

JON N. IKENAGA
STATE PUBLIC DEFENDER

DEFENDER COUNCIL
1130 NORTH NIMITZ HIGHWAY
SUITE A-254
HONOLULU, HAWAII 96817

HONOLULU OFFICE
1130 NORTH NIMITZ HIGHWAY
SUITE A-254
HONOLULU, HAWAII 96817

APPELLATE DIVISION
TEL. NO. (808) 586-2080

DISTRICT COURT DIVISION
TEL. NO. (808) 586-2100

FAMILY COURT DIVISION
TEL. NO. (808) 586-2300

FELONY DIVISION
TEL. NO. (808) 586-2200

FACSIMILE
(808) 586-2222



STATE OF HAWAII
OFFICE OF THE PUBLIC DEFENDER

HAYLEY Y.C. CHENG
ASSISTANT PUBLIC DEFENDER

HILO OFFICE
275 PONAHAHAWAI STREET
SUITE 201
HILO, HAWAII 96720
TEL. NO. (808) 974-4571
FAX NO. (808) 974-4574

KONA OFFICE
75-1000 HENRY STREET
SUITE #209
KAILUA-KONA HI 96740
TEL. NO. (808) 327-4650
FAX NO. (808) 327-4651

KAUA'I OFFICE
3060 EIWA STREET
SUITE 206
LIHUE, HAWAII 96766
TEL. NO. (808) 241-7128
FAX NO. (808) 274-3422

MAU'I OFFICE
81 N. MARKET STREET
WAILUKU, HAWAII 96793
TEL. NO. (808) 984-5018
FAX NO. (808) 984-5022

Testimony of the Office of the Public Defender, State of Hawaii to the Senate
Committee on Judiciary

3-14-2024

Chair: Sen. Karl Rhoads
Vice Chair: Sen. Mike Gabbard
Honorable Committee Members

The Office of the Public Defender respectfully **opposes** HB 1580, HD 1.

The purpose of this Bill is to increase the penalties for all crimes involving cruelty to animals, in the hope that said increases will deter individuals from committing these crimes. The OPD oppose these types of measures, because there is no established corollary between an increase in penalties and the deterrence of the criminal activity. What does happen, is that our prison populations increase, leading to a further financial burden for the state of Hawaii. Perhaps a more effective mechanism to deter such conduct would be to have enhanced penalties for a repeated violation of such crimes. Thus, when sentenced for the first time, a defendant can be warned of the enhanced penalties for future crimes, which may deter them from committing said future offenses, and they can then benefit from specific terms of probation to modify thinking related to the treatment of animals. To set such serious punishments, such as 10 or 20 years of incarceration for first time offenders equates the crimes herein, to many of our most serious criminal offenses. The OPD shares the belief that cruelty to any sentient being should not be tolerated in any decent society, but to create a cultural change regarding this concept takes more than harsh punishments. Instead, we need reminding that we are not just human beings, but humane beings.

Thank you for the opportunity to comment on this measure.



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813
Ph. (808) 586-8121 (V) • TTY (808) 586-8162 • Fax (808) 586-8129

March 14, 2024

TESTIMONY TO THE SENATE COMMITTEE ON JUDICIARY

House Bill 1580 HD1– Relating to Animal Cruelty

The Disability and Communication Access Board (DCAB) supports House Bill 1580 HD1 Relating to Animal Cruelty.

The bill amends the criminal penalties for various animal cruelty offenses by increasing the category of offense.

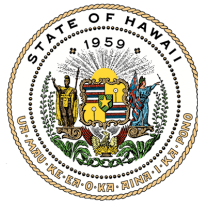
Section 7 of the bill specifically proposes to change the penalty for causing injury or death to a service animal from a class C felony to a class B felony. When a service animal is injured or killed, not only has pain been inflicted upon the animal, but the person with the disability suffers a secondary impact of losing the services of the animal. The result is a limitation on their full participation in society and in their jobs. This bill will help prevent service animals from being injured or killed.

Thank you for considering our position.

