

## JUDtestimony

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**From:** Phil Arkow <arkowpets@snip.net>  
**Sent:** Saturday, February 8, 2020 12:00 PM  
**To:** JUDtestimony  
**Cc:** skendrick@hawaiianhumane.org  
**Subject:** Testimony in SUPPORT of HB 2528

To the Members of the Committee on the Judiciary  
Hawai'i State Legislature  
February 8, 2020

Mahalo for the opportunity to comment on HB 2528.

The National Link Coalition – the National Resource Center on The Link between Animal Abuse and Human Violence – and our 4,100 multidisciplinary professionals in all 50 states and 55 foreign countries, wishes to voice its **enthusiastic support for HB 2528**. Our belief that veterinary professionals should be required to report suspected animal abuse (with immunity from civil, criminal and administrative penalties for doing so in good faith) stems from a very elementary proposition:

- ***Why shouldn't veterinary medicine be as proactive in responding to suspected animal abuse as human medicine is in responding to suspected child abuse?***

Today, 35 states have either mandated veterinary reporting of suspected animal maltreatment or at least permitted veterinarians to report their suspicions to law enforcement and humane authorities, usually with the above-mentioned immunities. The rationales for such reporting include:

- Extensive research documents that animal abuse often indicates the co-occurrence of human violence. The veterinarian has a significant role in One Health to address public health issues affecting people, animals and the environment.
- Veterinarians are arguably the best-trained professionals to identify sub-optimal care. Positive response to such conditions protects other animals and people and enables the profession to establish the highest standards for animal welfare.
- Increased training is widely available to assist practitioners in recognizing suspected animal maltreatment. Our National Directory of Abuse Investigation Organizations guides them into where to make such reports.
- Veterinarians do not need to "know" that abuse has occurred, but merely to use their skills and training to identify conditions that would cause a reasonable person to suspect something is amiss. Trained investigators and prosecutors will examine the case further and determine if additional action is warranted.
- Human medical professionals were similarly wary of mandatory reporting vis-à-vis child abuse and elder abuse dating back to the 1970s; their initial fears have not materialized to any significant degree. In fact, the American Academy of Pediatricians wrote in 1966 that mandatory reporting provisions of suspected child abuse would remove or reduce parents' resentment toward the physician.
- One study reported that the public is more likely to report suspected animal abuse to their veterinarian than to the police or humane society. With four types of animal abuse now included in the FBI's National Incident Based

Reporting System, veterinarians are being called upon with increasing regularity to articulate what is wrong with an animal.

- “Regarding violence in our society as purely a sociologic matter, or one of law enforcement, has led to unmitigated failure. It is time to test whether violence can be amenable to medical/public health interventions,” wrote former U.S. Surgeon General C. Everett Koop in 1992.
- It’s simply the right thing to do.

There has been no conclusive evidence in any of the 35 states with veterinary reporting protocols that such provisions have adversely affected veterinary economics or agricultural enterprises, nor resulted in threats against practitioners or their staffs.

Again, mahalo for the opportunity to present a national perspective on this important issue affecting a state which I, on a personal level, have visited with some regularity and love. If we can provide additional information please do not hesitate to call upon us for assistance.

Sincerely,

**Phil Arkow, Coordinator**  
**The National LINK Coalition**  
**(The National Resource Center on The LINK Between Animal Abuse and Human Violence)**  
**16 Grasshopper Drive, Etowah, NC 28729 USA**  
**828-595-9750**  
**arkowpets@snip.net**  
**[www.NationalLinkCoalition.org](http://www.NationalLinkCoalition.org)**



**HAWAII VETERINARY MEDICAL ASSOCIATION**  
**P.O. Box 61309, Honolulu, Hawaii 96839-1309**

February 7, 2020

Committee on Judiciary  
Representative Chris Lee, Chair  
Representative Joy A. San Buenaventura, Vice Chair

RE: HB 2528, HD1, Relating to Veterinarians

Dear Committee on Judiciary,

On behalf of the Hawaii Veterinary Medical Association, I would like to express our support of HB 2528 HD1 and its amendments to the Veterinary Medicine Practice Act, HRS Chapter 471.

There are two components to this measure. The first establishes a Good Samaritan law for veterinarians who may without remuneration provide emergency medical care to an animal in need. The second establishes a process whereby animal abuse may be reported, in order to better protect that animal from future harm.

