

HB-416

Submitted on: 2/5/2021 5:28:31 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Bishop	Individual	Support	No

Comments:

Please support this bill. We must put an end to, and punish, animal cruelty!

HB-416

Submitted on: 2/6/2021 8:28:41 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Gerard Silva	Individual	Oppose	No

Comments:

We are not in Comunist China. You have no Authority on private property.

The people will not stand for this. Remeber who you work for!!!

HB-416

Submitted on: 2/7/2021 12:08:25 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Inga Gibson	Pono Advocacy	Comments	No

Comments:

AGR 2-10-21, 10am

Dear Chair Hashem, Vice-Chair Perruso and Committee Members,

We respectfully request the Committee delete the language in HB416 and insert the language from HB1087, below.

We appreciate Rep Nishimoto's introduction of this bill but cannot support HB416 as drafted for the following reasons:

- The amended penalties, specifically adding "in lieu of" would potentially strike down the entire misdemeanor cruelty statute by removing the misdemeanor penalties.
- Judges already have discretion in issuing community service, which would never be recommended to be performed at a shelter or working with animals, for an animal cruelty offense. While we support judges, and prosecutors in submitting sentencing recommendations, requesting defendants who are minors participate in counseling, this should be in addition to any other criminal fines and penalties, not instead or in lieu of.
- The current language is unenforceable as it relates to the length of the tether being 10 feet, as some properties do not allow for a 10 foot lead, and in some cases may be unsafe, especially for a small dog. Further, the burden to demonstrate "repeatedly entangled" is difficult to enforce and may threaten the immediate safety of a dog if an officer must witness multiple violations before intervening to prevent death or injury to the dog.

We worked extensively with statewide animal care & control agencies, shelters and law enforcement on the language in HB1087, and would greatly appreciate your adopting that language instead.

https://www.capitol.hawaii.gov/session2021/bills/HB1087_.htm

Thank you for your consideration of this testimony.

HB-416

Submitted on: 2/7/2021 4:29:49 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cathy Goeggel	Animal Rights Hawai'i	Comments	No

Comments:

Animal Rights Hawai'i cannot support HB416 in its current form. We strongly urge this committee to change the language to that proposed very succinctly by Inga Gibson:

"We respectfully request the Committee delete the language in HB416 and insert the language from HB1087, below.

We cannot support HB416 as proposed for the following reasons:

- the amended penalties, specifically adding "in lieu of", would strike down the entire misdemeanor cruelty statute.
- Judges already have discretion in issuing community service, which would never be recommended to be performed at a shelter or working with animals, for an animal cruelty offense. While we support judges, and prosecutors in submitting sentencing recommendations, requesting defendants who are minors participate in counseling, this should be in addition to any other criminal fines and penalties, not instead or in lieu of.
- The current language is unenforceable as it relates to the length of the tether being 10 feet, as some properties do not allow for a 10 foot lead, and in some cases may be unsafe, especially for a small dog. Further, the burden to demonstrate "repeatedly entangled" is difficult to enforce and may threaten the immediate safety of a dog if an officer must witness multiple violations before intervening to prevent death or injury to the dog.

We worked extensively with statewide animal care & control agencies, shelters and law enforcement on the language in HB1087, and would greatly appreciate your adopting that language instead".

HB-416

Submitted on: 2/8/2021 10:33:36 AM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Harold Han Jr	Individual	Oppose	No

Comments:

This bill, if approved as is, specifically, *"In addition to or in lieu of any penalty authorized for a person convicted of an offense under this section, the court may assess fines, order performance of community service, require mental health counseling, or order attendance at educational classes concerning animal abuse prevention."*, would negatively impact the current and basically remove the current penalties in our animal cruelty section which MUST be maintained.

Mahalo!

HB-416

Submitted on: 2/8/2021 12:35:33 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lois Crozer	Individual	Comments	No

Comments:

I support this bill with the comments submitted by the Humane Society.

HB-416

Submitted on: 2/8/2021 12:52:19 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Young	Individual	Support	No

Comments:

Aloha and thank you for taking the time to act on behalf of our beloved family members; our pets.

During the past dozen years or so I have made numerous calls to the police and the Hawaiian Humane Society concerning dogs that have been tethered and/or caged 24/7. I will speak specifically about the cages since the owner has now moved from tethering to caging.

