forfeiture of animal prior to disposition**
3 **of criminal charges.**

4 (1) If any pet animal or equine animal is impounded
5 pursuant to section 711-1109.1, prior to filing of, or final
6 disposition of a criminal charge under section 711-1108.5,
7 711-1109, or 711-1109.3, or 711-1109.35, as applicable,
8 against the pet animal's or equine animal's owner, any duly
9 incorporated humane society or duly incorporated society for
10 the prevention of cruelty to animals that is holding the pet
11 animal or equine animal may file a petition , in the
12 criminal action [the criminal action] the court that would
13 have jurisdiction over the criminal case when criminal
14 charges are filed, requesting that the court issue an order
15 for forfeiture of the pet animal or equine animal to the
16 county or to the duly incorporated humane society or duly
17 incorporated society for the prevention of cruelty to
18 animals prior to filing of, or final disposition of [the]
19 any criminal charge [-] that may arise from the
20 circumstances supporting the impoundment. The
21 petitioner shall serve a true copy of the petition upon the
22 [~~defendant~~] owner or custodian of the impounded animal and
23 the prosecuting attorney.

1 (2) Upon receipt of a petition pursuant to subsection (1),
2 the court shall set a hearing on the petition. The hearing
3 shall be conducted within fourteen days after the filing of
4 the petition, or as soon as practicable.

5 (3) At a hearing conducted pursuant to subsection (2), the
6 petitioner shall have the burden of establishing probable
7 cause that the pet animal or equine animal was subjected to
8 a violation of section 711-1108.5, 711-1109, 711-1109.3, or
9 711-1109.35, as applicable. If the court finds that probable
10 cause exists, the court shall order immediate forfeiture of
11 the pet animal or equine animal to the petitioner, unless
12 the defendant, within seventy-two hours of the hearing:

13 (a) Posts a security deposit or bond with the
14 court clerk in an amount determined by the court to be
15 sufficient to repay all reasonable costs incurred, and
16 anticipated to be incurred, by the petitioner in caring for
17 the pet animal or equine animal from the date of initial
18 impoundment to the date of trial; or

19 (b) Demonstrates to the court that proper
20 alternative care has been arranged for the pet animal or
21 equine animal.

22 Notwithstanding subsection (3)(a), a court may waive, for
23 Good cause shown, the requirement that the defendant post a

1 Security deposit or bond.

2 (4) If a security deposit or bond has been posted in
3 accordance with subsection (3)(a), the petitioner may draw
4 from the security deposit or bond the actual reasonable
5 costs incurred by the petitioner in caring for the pet
6 animal or equine animal until the date of final disposition
7 of the criminal action. If the trial is continued to a later
8 date, any order of continuance shall require the defendant
9 to post an additional security deposit or bond in an amount
10 determined by the court that shall be sufficient to repay
11 all additional reasonable costs anticipated to be incurred
12 by the petitioner in caring for the pet animal or equine
13 animal until the date of final disposition of the criminal
14 action, and the petitioner may draw from the additional
15 security deposit or bond as necessary.

16 (5) No pet animal or equine animal may be destroyed by a
17 petitioner under this section prior to final disposition of
18 a criminal charge under section 711-1108.5, 711-1109, or 711
19 1109.3, or 711-1109.35, as applicable, against the pet
20 animal's or equine animal's owner, except in the event that
21 the pet animal or equine animal is a danger to itself or
22 others, or so severely injured that there is no reasonable
23 probability that its life can be saved.

1 (6) Forfeiture of a pet animal or equine animal under this
2 section shall not be subject to the provisions of chapter
3 712A.

4 (7) In addition to any reasonable costs incurred under
5 subsection (4) by the petitioner in the caring for the pet
6 animal or equine animal, the court may award reasonable
7 attorney's fees and court costs to the petitioner following
8 the conviction of the defendant.

9 (8) As used in this section, "pet animal or equine animal"
10 includes any offspring from the pet animal or equine animal
11 that was pregnant at the time of the rescue and born during
12 the impoundment of the pet animal or equine animal."

13 SECTION 3. This Act does not affect rights and duties
14 that matured, penalties that were incurred, and proceedings
15 that were begun, before its effective date.