This measure encourages veterinarians to provide emergency care to critically sick or injured animals without fear of civil liability. Veterinarians are mandated to provide care under a valid and current veterinary-client-patient relationship (VCPR), so there can be confusion when dealing with an animal emergency when there is no owner present to establish a VCPR or if life-saving treatment needs to be provided before the establishment of a VCPR. This measure allows a veterinarian to be a "Good Samaritan" and provide emergency care outside of a valid VCPR, while also protecting the veterinarian when acting as a Good Samaritan in the time of an emergency to assist the animal in need.

We believe this measure also provides justified guidance to practicing veterinarians on reporting acts of animal abuse, cruelty, and staged fighting, similar to laws in 20 states including California, Oregon, Arizona, and Colorado. Reporting such events to law enforcement is beneficial to the community at large, as multiple studies have shown a link between perpetrators of animal abuse and human abuse such as child abuse, domestic violence, arson, and murder. When confronted with a clear case of animal abuse, veterinarians may feel conflicted between maintaining client confidentiality and wanting to protect the animal from further harm. In making animal abuse reporting a duty of the

veterinarian, this measure relieves any responsibility of such judgment by the veterinarian while protecting the veterinarian against any civil liability as a result of reporting such events.

Please SUPPORT HB 2528 to provide additional guidance and protections for veterinarians practicing in Hawaii. Thank you for the opportunity to submit testimony. Please contact me if I can answer any questions or be of further assistance on this matter.

Sincerely,

Jill Yoshicedo, DVM  
Executive Vice-President  
Hawaii Veterinary Medical Association

**Testimony of the Hawaii Board of Veterinary Medicine**

**Before the  
House Committee on Judiciary  
Tuesday, February 11, 2020  
2:05 p.m.  
State Capitol, Conference Room 325**

**On the following measure:  
H.B. 2528, H.D. 1, RELATING TO VETERINARIANS**

Chair Lee and Members of the Committee:

My name is Gregory Zambrano, and I am the Executive Officer of the Board of Veterinary Medicine (Board). The Board supports this bill.

The purposes of this bill are to: amend Hawaii Revised Statutes chapter 471 to: (1) provide veterinarians who provide emergency care to an animal immunity from civil liability in the absence of gross negligence; (2) provide veterinarians who render emergency treatment, when there is no veterinarian-client-patient relationship, immunity from civil liability in the absence of gross negligence; (3) require veterinarians to report to law enforcement events of animal injury, death, or abuse where there is reasonable cause to believe the event relates to dog fighting or animal abuse; and (4) give veterinarians immunity for civil liability for making these reports.

At its meeting on February 6, 2020, the Board discussed this bill and agreed that it would effectuate the protection of animals. The protections afforded for emergency care will benefit both veterinarians and the public. In addition, the Board noted that while it has some concerns that the reporting requirement will affect confidentiality between the veterinarian and the client, the overriding concern of protecting animals and the public will be served, based on correlations between animal abuse and domestic abuse accepted in the profession.

Lastly, the Board respectfully requests that this bill take effect upon approval.

Thank you for the opportunity to testify on this bill.



**Hawaiian Humane Society**  
People for animals. Animals for people.

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

Date: Jan. 30, 2020

To: Chair Rep. Richard P. Creagan  
Vice Chair Rep. Lynn DeCoite  
and Members of the Committee on Agriculture

Submitted By: Harold K. Han, Jr., Field Services, HPD Special Police Badge #2706  
Hawaiian Humane Society, 808-356-2211

RE: Testimony in support of HB 2528: Relating to Veterinarians  
Friday, Jan. 31, 2020, 9 a.m., Capitol room 312

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Aloha Chair Creagan, Vice Chair DeCoite and Committee Members,

On behalf of the Hawaiian Humane Society, thank you for considering our support for House Bill 2528, which provides veterinarians who provide emergency care to an animal with immunity from civil liability; provides veterinarians who render emergency treatment when there is no veterinarian-client-patient relationship with immunity from civil liability; and requires veterinarians to report to law enforcement events of animal injury, death, or abuse where there is reasonable cause to believe that it relates to dog fighting or animal abuse.