This owner has 4 or so dogs that remain outside in a cage 24/7. The ONLY time I have seen them out of the cage is when he takes them out to hose down the cages to get the feces out. Initially these puppies were kept together in one cage however now they are in separate cages. These cages do not provide relief from strong winds and heavy rains as we've recently been subjected to the past 3 weeks or so. Within the 50 states, Hawaii is listed as #40 in the legal protection of their pets; so much for the Aloha Spirit.

I have seen one of these dogs picked up by the scruff of the neck and slammed down to the ground and the owner then yells at the dog calling him a "faggot". Twice. It was obvious that the dog was scared as I heard the dog barking and trying to back up while laying low to the ground; I saw this when I looked out the window. Any dog lover can tell you this dog was very afraid. Regardless, the response is unacceptable and this dog owner should NOT be allowed to keep any type of pet if he chooses to keep it chained or in a cage 24/7.

The officer who came to the home after I called 911 told me flat out they wouldn't take the dog away even with something like that happening with an eye witness. I bet if that was your child that child would be taken away in a second.

I cannot understand why the laws do not protect our pets from this type of abusive behavior. As lawmakers, it is YOUR responsibility to protect our family members and this includes our pets. YOU all need to send a clear message that this type of behavior will not be tolerated. I have watched this happen for about 12 years now. I cannot even go to that side of the condo and lookout without feeling terrible for these cute animals.

Although I appreciate Representative Scott Nishimoto's bill, and I really really do, in my opinion it still lacks the necessary punitive damage and/or jail time or community service

that is needed to stop this type of behavior. For example, .."Cruelty to animals in the second degree is a misdemeanor, except [~~where~~] that if the offense involves **ten or more** pet animals in any one instance..." should be changed to 5, or even 2. Not many homeowners have 10 pet dogs; even 1 is too much. This seems to apply to only puppy mills.

Hawaii has let this go on for too many years. It is time to take a stand. Right Now. We are the **only** ones who can protect our animals. So let's protect them. Don't "half-ass it" as my father would say (excuse me). If we don't have the laws to protect our pets the police won't or cannot take it seriously.

How serious do YOU take this? Make this legislation count or don't waste each others' time. I am hopeful that this legislative body will bring about change, REAL CHANGE, on how everyone should treat their animals and show everyone that if they do not, they will not longer have the privelege of having a pet.

I'd like to see Hawaii move to #1 as a state who takes seriously, cruel and inhumane actions against all animals.

Respectfully submitted,

Susan Young

HB-416

Submitted on: 2/8/2021 12:55:47 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

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

Comments:

Having a clear, enforceable tethering law allows the county animal service providers to educate pet owners about other potential issues with dog tethering, such as keeping dogs isolated from human contact. More importantly, it saves lives.

HB-416

Submitted on: 2/8/2021 1:19:40 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Eric Ako DVM	Individual	Support	No

Comments:

Honorable Chair and Committee members,

Please pass HB416.

Dogs were domesticated to live with us. Eat what we ate,
protect us. We now consider the domestic dog a member of our families.

We should not be tying them up.

Thank you

HB-416

Submitted on: 2/8/2021 2:04:42 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

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

Comments:

Please pass this important bill with amendments.

HB-416

Submitted on: 2/8/2021 2:10:48 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nina Alena Beatty	Individual	Support	No

Comments:

I support this bill with amendments.

HB-416

Submitted on: 2/8/2021 2:12:19 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Raquel Hicks	Individual	Support	No

Comments:

Aloha I am a Manoa resident and urge writing to support the intent of HB416. This bill would protect dogs from inhumane tethering equipment and techniques and specifically protect puppies who can be particularly harmed from such methods. Having clear laws and enforcement of these laws is very important, and as such I encourage the committee to adopt the amendments proposed by the Hawaiian Humane Society.

thank you,

Raquel Hicks

HB-416

Submitted on: 2/8/2021 3:55:24 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
ginger edmunds	Individual	Support	No

Comments:

I am a resident in Kailua 96734 and support HB416 while also asking the committee to adopt HHS proposed amendments for purposes of clarity and improved enforcement. Thank you.

HB-416

Submitted on: 2/8/2021 3:57:06 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Eubank	Individual	Support	No

Comments:

I support HB416. It is cruel to tether a dog or puppy in any way that is injurious or negligent! I support the amendments to this House Bill.