Respectfully submitted,

KIRBY L. SHAW
Executive Director

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



JORDAN LOWE
DIRECTOR

MICHAEL VINCENT
Deputy Director
Administration

JARED K. REDULLA
Deputy Director
Law Enforcement

SYLVIA LUKE
LT GOVERNOR
KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LAW ENFORCEMENT

Ka 'Oihana Ho'okō Kānāwai

715 South King Street
Honolulu, Hawaii 96813

TESTIMONY ON HOUSE BILL 1580, HOUSE DRAFT 1
RELATING TO ANIMAL CRUELTY
Before the Senate Committee on Judiciary
Thursday, March 14, 2024; 9:30 a.m.
State Capitol Conference Room 016, Via Videoconference
WRITTEN TESTIMONY ONLY

Chair Rhoads, Vice Chair Gabbard, and members of the Committee:

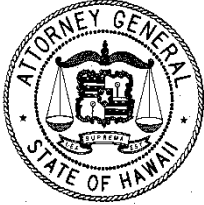
The Department of Law Enforcement (DLE) **supports** House Bill 1580, House Draft 1.

This bill increases category of offense for various criminal penalties relating to animal cruelty.

Part of this bill amends §711-1109.3 relating to Cruelty to Animals by Fighting Dogs in the First Degree from a Class B Felony to a Class A Felony. Events involving the illegal fighting of animals not only involve the cruelty to the animals pressed into fighting, but typically involve a host of other illegal activities including gambling, promotion of various categories of drugs, and acts of violence. Compounding the problem is the fact that these illegal activities regularly involve various levels and bodies of organized crime thereby further endangering our community and those present.

While some will disregard the penalties of the illegal behavior, this bill will help defer participation in these events by many.

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



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2024**

ON THE FOLLOWING MEASURE:

H.B. NO. 1580, H.D. 1, RELATING TO ANIMAL CRUELTY.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY

DATE: Thursday, March 14, 2024 **TIME:** 9:30 a.m.

LOCATION: State Capitol, Room 016 and Videoconference

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Tricia M. Nakamatsu, Deputy Attorney General

Chair Rhoads and Members of the Committee:

The Department of the Attorney General (the Department) provides the following comments.

The purpose of this bill is to address the increase in animal cruelty cases in Hawaii by amending the criminal penalties for several animal cruelty offenses in chapter 711, Hawaii Revised Statutes (HRS).

The increased penalties should provide a greater deterrent to such animal cruelty offenses. However, placing multiple levels of a criminal penalty in the same subsection of the HRS, as is done in section 711-1109(4) is unnecessarily confusing and should be avoided when possible. For purposes of clarity in charging and record keeping, the Department recommends separating different levels of penalty into separate subsections. Thus, the Department suggests amending the penalty provisions for animal cruelty in the second degree in section 711-1109(4), HRS, as amended by section 3 of the bill, on page 2, line 14, through page 3, line 3, to read as follows:

(4) Cruelty to animals in the second degree is a misdemeanor, except ~~[that if the offense involves ten or more pet animals in any one instance, then cruelty to animals in the second degree is a class C felony.]~~ as provided in subsection (5).

(5) If the offense involves the death of an animal, or if it involves ten or more pet animals in any one instance, cruelty to animals in the second degree is a class B felony. In addition to any other penalties

imposed, the person shall be prohibited from possessing or owning any animal for a minimum of five years from the date of conviction.

Please note that, as indicated on page 119 of the Hawaii Legislative Drafting Manual, the addition of the new subsection (5) will require that the entire section 711-1109 be set forth in section 3 of the bill.

Thank you for the opportunity to comment on this bill.

STEVEN S. ALM
PROSECUTING ATTORNEY
LOIO HO'OPI'I

**DEPARTMENT OF THE PROSECUTING
ATTORNEY
KA 'OIHANA O KA LOIO HO'OPI'I
CITY AND COUNTY OF HONOLULU**

THOMAS J. BRADY
FIRST DEPUTY PROSECUTING ATTORNEY
HOPE MUA LOIO HO'OPI'I

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 768-7400 • FAX: (808) 768-7515 • WEBSITE: www.honoluluProsecutor.org



**THE HONORABLE KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY
Thirty-Second State Legislature
Regular Session of 2024
State of Hawai'i**

March 14, 2024

RE: H.B. 1580 HD 1; RELATING TO ANIMAL CRUELTY.

Chair Rhoads, Vice-Chair Gabbard, and members of the Senate Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”) **supports** H.B. 1580 with one proposed amendment.