16 SECTION 4. Statutory material to be repealed is bracketed
17 And stricken. New statutory material is underscored.

18 SECTION 5. This Act shall take effect upon its approval.

Report Title:

Animal Forfeiture; Humane Societies

Description:

Permits incorporated societies for the protection of animals to petition for full custody of the subject animals prior to filing or final disposition of criminal charges against the owner of the animals.

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



Date: March 30, 2017

RE: Testimony in support of HB1516: Relating to Animal Forfeiture

Aloha Chair Nishimoto, Vice Chair Buenaventura and Committee Members,

The Hawaii Island Humane Society stands with other Animal Welfare Organizations in strong support for the passage of HB1516, which would allow for a society for the protection of animals to petition for full custody of animals that have been rescued prior to the filing or final disposition of criminal charges against the owner of the animals.

The following is a current example of why we are in strong support of this measure. The Hawaiian Humane Society rescued more than 300 dogs from a Waianae property as part of an animal cruelty case. They have not yet been able to adopt them into permanent homes because the owner of the dogs has not yet been criminally charged. To date, it has cost them more than \$700,000 to provide the dogs with much needed care.

These dogs, who have already suffered enormously, deserve to be placed in permanent homes as soon as possible. Passage of HB1516 will allow for the potential of forfeiture to occur prior to criminal charges being filed so that situations like the one happening right now can be avoided in the future. Some important things to consider:

- The priority in an animal cruelty case should be the welfare of the rescued animals.
- The delay between an animal cruelty rescue and the filing of criminal charges can stretch for months. This holding period places an undue burden on animals who already have suffered greatly, as well as on the resources of the rescuing entity.
- These animals need to be placed in permanent loving homes as quickly as possible.
- A society for the protection of animals granted custody by forfeiture must have complete discretion regarding disposition of the rescued animals.

Thank you for the opportunity to present to the committee and we urge you to pass HB1516.

Please let me know if I can be of assistance.

Donna Whitaker
Executive Director
Hawaii Island Humane Society

**TESTIMONY OF MICHIRO IWANAGA ON BEHALF OF THE SHETLAND SHEEPDOG CLUB OF HAWAII,
THE OBEDIENCE TRAINING CLUB OF HAWAII, AND THE WEST OAHU KENNEL CLUB**

Regarding: HB 1516 HD 1. Relating to Animal Forfeiture
Before: Senate Committee on Judiciary and Labor
Date: Friday, March 31, 2017
Time: 9:30 a.m.
Location: Conference Room 016

Chairman Keith-Agaran and Members of the Committee:

Courts have generally upheld civil forfeitures, which represent efforts by a *prosecutorial arm of government* to cause the forfeiture of property used in *the furtherance of criminal activities*, so long as *the government* has observed the procedural safeguards mandated by the Fourth Amendment and by the Due Process clause—safeguards imposed to prevent *governmental overreaching*. Furthermore, *civil forfeiture laws have never been justified on the basis that civil forfeitures are necessary to avoid financial hardship to the government*. In stark contrast, HB 1516 HD1 expands the power of civil forfeiture in Hawaii by *vesting the power to initiate civil forfeitures in the hands of a private entity, namely the Humane Society*, under circumstances *where the City or County prosecutor's office has apparently not reached or implemented a determination of its own regarding whether probable cause exists to charge the owner of the pet or equine animal with a crime*. Moreover, HB 1516 HD1 *attempts to justify this private right of civil forfeiture on grounds that it is necessary to protect the Humane Society's budget and balance sheet*.

All members of the public are harmed financially and deprived of a sense of safety by criminal activities. This would not justify, however, giving private individuals the right to initiate a civil forfeiture of a criminal suspect's property. However respected it might be in your eyes, the Humane Society has no claim to special treatment.

Respectfully submitted,



MICHIRO IWANAGA

President, Shetland Sheepdog Club of Hawaii

Vice President, West Oahu Kennel Club

Director, Obedience Training Club of Hawaii

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: Submitted testimony for HB1516 on Mar 31, 2017 09:30AM
Date: Wednesday, March 29, 2017 4:48:37 PM

HB1516

Submitted on: 3/29/2017

Testimony for JDL on Mar 31, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Laura Myers	Windward Dog Park Hui	Support	No

Comments: I'm a journalist who was involved with the Waimanalo Puppy Mill case even before the manager was arrested and the facility shut down. For a solid year, while the manager was hiding in Vegas (until finally extradited), the 200 foster parents had no idea if their animals would be returned to the squalid and inhumane conditions under which they'd been held at the puppy mill. Most of these citizens fell in love with their fosters and finally were able to adopt them. Nobody should be kept in limbo in abuse cases. Puppy mills should be outlawed (I understand the owners of the Waimanalo mill immediately opened up another one on the Big Isle!!