Susan Eubank

Diamond Head

HB-416

Submitted on: 2/8/2021 4:10:05 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Chiwa	Individual	Support	No

Comments:

Committee on Agriculture

Wednesday, February 10, 2021, 10 am

Testimony in Support of Intent of HB 416 with Proposed Amendments

Aloha Chairperson Hashem and Committee Members.

Please support HB 416 with amendments proposed by the Hawaiian Humane Society. This bill prohibits tethering equipment and techniques which could injure a dog. It's my understanding that the amendments proposed by the Hawaiian Humane Society would clarify and improve enforcement of this bill, and assist in the education of proper tethering equipment and its uses. Again, please support the intent of HB 416 with proposed amendments.

Mahalo.

Jennifer Chiwa

Makiki

HB-416

Submitted on: 2/8/2021 4:24:16 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Menacho	Individual	Support	No

Comments:

Please support this bill. When tethering is used it should be safe for the animal. Proper tethering equipment is readily available and appropriate techniques are easy to implement.

Having a clear, enforceable tethering law allows the county animal service people to educate pet owners about other potential issues with dog tethering such as keeping dogs isolated from human contact.

Mahalo for your time on this issue,

Mary Menacho

Kailua-Kona, Hawaii

HB-416

Submitted on: 2/8/2021 4:41:38 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carole R. Richelieu	Individual	Support	No

Comments:

Support the intent of the bill and Hawaiian Humane Society's proposed amendments.
Thank you.



HAWAII ASSOCIATION OF ANIMAL WELFARE AGENCIES

Hawaii Island Humane Society / Hawaiian Humane Society / Kauai Humane Society / Maui Humane Society / Molokai Humane Society

Date: Feb. 8, 2021

To: Chair Rep. Mark J. Hashem
Vice Chair Rep. Amy A. Perruso
and Members of the Committee on Agriculture

Submitted By: Hawaii Association of Animal Welfare Agencies

RE: Testimony in support with amendments to HB 416:
Relating to Section 711-1109, Hawaii Revised Statutes
Wednesday, Feb. 10, 2021, 10 a.m., Capitol room 325

The Hawaii Association of Animal Welfare Agencies (HAAWA) supports the intent of House Bill 416, which prohibits certain restraints and tethers that endanger, or deny sustenance, to a dog. It has concerns about the penalty provisions of the bill and supports the amendments requested in the written testimony of the Hawaiian Humane Society.

HAAWA's members include the largest animal shelters in each of the four counties, as well as the leader in pet animal spay/neuter on Molokai.

The inappropriate tethering of dogs is an issue on all of our islands. Tethering a dog in ways that cause injury; prevent access to food, water or shelter; or isolate the animal from opportunities to bond with his human family are traumatizing and can lead to aggression. The specific and enforceable provisions of this bill will allow humane investigators to educate dog owners so they can correct violations while still keeping their pets safe on their property. We urge you to pass HB 416 with Hawaiian Humane's amendments to ensure animals and their human family members are safe from harm.

Mahalo for considering our testimony on this important issue,

Hoala Davis, *Executive Director, Molokai Humane Society*

Elizabeth Jose, DVM, *Chief Executive Officer, Hawaii Island Humane Society*

Steve MacKinnon, *Chief Executive Officer, Maui Humane Society*

Anna Neubauer, *President and Chief Executive Officer, Hawaiian Humane Society*

Nicole Schafer, *Executive Director, Kauai Humane Society*



Hawaiian Humane Society
People for animals. Animals for people.

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

Date: Feb. 8, 2021

To: Chair Rep. Mark J. Hashem
Vice Chair Rep. Amy A. Perruso
and Members of the Committee on Agriculture

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

RE: Testimony in support with amendments to HB 416:
Relating to Section 711-1109, Hawaii Revised Statutes
Wednesday, Feb. 10, 2021, 10 a.m., Capitol room 325

Aloha Chair Hashem, Vice Chair Perruso, and Committee Members,

The Hawaiian Humane Society has been working with other stakeholders on the need to improve protections for tethered dogs for several years. We support the intent of House Bill 416 to advance this issue.

We have attached proposed amendments to this legislation that incorporate the input of dog advocates and law enforcement across the state. Some of the language in this bill has been flagged in prior sessions as being arbitrary (as in Section 1, 1 (g) iii citing the 10-foot length) or insufficiently specific (as in Section 1, 1 (g) iv referring to tow and log chains, which are inherently disproportionate to the size and weight of the dog and must be prohibited).