H.B. 1580 increases the statutory penalties for various animal cruelty offenses. Research has demonstrated a nexus between animal abuse and other crimes. One study compared the criminal records of animal abusers with control participants, finding higher rates of interpersonal violence, property crimes, and drug offenses among the animal abusers.¹ Another identified pet abuse among four significant risk factors for perpetrating domestic violence.² The Department supports increased penalties for this serious and disturbing crime.

¹ Arnold Arluke et al., *The Relationship of Animal Violence and Other Forms of Antisocial Behavior*, 14 J. Interpersonal Violence 963-75 (1999). See also Sharon L. Nelson, *The Connection Between Animal Abuse and Family Violence: A Selected Annotated Bibliography*, 17 Animal L. 369 (2011).

² Benita J. Walton-Moss et al., *Risk Factors for Intimate Partner Violence and Associated Injury Among Urban Women*, 30 J. Cmty. Health 377-89 (2005).

To strengthen and clarify this proposed law, the Department recommends revising Section 3 of the bill to read:

(4) Cruelty to animals in the second degree shall be a misdemeanor; provided that if the offense involves ten or more pet animals in any one instance or the death of any animal, then cruelty to animals in the second degree shall be a class B felony and in addition to any fines and imprisonment imposed under this section, any person convicted under this section shall be prohibited from possessing or owning any animal for a minimum of five years from the date of conviction.

The animal cruelty statute distinguishes between animals³ and pet animals.⁴ As currently worded, the aggravating circumstance would occur upon (1) the death of the animal or (2) the death of ten or more pet animals in any one instance. So fatally torturing a single salamander would qualify as a Class B felony, but not fatally torturing nine cats or dogs. The proposed revision instead aggravates the offense if (1) the offense involves ten or more pet animals in any one instance or (2) the animal dies as a result of the offense.

Thank you for the opportunity to testify on this matter.

³ H.R.S. § 711-1100 (West, Westlaw through Act 1 of the 2024 Regular Session) (“Animal’ includes every living creature, except a human being.”).

⁴ *Id.* (defining “pet animal” as a dog, cat, domesticated rabbit, guinea pig, domesticated pig, or certain orders of caged birds).



Hawaiian Humane Society
People for animals. Animals for people.

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

Date: March 12, 2024

To: Chair Sen. Karl Rhoads
Vice Chair Sen. Mike Gabbard
and Members of the Committee on Judiciary

Submitted By: Stephanie Kendrick, Director of Community Engagement
Hawaiian Humane Society, 808-356-2217

RE: Testimony in support of HB 1580, HD1: Relating to Animal Cruelty
Thursday, March 14, 2024, 9:30 a.m., Room 016 & Videoconference

On behalf of the Hawaiian Humane Society, thank you for considering our support for House Bill 1580, HD1, which amends the criminal penalties for various animal cruelty offenses by increasing the category of offense.

Animal cruelty is an extremely difficult crime to prosecute for a variety of reasons. Its victims cannot seek justice for themselves. Many offenses take place behind closed doors. Witnesses frequently know the perpetrators and are unwilling to testify, often out of fear.

Those fears are not irrational. Decades of research has established correlations between animal abuse, child abuse and neglect, domestic violence, elder abuse, and other forms of violence. In recognition of this mounting body of evidence, the FBI added four types of animal abuse to the National Incident Based Reporting System in 2016: Physical abuse or torture; simple or gross neglect; animal sexual abuse; and organized animal abuse (animal fighting). In minimizing the consequences of animal cruelty, which our state legal system currently does, we are putting both people and animals at risk.

When there is sufficient evidence to bring an animal cruelty case to trial, the hard work and bravery it takes to bear witness on behalf of vulnerable animals results in minor penalties, almost never including jail time. This measure would elevate the penalties in these cases, which is appropriate given that only the most egregious abuse is ever brought to trial.

Please pass HB 1580, HD1, to take effect upon approval for the protection of animals and people. Mahalo for your consideration.

HB-1580-HD-1

Submitted on: 3/12/2024 1:08:47 AM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Marian Hussenbux	Testifying for Animal Interfaith Alliance in Britain	Support	Written Testimony Only

Comments:

HB1580 HD1 Relating to Animal Cruelty increases penalties for the most egregious animal cruelty offenses including animal sexual abuse, first degree cruelty cases involving torture and the use of body-gripping traps.