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HB1516 Testimony in Support of the Bill
Anne Forshey/annejorshey@gmail.com/410-294-0987

I have volunteered at the Hawaiian Humane Society (HHS), supporting the Waianae rescue dogs since OCT 2016. These dogs are a joy to work with, loving, patient, and full of energy. I have seen these dogs thrive, heal, and trust again under HHS' care but the benefits of being loved and adopted by Hawai'i's families are numerous. Placement in a home provides a level of security, attention and care that cannot be duplicated by any rescuing entity.

I fully support this measure to allow animals rescued in a cruelty case to be placed in permanent homes more quickly.

The priority in an animal cruelty case should be the welfare of the rescued animals.

The delay between an animal cruelty rescue and the filing of criminal charges can stretch for months. This holding period places an undue burden and stress on animals that already have suffered greatly, as well as on the resources of the rescuing entity.

These animals need to be placed in permanent loving homes as quickly as possible.

A society for the protection of animals granted custody by forfeiture must have complete discretion regarding disposition of the rescued animals.

From: [Christine Harris](#)
To: [JDLTestimony](#)
Subject: HB1516
Date: Wednesday, March 29, 2017 6:31:54 PM

I have been volunteering with the Waianae Rescue dogs since last year. They need to be in permanent loving homes as they were all neglected and scared. There are still many which need homes and this bill needs to be passed urgently as they are all beautiful souls and should never go through such cruelty.

Thank you
Christine Harris

Sent from my iPad

From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc: 808debi@gmail.com
Subject: *Submitted testimony for HB1516 on Mar 31, 2017 09:30AM*
Date: Thursday, March 30, 2017 7:57:59 AM

HB1516

Submitted on: 3/30/2017

Testimony for JDL on Mar 31, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
deborah bukala	Individual	Support	No

Comments:

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From: [honoraff](#)
To: [JDLTestimony](#)
Subject: I am writing to express my support for the passage of HB 1516 . When animals that have come out of these bad situations have to wait in limbo for the courts to rule on the case they suffer even more . It is in the best interest of the rescued anim...
Date: Wednesday, March 29, 2017 10:12:28 PM

Sent from my T-Mobile 4G LTE Device

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: Submitted testimony for HB1516 on Mar 31, 2017 09:30AM
Date: Wednesday, March 29, 2017 4:53:29 PM

HB1516

Submitted on: 3/29/2017

Testimony for JDL on Mar 31, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
K. Saiki	Individual	Support	No

Comments: In support of HG1516.

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From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: Submitted testimony for HB1516 on Mar 31, 2017 09:30AM
Date: Tuesday, March 28, 2017 1:59:03 PM

HB1516

Submitted on: 3/28/2017

Testimony for JDL on Mar 31, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Lor. Maki	Individual	Oppose	No

Comments: I strongly oppose HB 1516. This measure would allow an organization such as the Humane Society to request that the court take away any persons right to own their pet without due process. This action could take place prior to any court decision or a guilty verdict of a person accused of neglect or abuse of the animal.

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I strongly support HB1516 pertaining to allowing the humane society to petition to force forfeiture of the impounded animal(s) while criminal charges are being filed.

When I heard about the massive amount of dogs that were rescued from the no-kill shelter recently I could not help but open up my home to one (and then two) of them. One of the female dogs was not spayed, and we were not allowed to spay her because she wasn't officially ours. Well, she came into estrus, and it wasn't pleasant, but we were determined to accommodate her to keep her a part of our family. It put a lot of strain on us, and if she were ours, we would have spayed her immediately.

Also, the Humane Society has 100 more dogs from this last group, which have not been fostered out which need medical attention or have other issues. It's not fair to keep these dogs in limbo while the case is dragging through the courts. It is clear all these dogs were severely neglected, as shown by their medical conditions. This bill will allow these dogs to assimilate into loving homes and get proper medical attention more quickly.