As written, HB 416 also has the potential to weaken the penalties in animal cruelty cases (Section 1, 2 inserting the phrase “or in lieu of” in the penalty section). Hawaiian Humane supports effective diversion programs, but courts already have wide discretion in imposing penalties and there is no evidence of over-sentencing in animal cruelty cases.

The Hawaiian Humane Society supports the passage of HB 416 with the attached amendments. I urge the committee to keep this measure moving so that we can work together to pass an effective bill. Mahalo for your consideration.

A BILL FOR AN ACT

RELATING TO SECTION 711-1109, HAWAII REVISED STATUTES.

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

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

1. By amending subsection (1) to read:

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

- (a) Overdrives, overloads, tortures, torments, beats, causes substantial bodily injury to, or starves any animal, or causes the overdriving, overloading, torture, torment, beating, or starving of any animal;
- (b) Deprives a pet animal of necessary sustenance or causes [~~such~~] that deprivation;
- (c) Mutilates, poisons, or kills without need any animal other than insects, vermin, or other pests; provided that the handling or extermination of any insect, vermin, or other pest is conducted in accordance with standard and acceptable pest control practices and all applicable laws and regulations;

- (d) Keeps, uses, or in any way is connected with or interested in the management of, or receives money for the admission of any person to, any place kept or used for the purpose of fighting or baiting any bull, bear, cock, or other animal, and includes every person who encourages, aids, or assists therein, or who permits or suffers any place to be so kept or used;
- (e) Carries or causes to be carried, in or upon any vehicle or other conveyance, any animal in a cruel or inhumane manner;
- (f) Confines or causes to be confined, in a kennel or cage, any pet animal in a cruel or inhumane manner;
- (g) Tethers, fastens, ties, or restrains a dog to a doghouse, tree, fence, or any other stationary object ~~[by]~~, or uses a trolley, trolley with swivels, pulley, cable, or uses a running line, or a trolley lacking swivels at each end that is designed to attach a dog to two stationary objects in a configuration that endangers the dog, including preventing the dog from obtaining necessary sustenance, provided that:
 - (i) No dog under the age of six months shall be tethered or restrained unless the dog is engaged in an activity supervised by its owner or an agent of its owner;
 - (ii) No dog shall be tethered or restrained by a tow or log chain; and ~~If the dog is under the age of~~

~~six months unless the dog is engaged in a supervised activity;~~

~~(ii) In a configuration that repeatedly entangles or otherwise endangers the dog;~~

~~(iii) If the tether is shorter than ten feet in length, unless the dog is engaged in a supervised activity;~~

~~(iv) If the tether is a tow or log chain or is disproportionate to the size or weight of the dog such that the restraint inhibits the free movement of the dog within the area allowed by the tether; or~~

(v) No dog shall be tethered or restrained by means of a choke collar, pinch collar, or prong collar, ~~provided that a person is not prohibited from using [such restraints] a choke collar, pinch collar, or prong collar when walking a dog with a hand-held leash or while a~~ unless the dog is engaged in ~~a supervised~~ an activity supervised by its owner or an agent of its owner; or

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

2. By amending subsection (4) to read:

"(4) Cruelty to animals in the second degree is a misdemeanor, except ~~[where]~~ that if the offense involves ten or more pet animals in any one instance ~~[which]~~, then cruelty to animals in the second degree is a class C felony. In addition

to ~~or in lieu of~~ any penalty authorized for a person convicted of an offense under this section, the court may assess fines, order performance of community service, require mental health counseling, or order attendance at educational classes concerning animal abuse prevention."

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

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

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

INTRODUCED BY: _____

Report Title:

Cruelty to Animals; Restraints; Penalties

Description:

Prohibits certain restraints and tethers that endanger, or deny sustenance, to a dog. Authorizes the court to assess fines, order performance of community service, require mental health counseling, or order attendance at educational classes concerning animal abuse prevention in addition to or in lieu of other penalties.

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

HB-416

Submitted on: 2/8/2021 7:45:47 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jolene Auvil	Individual	Support	No

Comments:

Aloha Kakou,

I am old enough to remember when Hawai'i was a place where some people ate dogs and tethered them in their backyards. Ignored and neglected, they were treated as ornaments. We now look back upon that time with a greater awareness, our dogs no longer objects or chattel but companions and members of our families. Yet, not everyone in Hawai'i knows this. This has to be remedied immediately, and I believe that a bill outlawing this kind of behavior will allow us and enforcement officers a vehicle for educating those people who, for whatever reason, don't know that tethering a dog is animal cruelty.