We are in full support of this important Bill and request that it take effect upon approval.

HB-1580-HD-1

Submitted on: 3/13/2024 6:44:30 AM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Chantell Moniz	Testifying for Hina's Legacy Rescue Foundation	Support	Remotely Via Zoom

Comments:

My name is Chantell Moniz, President of Hina's Legacy Rescue Foundation. I strongly support this bill to increase penalties. These past months we have had a huge increase in animal cruelty. This past Monday there was a dog with its head cut off and remains dumped in a trash can at 711 Kapolei. It is unfortunate that the outdoor security cameras is not working. These cases continues to run under the radar, and no justice for these animals. Please allow this bill to move forward in hopes that Hawaii can someday be a safer place for animals.

HB-1580-HD-1

Submitted on: 3/13/2024 8:20:59 AM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tiffany Kim	Testifying for FUR-ANGEL FOUNDATION	Support	Written Testimony Only

Comments:

In strong support of HB1580 Relating to Animal Cruelty. In ten years we have seen so many cases of animal cruelty, and yet to my knowledge, not one of those cases have ever resulted in incarceration for the perpetrator. By increasing penalties we hope that the threat of harsher punishments will deter individuals from committing these crimes, and in the event there is enough evidence to prosecute, deter others by setting a strong enough example. Please help us keep our community safe.

Tiffany Kim

Fur-Angel Foundation

Ewa Beach, Hawaii



March 14, 2024, 930am

JDC Committee

RE: SUPPORT for HB1580; Relating to Animal Cruelty

Dear Chair Rhoads, Vice-Chair Gabbard and Judiciary Committee Members,

The Animal Welfare Institute **supports increasing penalties for certain animal cruelty related offenses as proposed in HB1580, especially for the most egregious offenses such as first degree animal cruelty, animal sexual abuse and organized animal fighting.** Research has long demonstrated that animal cruelty often leads to crimes against humans, and that animal fighting goes hand in hand with other criminal activities such as illegal gambling, drug distribution, illegal firearms, child endangerment and human violence.

It is extremely challenging to investigate many of these cases and even when charges are brought forward against perpetrators, cases may be dismissed or pleaded down. This is especially common for those crimes that remain mere misdemeanors, such as animal sexual abuse and cockfighting. Given the relatively few number of cases that actually result in prosecution, the penalties, whether in jail time or fines, must be commensurate with the crime and serve as strong deterrents for other would-be offenders.

We suggest **one amendment** to please clarify that if there is any conflict with the proposed statutory penalties in HB1580, and those in existing statute, that the higher penalty shall apply. Further, we ask the Committee to please determine if a severability clause is needed.

Thank you for your consideration of our testimony.

Inga Gibson
On behalf of the Animal Welfare Institute

HB-1580-HD-1

Submitted on: 3/14/2024 12:28:40 AM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Frannie Pueo	Testifying for Hui Pono Holoholona	Support	Written Testimony Only

Comments:

Aloha,

I support Increasing penalties for all forms of animal abuse/cruelty. This includes cockfighting/dogfighting or any misuse and inhumane treatment to all animals.

Cockfighting is criminally linked to gambling and for \$200 plus, these fighting roosters are easy to purchase from Craigs List or social media. It is so blantant obvious there is a market and high demand for these aggressive fighting roosters. Commonly to see tethered by the hundreds in backyards. One particular parcel is off of South Kopua Road, acre, after acre after acres are tethered fighting roosters. Guaranteed their not laying eggs!

Please increase penalties and I support Bill HB1980 and HB 1580

Frances P. Pueo

P.o. Box 943 Mt.View, Hi 96771

HB-1580-HD-1

Submitted on: 3/8/2024 4:56:05 PM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Scott Kidd	Individual	Support	Written Testimony Only

Comments:

I support this measure

HB-1580-HD-1

Submitted on: 3/10/2024 3:14:10 PM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

This bill is sorely needed. All too often we see news stories about cruelty to animals and it seems the guilty parties only receive a slap on the wrist. We need penalties that fit the crime.

I urge you to move this bill forward and to remove the defective effective date.

HB-1580-HD-1

Submitted on: 3/10/2024 3:29:15 PM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sandie Wong	Individual	Support	Written Testimony Only

Comments:

I strongly support HB 1580, HD1.