Veterinarians and their teams play a critical role in serving our community and animals. In many cases they are “front-line” reporters and witnesses in suspected animal cruelty cases. In most cases voices for animals that cannot speak for themselves.

**Case in Point: Tulip, A Six (6) pound-four (4) year old Yorkie/Silky Terrier**

In October of 2017 we received a report of suspected animal cruelty from veterinary staff at the Veterinary Emergency + Referral Center (VERC). This small dog had displayed a pattern of serious abuse for about 1-1/2 yrs. Fractured ribs, head trauma, fractured pelvis which led to a leg amputation and additional blunt force trauma in subsequent months.

After thorough investigation by this Officer and interviews with the owners, a suspect was identified and charged with animal cruelty. Steven Boos was convicted of animal cruelty in October of 2018 and fled the State. An anonymous tip led us to Washington State and the State of Hawaii and Prosecutor's Office filed the necessary affidavits to obtain an extradition. Boos was caught trying to flee to Canada and extradited back to Hawaii. He is now serving a one (1) year prison sentence at OCCC.

Without

Mandatory reporting will help to protect our entire community.

Many jurisdictions around the country have laws similar to this bill. Its provisions are logical and will help to protect Hawaii's most vulnerable animals and people.

We urge the committee to pass HB 2528. Mahalo for your consideration.



**Hawaiian Humane Society**  
People for animals. Animals for people.

2700 Waiialae Avenue Honolulu, Hawaii 96826  
808.356.2200 • [HawaiianHumane.org](http://HawaiianHumane.org)

Date: Feb. 10, 2020

To: Chair Representative Chris Lee  
Vice Chair Representative Joy San Buenaventura  
and Members of the Committee on Judiciary

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

RE: Testimony in support of HB 2528: Relating to Veterinarians  
Tuesday, Feb. 11, 2020, 2:05 p.m., Capitol Room 325

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Aloha Chair Lee, Vice Chair San Buenaventura and Committee Members,

On behalf of the Hawaiian Humane Society, thank you for considering our support for House Bill 2528, which provides veterinarians who provide emergency care to an animal with immunity from civil liability; provides veterinarians who render emergency treatment when there is no veterinarian-client-patient relationship with immunity from civil liability; and requires veterinarians to report to law enforcement events of animal injury, death, or abuse where there is reasonable cause to believe that it relates to dog fighting or animal abuse.

Veterinarians are compassionate people who invest an enormous amount of time and financial resources to obtain and retain the credentials that allow them to help our animals. They should not have to risk their livelihood to help animals in need. This bill will allow veterinarians to use their skills and expertise to render emergency aid to animals without the fear of civil liability as long as that aid is rendered in good faith and absent signs of gross negligence.

In addition, as the agency deputized to help enforce animal laws on Oahu, Hawaiian Humane strongly supports mandatory reporting of suspected animal cruelty. Veterinarians should not have to fear retaliation for doing the right thing. Animal cruelty is an underreported crime and compelling veterinarians to report suspected abuse in return for protection from civil liability will give law enforcement expert eyes and ears on the frontlines of animal care.

Ample research stretching back decades has established links between violence against animals and the abuse of people - especially children, domestic partners and elders.



- In one study of families under investigation for child abuse, co-occurrence of animal abuse ranged from 60% to 88%. These families utilized veterinary services at rates similar to non-abusive households. (Deviney, Dickert, & Lockwood, 1983).
- An Australian study reported that in 23% of cases where veterinarians suspected animal abuse, other forms of family violence were either known or suspected. (Gullone & Clarke, 2005).
- The public is more likely to report suspected animal abuse to their veterinarian than to the humane society or law enforcement agency. (Enns, 2006)

Mandatory reporting will help to protect our entire community.

Many jurisdictions around the country have laws similar to this bill. Its provisions are logical and will help to protect Hawaii's most vulnerable animals and people.

We urge the committee to pass HB 2528. Mahalo for your consideration.