The hearing for this bill arrives with good timing. Our neighborhood is one in which dogs and their owners walk daily. Our dogs greet every one of them as they walk by our driveway, and we've fostered good relationships with our neighbors through this activity. However, we have new neighbors who have acquired a mere puppy, and they have had him tethered on a short chain since his arrival. They ignore him. They yell at him. And the result is his pained and incessant barking at all hours of the day and night. This is absolutely heartbreaking for all of us who cherish our animals. And yet, we have no basis upon which to appeal to these new neighbors or recourse to do anything about it.

Please help us to do something about it by passing this bill. It will make our communities stronger in this place where aloha and malama have always been ever-present forces for good.

Mahalo nui loa.

HB-416

Submitted on: 2/8/2021 8:33:19 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Wilcox	Individual	Support	No

Comments:

I support the intent of HB416 but respectfully ask the committee to adopt the amendments suggested by the Hawaiian Humane Society for purposes of clarity and improved enforcement.

HB-416

Submitted on: 2/8/2021 10:43:16 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Marian Hussenbux	Animal Interfaith Alliance in Britain	Support	No

Comments:

Tethering HB416

This bill rightly prohibits specified trolleys, pulleys, cables, or running lines designed to attach a dog to two stationary objects in a configuration that endangers the dog, including by even depriving the dog of sustenance, which is surely an act of cruelty.

It also prohibits the unsupervised tethering of a dog under the age of six months.

This gives dog owners the flexibility they need to keep their animals secure, protects the community from unsecured dogs if necessary, and ensures that dogs who have to be tethered are confined in ways that are safe and allow them adequate shelter, sustenance and freedom of movement.

We understand that proper tethering equipment is readily available and appropriate techniques are easy to implement and that the provisions of the bill are meaningful and enforceable.

Animal Interfaith Alliance in Britain would like to formally endorse this bill.

HB-416

Submitted on: 2/9/2021 1:50:13 AM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Kart	Individual	Support	No

Comments:

Kindly pass this bill

Hawaii is consistently ranked towards bottom of animal welfare due to our lack of progressive animal welfare laws

We have so many pet owners in this state and most are not aware how weak our animal welfare laws are

HB-416

Submitted on: 2/9/2021 6:11:32 AM

Testimony for AGR on 2/10/2021 10:00:00 AM

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

Comments:

Mahalo for hearing this important measure. Please pass HB416 with the amendments from the Hawaiian Humane Society.

HB-416

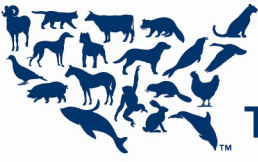
Submitted on: 2/9/2021 7:41:23 AM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Marissa Deponete	Individual	Support	No

Comments:

In support of HB416.



THE HUMANE SOCIETY
OF THE UNITED STATES

To: Representative Mark Hashem, Chair
House Agriculture Committee members

In Support Of: HB 416

Date: February 9, 2021

Testimony By: Lindsay Vierheilig, Hawaii State Director, The Humane Society of the United States

Dear Chair Hashem, Vice Chair Perruso, and members of the House agricultural committee,

My name is Lindsay Vierheilig and I am the Hawaii State Director for The Humane Society of the United States. I am writing to express support for HB 416, which creates reasonable standards for chaining dogs who live outdoors, and urge passage with the amendments proposed by Hawaiian Humane Society. I appreciate the opportunity to submit this written testimony on behalf of our Hawaii members and supporters, and I am grateful to the House of Representatives for recognizing tethering as a critical issue. While our hope is that every dog would share a home with his or her human family, we understand that is not always the case, so it is important that dogs who live outdoors be protected.

Constant, improper chaining puts a dog's health and safety at risk. In many cases, the necks of chained dogs become rubbed raw and covered with sores, the result of cruelly heavy chains, poorly fitted collars and the dogs' yanking and straining to escape confinement. Additionally, it is shockingly common for law enforcement to find dogs with embedded collars, a horrible situation where the collar grows into the skin, typically requiring surgery.