HB-1580-HD-1

Submitted on: 3/10/2024 9:34:28 PM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Roger Pavao	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose HB1580 hd1

HB-1580-HD-1

Submitted on: 3/10/2024 10:02:44 PM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Justin	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose hn1580 hd1

HB-1580-HD-1

Submitted on: 3/11/2024 8:26:30 AM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Duane Lum	Individual	Oppose	Written Testimony Only

Comments:

Aloha! My name is Duane Lum and was Born and Raised here in the Island of Oahu and of Filipino Descent!

I oppose Senate Bill 2684

I don't agree that people should become felons for raising game birds. I don't agree that we should go to jail for it, I don't agree with the word "intent" because it gives room for people to determine based on there own moral compass if someone is or isn't committing a crime. It needs to be more specific. My family and I have been raising Gamefowl as part of our Filipino Heritage and to Practice our Culture and for my Sons to Show them in our Annual Hawaii Game Breeders Poultry Show!

Thank You and God Bless!

HB-1580-HD-1

Submitted on: 3/11/2024 11:43:35 AM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Laurie Foster	Individual	Support	Written Testimony Only

Comments:

We must pass this bill. The animals have no protection from these horrendous crimes.

HB-1580-HD-1

Submitted on: 3/11/2024 11:48:33 AM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nandita Sharma	Individual	Support	Written Testimony Only

Comments:

I support this Bill relating to Animal Cruelty. While this Bill only increases penalties for the most egregious animal cruelty offenses including animal sexual abuse, first degree cruelty cases involving torture and the use of body-gripping traps, it is at least trying to do something to address the egregious harm too many people in the state of Hawaii inflict on other-than-human animals.

HB-1580-HD-1

Submitted on: 3/11/2024 1:40:34 PM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Natalie Graham-Wood	Individual	Support	Written Testimony Only

Comments:

I support HB1580 hd1. I live at Sunset Beach, North Shore, Oahu.

HB-1580-HD-1

Submitted on: 3/11/2024 4:05:46 PM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Melanie Kim	Individual	Support	Written Testimony Only

Comments:

Legislators please support this bill. Animals are are being tortured, left to suffer and die painful deaths with caught offenders being given minimal punishment. Offenders who torture and kill animals will often lead to worse violence and crime. Please given justic to these poor creatures and increase the penalties when crimes like this are committed.

HB-1580-HD-1

Submitted on: 3/11/2024 5:12:17 PM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Bonnie Gollero	Individual	Support	Written Testimony Only

Comments:

Every fiber in me adamantly supports this bill.

At the prior committee hearing on this bill, I believe a Chantelle Moniz, founder of Hina's Legacy Rescue Foundation, was the gal who had shown photos during her in-person testimony, of dogs that were brutally tortured or violently killed by their owners. Hearing her describe the atrocities committed on each dog was extremely difficult to hear. From the very second she began, I was uncontrollably sobbing, and I am crying as I write this. No animal should have had to be sadistic ally tortured and killed because we don't have laws to protect them. There is no punishment great enough to make amends for what has happened. These perverted criminals should be executed.

It is my hope that Chantelle will be at this hearing, as well, to show those photos again with each retelling, because a-picture-paints-a-thousand-words so very aptly applies.

Please pass this bill. Words simply can not sufficiently convey how sorely needed this is.

HB-1580-HD-1

Submitted on: 3/11/2024 5:15:09 PM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lois Crozer	Individual	Support	Written Testimony Only

Comments:

I don't even want to know why this needs to be a bill but obviously there are some very sick people out there. Please protect our animals, especially our pets who depend on us for their security. Whatever it is that they are doing to facilitate the need for this bill, let's stop it now.

HB-1580-HD-1

Submitted on: 3/11/2024 5:28:48 PM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Moses Kauhaahaa	Individual	Oppose	Written Testimony Only

Comments:

I MOSES KAUHAAHAA FROM MAUI, HAWAII

I OPPOSE THIS BILL HB1580 HD1

HB-1580-HD-1

Submitted on: 3/11/2024 9:50:21 PM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephanie McLaughlin	Individual	Support	Written Testimony Only

Comments:

Please support this important bill which will help animals in Hawaii.

HB-1580-HD-1

Submitted on: 3/12/2024 10:24:51 AM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Carole R. Richelieu	Individual	Support	Written Testimony Only

Comments:

Support increasing penalties for the most egregious animal cruelty offenses and an effective date of upon approval.