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: |
Subject: Submitted testimony for HB1516 on Mar 31, 2017 09:30AM
Date: Wednesday, March 29, 2017 4:51:49 PM

HB1516

Submitted on: 3/29/2017

Testimony for JDL on Mar 31, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
lynne matusow	Individual	Support	No

Comments: Please support this legislation. We must speak for the animals, many of whom are pets and considered members of our family. The priority in an animal cruelty case should be the welfare of the rescued animals. Plain and simple. The delay between an animal cruelty rescue and the filing of criminal charges can stretch for months. This holding period places an undue burden on animals who already have suffered greatly, as well as on the resources of the rescuing entity. Animals kept in limbo lose trust and are harder to make comfortable. These animals need to be placed in permanent loving homes as quickly as possible. A society for the protection of animals granted custody by forfeiture must have complete discretion regarding disposition of the rescued animals. This cannot go on in limbo. The people who created the situation do not care about the animals' welfare. Meanwhile, temporary custodians are paying for their upkeep, money which probabl wont be reimbursed. lynne matusow

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From: [Marian Diop](#)
To: [JDLTestimony](#)
Subject: Support for HB1516
Date: Wednesday, March 29, 2017 9:26:20 PM

To whom it may concern:

As someone who has seen the condition of these rescued dogs and for the health and welfare of any other animal abuse situations, I am in strong support of HB1516. Please allow it to pass.

Respectfully,

Marian Diop

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: *Submitted testimony for HB1516 on Mar 31, 2017 09:30AM*
Date: Thursday, March 30, 2017 9:35:30 AM

HB1516

Submitted on: 3/30/2017

Testimony for JDL on Mar 31, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Marielle Terbio	Individual	Support	No

Comments:

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From: [Michele Hope Velasco](#)
To: [JDLTestimony](#)
Subject: Bill # HB1516
Date: Wednesday, March 29, 2017 6:03:16 PM

Aloha!

I am in strong support of bill # HB1516 which would allow animals rescued in a cruelty case to be placed in permanent homes more quickly.

Kindly do a good service for these unfortunate dogs to allow us to find good homes for them. It is a compassionate thing to do.

Thank you very much.

Aloha,

Michele Velasco

Sent from my iPad

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: animalhumanitarian@gmail.com
Subject: Submitted testimony for HB1516 on Mar 31, 2017 09:30AM
Date: Wednesday, March 29, 2017 6:17:19 PM

HB1516

Submitted on: 3/29/2017

Testimony for JDL on Mar 31, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle Bowerman	Individual	Comments Only	No

Comments: • The priority in an animal cruelty case should be the welfare of the rescued animals. • The delay between an animal cruelty rescue and the filing of criminal charges can stretch for months. This holding period places an undue burden on animals who already have suffered greatly, as well as on the resources of the rescuing entity. • These animals need to be placed in permanent loving homes as quickly as possible. • A society for the protection of animals granted custody by forfeiture must have complete discretion regarding disposition of the rescued animals.

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From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: *Submitted testimony for HB1516 on Mar 31, 2017 09:30AM*
Date: Friday, March 24, 2017 12:26:06 PM

HB1516

Submitted on: 3/24/2017

Testimony for JDL on Mar 31, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Davlantes	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: Submitted testimony for HB1516 on Mar 31, 2017 09:30AM
Date: Wednesday, March 29, 2017 5:01:20 PM

HB1516

Submitted on: 3/29/2017

Testimony for JDL on Mar 31, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Noe Gentry	Individual	Support	No

Comments: As someone who fostered a rescue dog, I am an advocate for placing the welfare of rescued dogs above ownership issues. These dogs suffered neglect (and sometimes abuse) and should be able to be placed in permanent homes as soon as possible. Filing criminal charges and waiting for the outcome of a trial places undue stress on already suffering animals. Please pass this bill. Mahalo.

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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I am writing to express my strong support for HB1516. I have served as a volunteer for the Hawaiian Humane Society for many years and have witnessed far too many animals who have needlessly been unduly burdened by the delay between an animal cruelty rescue and a disposition of the affected animals. The extensive holding period in these cases creates an undue burden on the animals who have already suffered enough, and also imposes a great deal of hardship on the resources of the rescuing staff and volunteers. I have personally spent many hours of my time, alongside my 10-year old son cleaning kennels, gathering towels and supplies from our neighbors, walking, and washing the dogs who were rescued from Waianae in October. I can tell you from looking into these dogs' eyes and tending to their needs that they have suffered enough trauma, illness and hardship and deserve to be placed into permanent, loving homes as quickly as possible. The Humane Society staff and volunteers have done an exceptional job caring for these animals, but nothing can replace the love and comfort of a permanent home. Please help me explain to my son that he will never have to witness such a tragedy again. Thank you.