The vagueness of current law makes it difficult for enforcement officers who want to take action before a dog has suffered injury or death. Often, it is too late for the dog and the owner faces criminal charges. HB 416 will create clear guidelines for both owner and officer. The intention is not simply to punish violators, but to create reasonable expectations for the humane treatment of dogs, and allow owners the ability to take proactive steps to comply.

HB 416 offers the following common sense protections for Hawaii's dogs: a) ensures that dogs who are kept outdoors be provided proper and humane restraints, with collars that will not cause pain and tethers that are not egregiously heavy and b) ensures chained dogs are provided adequate food and water. HB 416, with the amendments offered by Hawaiian Humane Society to ensure clarity, is an important step in protecting the people and dogs of Hawaii and we look forward to its passage. Thank you very much for your time.

The Humane Society of the United States requests that HB 416 be reported favorably.

Lindsay Vierheilig
Hawaii State Director
lvierheilig@humanesociety.org
808-462-3561



THE HUMANE SOCIETY
OF THE UNITED STATES

HB-416

Submitted on: 2/9/2021 9:23:33 AM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Ho	Individual	Support	No

Comments:

Hello, My name is Jennifer Ho and I live in Nuuanu. I support HB416 on creating enforceable rules for safely tethering animals. I once saved a very sweet pit bull who was tethered on a heavy chain in front of an empty house. Her chain was tangled around a pole, she could not reach food or water, and her poop was everywhere. I saw her one day and went back the next day only to see the same status- she had not been helped by the owner in 24 hours. This is unacceptable! Please set rules to help keep our animals safe, healthy and uninjured!

Thank you,

Jennifer Ho

808-221-7229

HB-416

Submitted on: 2/9/2021 9:34:18 AM

Testimony for AGR on 2/10/2021 10:00:00 AM

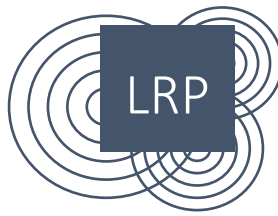
Submitted By	Organization	Testifier Position	Present at Hearing
Serena Stefanic-Phillip	Hawaiian Humane Society	Support	No

Comments:

I am testfying **in favor Bill HB416** which would prohibit the use of specific tethering equipment and techniques that are injurious to dogs.

Serena Stefanic-Phillip

Punalu'u, Hawaii



Date: February 9, 2021

Submitted By: Laura Peterson, Molokai resident, teacher, and board member of the Molokai Humane Society

RE: Testimony in strong support of HB 416: Cruelty to Animals, Restraints, Penalties
Wednesday, Feb. 10, 2021, 2:10 p.m., Capitol Room 325 via VC

For years, animal advocacy groups have been trying to pass this or similar bills in order to help raise the quality of life for “pets” on our islands. These bills have not successfully passed.

If you come to the beautiful, rural island of Molokai, you will be astounded by the beauty and the simple, laid-back lifestyle. It is truly a place that reflects Hawaii as it was many years ago. If you look a little closer, it is sometimes a shocking discovery to see the way that many of our dogs are treated. That mentality, too, is from many years ago, and it is *startling* to witness.

Animal Control has been both an unfilled position and inconsistent in enforcement, until a few months ago. Now, we have an officer in place that is willing and committed to increasing the quality of life for the many dogs on island that have ONLY experienced life on the end of a chain. I have witnessed them with no shade, food, or water, and eating their own feces for sustenance. I will never forget the little dog I found starving and covered with ticks on the end of a cable. Many of my students also knew of this dog. I contacted animal control, who contacted the owner, and it was determined that the situation was “okay” and the owner had just “forgotten to buy food.” That dog was dead two weeks later. That dog is why I write this letter.

Our laws need to model compassion. If our laws model compassion towards animals, then our communities will model compassion, then our families, then our children. It is that simple.

Molokai Humane Society (MoHS) is the sole provider of animal care on-island. Our purpose is that we are “committed to building humane and caring bonds between the people and animals of Molokai.” I urge you to pass HB 416, as a Molokai resident, a teacher, a MoHS board member, and a human being.

Mahalo for your consideration,

Laura Peterson

Laura Peterson

PO Box 482136, 46 Iliahi Place Kaunakakai, HI, 96748
Phone: (808) 658-6001

HB-416

Submitted on: 2/9/2021 9:50:36 AM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Foster	Individual	Support	No

Comments:

In support of Bill HB416

LATE

HB-416

Submitted on: 2/9/2021 11:53:52 AM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Martha Randolph	Individual	Support	No

Comments:

Dear Committee

I support this bill because it is basically about the humane treatment of animals (most often dogs) which are supposed to be protecting an owners property or business and which are so often neglected due to ignorance or calousness.

