

MAR 11 2022

SENATE CONCURRENT RESOLUTION

URGING THE COUNTIES TO MORE EFFECTIVELY AND MEANINGFULLY
COORDINATE THEIR POLICE ENFORCEMENT AND PUBLIC AWARENESS
EFFORTS WITH THE STATE AND WITH HUMANE SOCIETIES AND OTHER
ANIMAL WELFARE ORGANIZATIONS CONCERNING THE DANGERS POSED
BY UNLEASHED DOGS TO HUMANS AND TO OTHER ANIMALS IN PUBLIC
AREAS.

1 WHEREAS, in Act 30, Session Laws of Hawaii 2021, the
2 Legislature found that dog bites are among the top reasons for
3 emergency room visits, ranking higher than injuries occurring on
4 motorcycles, to pedestrians, and from gunshots; and

5
6 WHEREAS, section 142-74, Hawaii Revised Statutes, creates a
7 civil action for an incident when a dog attacks another animal,
8 and also allows for counties to promulgate their own ordinances
9 for enforcement of county animal control policy, whether in park
10 areas or on other public lands; and

11
12 WHEREAS, section 142-75 Hawaii Revised Statutes, creates a
13 civil action for a dog attack on humans, and also allows for
14 counties to promulgate their own ordinances for enforcement of
15 county animal control policy, whether in park areas or on other
16 public lands; and

17
18 WHEREAS, unleashed dogs potentially pose a serious danger
19 not only to humans but also to other pet animals; and

20
21 WHEREAS, serious bodily injury to a person such as by
22 laceration would constitute felony assault if performed by a
23 person but only constitutes a misdemeanor for the dog owner if
24 the result of a dog bite; and

25
26 WHEREAS, an attack by an unleashed dog on a leashed dog can
27 easily result in serious injury or death to the leashed animal,
28 as well as potentially serious injury and emotional distress to



1 any person attempting to prevent or disengage the attacking
2 animal from causing harm; and
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4 WHEREAS, all counties require by ordinance or
5 administrative rule that, with the exception of a limited number
6 of enclosed public off-leash dog parks, all dogs must be on a
7 leash in public areas, including on all public sidewalks and
8 roadsides; and
9

10 WHEREAS, a substantial majority of all state parks and
11 recreation areas, as well as a majority of all county parks and
12 recreation areas, prohibit all pet animals generally, including
13 both leashed and unleashed dogs, and despite clearly posted
14 signs prohibiting animals, many persons bring dogs to such
15 areas, creating a potentially dangerous situation for park users
16 who have a reasonable expectation that lawful prohibitions on
17 animals will be enforced; and
18

19 WHEREAS, humane societies or other animal welfare
20 organizations in each county are authorized to provide animal
21 control, impoundment, and destruction services under certain
22 circumstances in coordination with county police departments for
23 incidents involving dog-on-animal and dog-on-human attacks; and
24

25 WHEREAS, for a person who has been bitten by a dog or whose
26 animal has been bitten by a dog, and who chooses to contact
27 authorities to seek criminal or civil remedies, the delineation
28 of roles and enforcement authority among county police
29 departments, state park enforcement authorities in the case of
30 state parks, and the humane societies or any other animal
31 welfare organization can be unclear and confusing, and often
32 results in the appearance of one enforcement authority assigning
33 responsibility or blame to a different authority without
34 providing meaningful assistance to the affected person; and
35

36 WHEREAS, increased education of the public concerning leash
37 laws, sanctions for violations of prohibitions on animals in
38 certain parks and recreation areas, possible civil and criminal
39 penalties in the event of dog-on-animal or dog-on-human attacks,
40 and the actual roles of county or state law enforcement
41 authorities and humane society or other animal welfare



1 organization control officers would increase public confidence
2 in enforcement and make public areas safer; now, therefore,
3

4 BE IT RESOLVED by the Senate of the Thirty-first
5 Legislature of the State of Hawaii, Regular Session of 2022, the
6 House of Representatives concurring, that the City and County of
7 Honolulu, County of Maui, County of Hawaii, and County of Kauai
8 are strongly urged to strengthen their efforts to meaningfully
9 enforce all laws, ordinances, and administrative rules regarding
10 off-leash animals in public spaces so as to better protect the
11 public and pet animals; and
12

13 BE IT FURTHER RESOLVED that the City and County of
14 Honolulu, County of Maui, County of Hawaii, and County of Kauai
15 are strongly urged, with respect to state parks within their
16 jurisdictions, to pro-actively coordinate their county police
17 department efforts with the enforcement officers of the Division
18 of State Parks of the Department of Land and Natural Resources;
19 and
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21 BE IT FURTHER RESOLVED that the county police departments
22 of each of the counties are urged to strengthen their efforts to
23 coordinate animal control services with each of the authorized
24 humane societies or animal welfare organizations within their
25 jurisdiction and, in the case of a dog attack on a human or dog
26 attack on another animal, that all complainants requesting
27 assistance receive an immediate and clear explanation of the
28 delineation of roles among all enforcement authorities and
29 entities, including explanation of any lawful impoundment or
30 destruction procedures and potential civil or criminal remedies
31 under state or county law; and
32

33 BE IT FURTHER RESOLVED that the City and County of
34 Honolulu, County of Maui, County of Hawaii, and County of Kauai,
35 together with any humane societies or animal welfare
36 organizations authorized within their jurisdictions for purposes
37 of animal control, are strongly urged to undertake public
38 awareness activities bringing attention to the dangers posed by
39 unleashed dogs to humans and other animals; and
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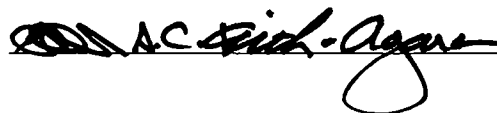
41 BE IT FURTHER RESOLVED that certified copies of this
42 Concurrent Resolution be transmitted to the Chairperson of the



S.C.R. NO. 196

1 Board of Land and Natural Resources, Director of the Department
2 of Parks and Recreation of the City and County of Honolulu,
3 Director of the Department of Parks and Recreation of the County
4 of Maui, Director of the Department of Parks and Recreation of
5 the County of Kauai, Director of the Department of Parks and
6 Recreation of the County of Hawaii, Chief of the Honolulu Police
7 Department, Chief of the Maui Police Department, Chief of the
8 Hawaii Police Department, Chief of the Kauai Police Department,
9 President and Chief Executive Officer of the Hawaiian Humane
10 Society, Chief Executive Officer of the Maui Humane Society,
11 President of the Hawaii Island Humane Society, and Executive
12 Director of the Kauai Humane Society.

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OFFERED BY:

A handwritten signature in black ink, appearing to read "AC Rich-Agnew", is written over a horizontal line.