**HB-2528-HD-1**

Submitted on: 2/10/2020 4:16:29 PM

Testimony for JUD on 2/11/2020 2:05:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cathy Goeggel	Animal Rights Hawai'i	Support	No

Comments:

**HB-2528-HD-1**

Submitted on: 2/10/2020 8:03:07 PM

Testimony for JUD on 2/11/2020 2:05:00 PM



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Inga Gibson	Animal Welfare Institute	Support	Yes

Comments:

RE: STRONG SUPPORT FOR HB2528: Relating to Veterinarians

Thirty-one states either mandate or encourage veterinarians to report animal abuse and provide vets with immunity from civil and/or criminal liability for good-faith reporting. The American Veterinary Medical Association (AVMA) has a very firm policy calling for such reporting and provides the following extensive resources to Veterinarians:

<https://ebusiness.avma.org/Files/ProductDownloads/AVMA%20Suspected%20Animal%20Cruelty.pdf>

Further, the Animal Welfare Institute is committed to providing support to Hawaii Veterinarians reporting suspected cruelty via the below information and resources:

<https://awionline.org/awi-quarterly/2016-fall/veterinarians-can-help-fight-against-animal-abuse>

We respectfully urge your support of HB2528

## JUDtestimony

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**From:** mhussenbux@btinternet.com  
**Sent:** Monday, February 10, 2020 9:43 PM  
**To:** JUDtestimony  
**Subject:** Testimony in support of HB2528, HD1

Aloha!

The Animal Interfaith Alliance in Britain would like to support HB2528,HD1, which is championed by the Hawaii Veterinary Medical Association, and endorsed by the Hawaiian Humane Society, to be heard today Feb. 11 by the House Judiciary Committee.

We understand that these bills will:

- protect veterinarians who render emergency aid to an animal who is sick or injured from civil liability as long as their actions were taken in good faith and do not constitute gross negligence.
- allow veterinarians to treat animals brought to them in need of immediate care, even if an owner is not available to consent to care, without fear of civil liability.
- veterinarians to report suspected animal cruelty and protect them from civil liability for making such reports.

Animal cruelty is an under-reported crime. Protecting veterinarians from reprisals and requiring them to report suspected abuse will give law enforcement expert eyes and ears on the frontlines of animal care.

Given the established links between the abuse of animals and other forms of cruelty, especially domestic violence, these are measures that will protect your entire community, people and animals alike.

We beg to support the Bill and mahalo, once again, for this opportunity to help veterinarians and the animals of Hawai'i.

Marian Hussenbux. Secretary International Campaigns

Animal Interfaith Alliance  
[www.animal-interfaith-alliance.com](http://www.animal-interfaith-alliance.com)

Faiths Working Together for Animals

Member Organisations:

Anglican Society for the Welfare of Animals Bhagvatinandji Education and Health Trust Catholic Concern for Animals  
Christian Vegetarian Association UK Christian Vegetarian Association US Dharma Voices for Animals UK Institute of  
Jainology Islamic Concern Jewish Vegetarian Society UK Mahavir Trust Oshwal Association of the UK  
[www.panorthodoxconcernforanimals.org](http://www.panorthodoxconcernforanimals.org)  
Quaker Concern for Animals  
Sadhu Vaswani Centre  
Young Jains

President - Dr Richard D. Ryder. Vice President - Dr Deborah Jones.

Patrons (in alphabetical order) - Rev. Christa Blanke, Joyce D'Silva, Kay, Duchess of Hamilton, Satish Kumar, Nitin Mehta MBE, Dr Andre Menache, Dr Alpesh Patel, Dr Matthieu Ricard, Anant Shah, Ajit Singh MBE, Charanjit Singh, Mohammad Safa.

**HB-2528-HD-1**

Submitted on: 2/8/2020 1:49:58 PM

Testimony for JUD on 2/11/2020 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dara Carlin, M.A.	Individual	Support	No

Comments:

Chair Rep. Richard P. Creagan, Vice Chair Rep. Lynn DeCoite, and Members of the Committee on  
Agriculture  
Testimony in SUPPORT of HB 2528: Relating to Veterinarians  
Friday, Jan. 31, 2020  
9 a.m., Capitol room 312

I am writing in strong support of HB 2528.

I have worked in animal shelters for more than 10 years. Prior to coming to the Hawaiian Humane Society, I worked at a large nationally regarded open-admissions animal shelter in Denver, CO. Part of the reason that I endorse this bill is that the veterinary immunity laws in the state of Colorado are in line with the ideas set forth in this bill.