There can be NO reason NOT to pass this bill because it is not about retribution and far more about information and learning. Please do not let anymore animals suffer because someone did not care or did not know better.

sincerely

Martha E Randolph

DPH Environmental Caucus SCC Rep

DPH Kupuna Caucus Treasurer

DPH Precinct 4 President

LATE

HB-416

Submitted on: 2/9/2021 12:10:48 PM

Testimony for AGR on 2/10/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Taurie Kinoshita	Individual	Support	No

Comments:

I strongly support HB416. Restraints and tethers that endanger, or deny sustenance, to a dog are cruel and unacceptable. This bill authorizes the court to assess fines, order performances of community service, require mental health counseling, or order attendance at educational classes concerning animal abuse prevention in addition to or in lieu of other penalties. This is crucial because animal cruelty must be prevented. Also, animal cruelty often signals other deep and dangerous issues involving humans, and therefore is a reliable warning sign and preventative tool.

LATE

Subject: SUPPORT House Bill 416

Aloha Chair Hashem, Vice Chair Perruso and members of the committee.

I support the intent of HB416, which balances the need for pet owners to have options for keeping their dogs confined to their property, while also making sure dogs are not at risk of entanglement or injury from the very equipment meant to keep them safe. Proper tethering equipment is readily available and appropriate techniques are easy to implement.

I am grateful that the bill prohibits the unsupervised tethering of dogs who are less than six months old. Puppies are notoriously uncoordinated. Also, the first six months of a puppy's life are critical for social bonding. They should be left alone as little as possible, but crate training is preferable when they have to be left by themselves.

I urge the committee to adopt the clarifying amendments proposed by the Hawaiian Humane Society and to pass HB416. Thank you for the opportunity to testify.

Sincerely,

Natalie Spencer
819 Papalalo Pl
Honolulu, HI 96825

Wednesday, February 10, 2021
10:00AM

Dear Chair Mark Hashem, Vice Chair Amy Perruso and Members of the House Committee on Agriculture,

Inappropriate dog tethering creates enormous suffering across our state. I support the intent of HB416 and ask the committee to adopt the amendments proposed by the Hawaiian Humane Society.

Outlawing dog fighters' cruel practice of using tow and log chains to restrain their dogs is reason enough to pass this bill. But having a clear, enforceable tethering law also allows officers to educate pet owners about other potential issues with dog tethering, such as isolation and frustration. Dogs are happiest as full family members. Improper or prolonged tethering causes mental anguish, which increases the risk that a dog will lash out, even against members of its own household. Often the victims are children.

Please pass this bill with the amendments proposed by the Hawaiian Humane Society to protect dogs and their human family members.

Mahalo for taking up this important issue.

Sincerely,

Serena Stefanic-Phillip
53-330 Kamehameha Hwy
Hauula, HI 96717

DATE: Wednesday, February 10, 2021
TIME: 10:00 a.m.
PLACE: VIA VIDEOCONFERENCE
Conference Room 325
State Capitol
415 South Beretania Street

Regarding House Bill 416 Relating to Section 711-1109, Hawaii Revised Statutes

Aloha Chair Hashem, Vice Chair Perruso and members of the House Committee on Agriculture,

I strongly support House Bill 416 relating to dog tethering as amended by the Hawaiian Humane Society. This bill is particularly important. I've had the very sad experience of witnessing through visitation of various neighborhoods- animals who perished through suffering in this regard.

Dog tethering can be used sparingly as a way to confine dogs when better alternatives, such a staying inside the home or in a fenced yard, are unavailable. When dogs are tethered, it is important that they be restrained by equipment that is safe and in ways that allow them full access to food, water and shelter. HB416 would make sure of that.

The Hawaiian Humane Society has been working on this issue for many years with the goal of passing a bill that is specific and enforceable. I support its proposed amendments to HB416.

Thank you for your time and attention.

Sincerely,

Cynthia Tucker
5-4280 Kuhio Hwy
Princeville, HI 96722

Subject: Support for HB 416

Wednesday, February 10, 2021
10:00AM

Dear Chair Mark Hashem, Vice Chair Amy Perruso and Members of the House Committee on Agriculture,

Inappropriate dog tethering creates enormous suffering across our state. I support the intent of HB416 and ask the committee to adopt the amendments proposed by the Hawaiian Humane Society.