Hawaii Kai

COMMITTEE ON JUDICIARY
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

RE: HB1580, HD1
In Support

Dear Senator Rhoads, Senator Gabbard, and the members of the committee,

I am an elementary school student living in Honolulu.

I support HB1580 because animal cruelty is just wrong and is something I feel strongly about. The penalties are not severe enough to keep people from doing it. If the penalties are increased then people will stop doing it.

Please support HB1580 and make it effective immediately.

Thank you,
Luke Nagasako
Makiki

HB-1580-HD-1

Submitted on: 3/12/2024 11:02:32 AM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Renee Rabb	Individual	Support	Written Testimony Only

Comments:

Dear Chair and Members:

I accidentally attached to my testimony on HB1580 to HB1980. So now I am attaching my testimony on HB1980 to HB 1580. I am sorry for the mistake.

I very strongly support both of these bills.

Renee Rabb

Dear Chair and Members:

I am writing in strong support of HB1980 by Rep. Tarnas which increase penalties for cockfighting. The provision which prohibits minors from attending cockfights is of extreme importance. Children who witness and/or participate in animal cruelty are more likely to perpetrate violence against other animals and against humans. Adults should be held accountable for endangering children by taking them to occurrences like this. Police officers continue to report gambling, firearms, and drug distribution at these dangerous events. We are all aware of the murders associated with cockfights last year. This just must stop.

People might argue that cockfighting has particular cultural significance. I used to live in the American South. People there claim that cockfighting is part of their heritage and culture. Some things just do not need to be passed along from generation to generation.

Mahalo for allowing me to express my very deep feelings against torture of animals. Please pass HB1980.

Renee Rabb

Hawaiian Paradise Park

Keaau, HI 96749

HB-1580-HD-1

Submitted on: 3/12/2024 3:19:04 PM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
JOANNE PARKER	Individual	Support	Written Testimony Only

Comments:

Abuse is abuse and should not be tolerated at all.

Please support this bill.

Mahalo

Animal cruelty impacts multiple parties. Dogfights, neglect, and physical and psychological abuse are just a few examples of the various ways that dogs are abused (Drake). When a dog is a victim of animal abuse, they develop behavioral problems, which makes it harder for them to be rehomed and increases their chance of being put down. These issues with behavior include hyperactivity, attention-seeking behavior, constant barking, hostility and fear toward strangers and dogs, etc. (Drake). A lot of families lack the skills and patience to retrain an abused dog. With shelters having an overcrowding problem, animals that have suffered from this level of cruelty will unfortunately continue suffering in a different way.

A young child who is exposed to animal abuse has a higher chance of repeating what they saw growing up. Children are like sponges and tend to mirror their parents. This means they will view this learned behavior as normal and acceptable. Studies show that growing up with exposure to animal abuse can lead to a variety of maladaptive behaviors in children, such as anger and violence, which can persist throughout the person's life (Ladny and Meyer). There are also studies that show that in homes where there is also family violence, there is a markedly increased likelihood of seeing animal abuse. 88% of homes with physically abused children included animal maltreatment (Ladny and Meyer). A young child exposed to this kind of trauma has a greater chance of hurting animals and other people in the future.

Restriction on when an offender can buy a dog can help prevent them from repeating this offense. They should be mentally evaluated prior to being able to own animals again. The increase in penalties for offenders can provide a strong incentive to avoid animal abuse. This act taking effect in the year 3000 seems counterintuitive. With animal cruelty and correlating violent crimes rising, waiting 976 years for these changes does not seem to be a viable way of protecting innocent animals, vulnerable populations, and other members of our communities. Violence among animals and each other shouldn't be tolerated in our society. Animals can provide an emotional bond for their families. The violence among these animals in Hawaii should not be overlooked.

Works Cited

- Ako, Diane. "Animal shelters across Hawaii plea for help due to overcrowding." *IslandNews*, October 2023,
https://www.kitv.com/news/local/animal-shelters-across-hawaii-plea-for-help-due-to-overcrowding/article_fb157cde-071f-11ee-9816-f768938735fe.html. Accessed 12 March 2024.
- Drake, Pat. "Can Dogs Remember Abuse?" *Wag!*, 14 February 2018,
<https://wagwalking.com/sense/can-dogs-remember-abuse>. Accessed 12 March 2024.
- Ladny, Roshni Trehan, and Laura Meyer. "Traumatized Witnesses: Review of Childhood Exposure to Animal Cruelty." *NCBI*, 30 July 2019,
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7683760/>. Accessed 12 March 2024.