Raquel Craven
Kailua, HI 96734

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: Submitted testimony for HB1516 on Mar 31, 2017 09:30AM
Date: Thursday, March 30, 2017 9:31:28 AM

HB1516

Submitted on: 3/30/2017

Testimony for JDL on Mar 31, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Selene Mersereau	Individual	Support	No

Comments: I would like to sincerely ask that you pass this bill. The Hawaii Humane Society is performing a vital, difficult, important job in rescuing abused and traumatized animals. Research shows that many animals in all states spend months in cages waiting for cases to come to trial. Having suffered at the hands of humans it is appropriate for them to be placed in loving homes to help begin the healing process. Please pass HB1516. Continue to show Hawaii as a State that stands for compassion, kindness and positive action.

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From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: *Submitted testimony for HB1516 on Mar 31, 2017 09:30AM*
Date: Thursday, March 30, 2017 11:48:01 AM

HB1516

Submitted on: 3/30/2017

Testimony for JDL on Mar 31, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie McLaughlin	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: govierj001@hawaii.rr.com
Subject: Submitted testimony for HB1516 on Mar 31, 2017 09:30AM
Date: Wednesday, March 29, 2017 9:59:04 PM

HB1516

Submitted on: 3/29/2017

Testimony for JDL on Mar 31, 2017 09:30AM in Conference Room 016

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

Comments: To the Chairman and Members of the Committee, I OPPOSE HB 1516 I ask you to OPPOSE HB 1516. Please vote NO Susan Govier Aiea HI

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From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc: tchmielowicz@hotmail.com
Subject: Submitted testimony for HB1516 on Mar 31, 2017 09:30AM
Date: Wednesday, March 29, 2017 9:14:17 PM

HB1516

Submitted on: 3/29/2017

Testimony for JDL on Mar 31, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Tom Chmielowicz	Individual	Support	No

Comments: I strongly support this measure. Holding seized animals for extended periods of time puts undue stress on both the animals and the rescuing organization.

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From: [Michael & Jo Parker](#)
To: [JDL Testimony](#)
Subject: HB1516
Date: Thursday, March 30, 2017 3:32:39 PM

My husband and I have been involved with the Hawaiian Humane Society as foster parents and as onsite volunteers since the first Waimanalo puppy mill seizure in 2005.

We have found that in every case when animals are seized they are subjected to conditions that no living being should have be put through. The dogs that we had fostered had never stepped out of crates or kennels so they were AFRAID of walking on grass. Timid, frightened, not trusting, they had to learn to live in their new environment and of the first two that we had for a year, one never got totally comfortable and THEN it had to go back to the Humane Society for a time only to go up for adoption, ANOTHER NEW ENVIRONMENT.

These groups who work for the betterment of animals should be given the opportunity to place these animals in permanent homes. It is NOT fair to these animals to be subjected horrible conditions and then to still be traumatized by moving from one environment to another. It is also VERY expensive and for the foster parents who hope to adopt these animals eventually, heart breaking not knowing when or if that will happen. For those foster parents, like us we do it for the animals because WE CARE that they will survive and grow into loving animals but this would be better done in a more permanent home.

We hope that you in the House of Representatives CARE too, have compassion for those who can only speak with their eyes.

Respectfully,
Joanne Parker

From:
To: [JDLTestimony](#)
Subject: Bill 1516 HD1
Date: Thursday, March 30, 2017 3:04:13 PM

To the Senate Judiciary and Labor committee,

I oppose Bill 1516 for the obvious reason that I could have my animals taken away from me **without** charges ever being filed, ever. That means accusations by someone who doesn't know a dog from a goat (much less their different needs) can trigger the loss of my donkey? This is a smack in the face of "innocent until proven guilty". Plus, I get to be financially responsible for the care of said donkey forever, or until someone decides that donkeys actually do eat grass, not filet mignon. "Guilty until proven innocent" is how Bill 1516 HD1 sounds to me.

Sincerely, Lisa Parker