Outlawing dog fighters' cruel practice of using tow and log chains to restrain their dogs is reason enough to pass this bill. But having a clear, enforceable tethering law also allows officers to educate pet owners about other potential issues with dog tethering, such as isolation and frustration. Dogs are happiest as full family members. Improper or prolonged tethering causes mental anguish, which increases the risk that a dog will lash out, even against members of its own household. Often the victims are children.

Compassionately please support this bill that would outlaw the cruel practice of chaining dogs up. They are often neglected, isolated, and not given the proper care these animals require. Thank you so much for considering this.

Mahalo for taking up this important issue.

Sincerely,

Michele Hope Velasco
1530 16th Ave
Honolulu, HI 96816

SUPPORT House Bill 416

Aloha Chair Hashem, Vice Chair Perruso and members of the committee.

I support the intent of HB416, which balances the need for pet owners to have options for keeping their dogs confined to their property, while also making sure dogs are not at risk of entanglement or injury from the very equipment meant to keep them safe. Proper tethering equipment is readily available and appropriate techniques are easy to implement.

I am grateful that the bill prohibits the unsupervised tethering of dogs who are less than six months old. Puppies are notoriously uncoordinated. Also, the first six months of a puppy's life are critical for social bonding. They should be left alone as little as possible, but crate training is preferable when they have to be left by themselves.

I urge the committee to adopt the clarifying amendments proposed by the Hawaiian Humane Society and to pass HB416. Thank you for the opportunity to testify.

Sincerely,

DJ Sakata
95-422 Lauawa St
Mililani, HI 96789

Please Support House Bill 416

DATE: Wednesday, February 10, 2021

TIME: 10:00 a.m.

PLACE: VIA VIDEOCONFERENCE

Conference Room 325

State Capitol

415 South Beretania Street

Regarding House Bill 416 Relating to Section 711-1109, Hawaii Revised Statutes

Aloha Chair Hashem, Vice Chair Perruso and members of the House Committee on Agriculture,

I am sick of seeing dogs chained up and on ropes. It leads to painful injury. This is abusive and neglect. Do the right thing!

I support House Bill 416 relating to dog tethering as amended by the Hawaiian Humane Society.

Dog tethering can be used sparingly as a way to confine dogs when better alternatives, such as staying inside the home or in a fenced yard, are unavailable. When dogs are tethered, it is important that they be restrained by equipment that is safe and in ways that allow them full access to food, water and shelter. HB416 would make sure of that.

The Hawaiian Humane Society has been working on this issue for many years with the goal of passing a bill that is specific and enforceable. I support its proposed amendments to HB416.

Thank you for your time and attention.

Mahalo,

Hannah Mizuno
218 Kawaikui Pl
Honolulu, HI 96821

DATE: Wednesday, February 10, 2021
TIME: 10:00 a.m.
PLACE: VIA VIDEOCONFERENCE
Conference Room 325
State Capitol
415 South Beretania Street

Regarding House Bill 416 Relating to Section 711-1109, Hawaii Revised Statutes

Aloha Chair Hashem, Vice Chair Perruso and members of the House Committee on Agriculture,

I support House Bill 416 relating to dog tethering as amended by the Hawaiian Humane Society.

Dog tethering can be used sparingly as a way to confine dogs when better alternatives, such as staying inside the home or in a fenced yard, are unavailable. When dogs are tethered, it is important that they be restrained by equipment that is safe and in ways that allow them full access to food, water and shelter. HB416 would make sure of that.

I witnessed first hand over 40 years ago in Kaimuki two dogs entangled in tethers & choke chain collars. One was a puppy. We called 911 & the emergency responders said that they were not allowed to enter private property. They would not allow us to enter either. The dogs were screaming/barking/whining for over 1.5 hours because the larger dog's paw was caught in the puppy's choke chain & they both were tethered. When one firefighter finally went in w/protective gear & cut the chain..the puppy was dead & the adult dog's paw & leg had to be amputated. It was so horrific & I will never forget it.

The Hawaiian Humane Society has been working on this issue for many years with the goal of passing a bill that is specific and enforceable. I support its proposed amendments to HB416.

Thank you for your time and attention.

Sincerely,

Jennifer Wada
PO Box 152
Papaaloa, HI 96780