When I first began veterinary school, I specifically remember an orientation session where my classmates and I were informed that as veterinarians in Colorado, we were legally obligated to report animal abuse, neglect, or cruelty. It surprised me at first but after consideration, I realized that by making animal abuse reporting mandatory, it protected veterinarians. It protected us because it made us immune to any sort of prosecution or retribution for the reporting.

I have decided to dedicate my life to protection of homeless, neglected, and abused animals. To be the voice for those animals who cannot speak for themselves. By passing this bill, we will improve not only the lives of the animals of Hawaii but also the veterinarians who care for animals in the State of Hawaii.

I urge the committee to pass HB 2528.

Thank you for your time and consideration,

Kasey Carter, MS, DVM  
Chief Veterinarian, Hawaiian Humane Society  
kcarter@hawaiianhumane.org

**LATE**

**HB-2528-HD-1**

Submitted on: 2/10/2020 7:28:20 PM

Testimony for JUD on 2/11/2020 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dana Jenkins	Individual	Support	No

Comments:



**LATE**

**HB-2528-HD-1**

Submitted on: 2/10/2020 7:55:11 PM

Testimony for JUD on 2/11/2020 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ashley Wilcox	Individual	Support	No

Comments:

**LATE**

**HB-2528-HD-1**

Submitted on: 2/10/2020 9:09:51 PM

Testimony for JUD on 2/11/2020 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
lynne matusow	Individual	Support	No

Comments:

Please note that as a longtime pet owner I strongly support this bill. Our pets deserve all the help they can get from veterinarians

lynne matusow

**LATE**

**HB-2528-HD-1**

Submitted on: 2/11/2020 5:46:40 AM

Testimony for JUD on 2/11/2020 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
carole richelieu	Individual	Support	No

Comments:

**LATE**

**JUDtestimony**

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**From:** STEPHANIE MCLAUGHLIN <smclaughlin808@gmail.com>  
**Sent:** Tuesday, February 11, 2020 9:07 AM  
**To:** JUDtestimony  
**Subject:** Testimony in support of HB2528

Stephanie McLaughlin  
95-310 Haakualiki Place  
Mililani, HI 96789  
808-3844764

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Stephanie McLaughlin

"Be the change you wish to see in the world."

## JUDtestimony

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**From:** Gail <akele33@aol.com>  
**Sent:** Tuesday, February 11, 2020 1:20 AM  
**To:** JUDtestimony  
**Subject:** Testimony-Support HB2528 HDI

I support this bill which will allow veterinarians to treat abused animals without owners' consent as well as released from civil liability. Animal abuse is under reported and these animals have a right to a second chance of a better life.

Thank you!

Live life passionately - Laugh out loud - Love unconditionally  
Aloha,  
Gail McElrath  
Waialeale, Hawaii  
808-282-0824

## JUDtestimony

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**From:** Jennifer Chiwa <jennifer.chiwa@gmail.com>  
**Sent:** Tuesday, February 11, 2020 7:06 AM  
**To:** JUDtestimony  
**Subject:** Testimony in Support of HB 2528 HD 1 for Hearing on 02-11-2020 at 2:05 pm

Aloha Members of the Committee on Judiciary. I have lived on Oahu my whole life and currently reside in Makiki. Please support HB 2528 HD 1. This bill would advance animal welfare by protecting veterinarians from civil liability: (1) after rendering emergency help to an animal even if the owner is not available to consent to this help and (2) after reporting suspected animal cruelty. Reporting suspected animal cruelty also advances community welfare as the link between violence against animals and violence against people is well known.

Mahalo.

Jennifer Chiwa

**JUDtestimony**

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**LATE**

**From:** Serena Phillip <Serenaphillip@hawaii.rr.com>  
**Sent:** Tuesday, February 11, 2020 10:11 AM  
**To:** JUDtestimony  
**Cc:** Sen. Gil Riviere; Rep. Sean Quinlan  
**Subject:** Re: Testimony in support of HB2528, HD1

> On Feb 11, 2020, at 8:46 AM, Serena Phillip <serenaphillip@hawaii.rr.com> wrote:

>

> I am Serena Stefanic-Phillip. I am testifying in favor of Bill HB2528, HD1 because I believe veterinarians should not be punished for rendering aid to an injured animal without the owner's approval.

Thank you,  
Serena Stefanic-Phillip  
Hauula, Hawaii 96717