HB-1580-HD-1

Submitted on: 3/12/2024 7:35:51 PM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sheldin cortez	Individual	Oppose	In Person

Comments:

I oppose of bill 1580!!! I breed an sell impossible blood lines of fowl that is impossible to get.. we also run chicken shows for beautiful fowl every mont!!!

HB-1580-HD-1

Submitted on: 3/12/2024 8:30:45 PM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Devon Ramos	Individual	Oppose	Written Testimony Only

Comments:

I oppose of House Bill 1580 as it will end a tradition and a lifestyle of people in the gamefowl community. Although there has been that shooting in Maili, the state should not use that one incident to view the gamefowl community as a gateway to violence. There are many hardworking and honest living people in the gamefowl community raising there kin to follow in their footsteps on the right path of this lifestyle and tradition. Please do not take this away from their future.

HB-1580-HD-1

Submitted on: 3/12/2024 10:51:33 PM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
DEPONTE	Individual	Oppose	Written Testimony Only

Comments:

the recent flood of testimonies OPPOSING HB1980 is proof there is a strong VOICE of PEOPLE UNITED against its ludicrous intentions, let it also be known HB1580 insults the essence of the HISTORY of HAWAII

HB-1580-HD-1

Submitted on: 3/13/2024 6:44:43 AM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Glen Kagamida	Individual	Support	Written Testimony Only

Comments:

SUPPORT

MAHALO!

SENATE COMMITTEE ON JUDICIARY
Senator Karl Rhodes, Chair
Senator Mike Gabbard, Vice Chair

HB 1580 RELATING TO ANIMAL CRUELTY

- DATE: Wednesday, March 14, 2024
- TIME: 9:30 AM
- PLACE: Conference Room 016, State Capitol & VIDEOCONFERENCE

In Support

Thank you for the opportunity to articulate my support for this important bill. I am a private citizen always interested in initiatives that protect our children and our animals. I firmly believe that anyone harming, injuring, trapping a defenseless animal must be investigated and held accountable for their behavior.

This bill will bring Hawai'i into the 21st century with respect to basic care and concern for animals - we must seek out animal cruelty and commit resources toward prosecuting the offenders. This bill will begin to address a serious shortfall in law enforcement practice, and will provide our police and prosecutors with enhanced measures to charge and prosecute individuals associated with these terrible crimes.

Once passed and enacted, this measure will ultimately lead to a safer and more humane Hawai'i by reducing threats to our animals and people. I am particularly pleased to see the amendment maintaining the current penalty for "intentional interference with the use of a service animal or law enforcement animal" as a misdemeanor. I hope each of you will strongly support this measure and make it effective upon approval.

I stand in support of the position of the Hawaiian Humane Society on this Bill.
Anne Forshey/annejforshey@gmail.com/Ewa Beach, HI 96706

HB-1580-HD-1

Submitted on: 3/13/2024 8:07:31 AM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Chiwa	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Senator Rhoads, Vice Chair Senator Gabbard and Members of the Committee on Judiciary.

Please support HB 1580 which amends the criminal penalties for animal cruelty offenses by increasing the category of offense. Cruel actions against sentient, defenseless animals should be considered shameful and inexcusable, and thereby, harsh punishment should be dispensed for people who commit these crimes.

Mahalo.

Jennifer Chiwa

Makiki

HB-1580-HD-1

Submitted on: 3/13/2024 8:44:15 AM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
JOHNNY KELLY	Individual	Support	Written Testimony Only

Comments:

This bill **MUST** be passed! Animal cruelty is real. Please stop it by increasing the penalties for these heinous crimes. We are supposed to be a civilized nation. Animal cruelty of any form is **NOT** civilized. Pass this bill, **PLEASE!**

HB-1580-HD-1

Submitted on: 3/13/2024 9:32:15 AM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Bryson Porter	Individual	Oppose	Written Testimony Only

Comments:

Aloha, my name is Bryson Porter of Pukalani Maui and I am submitting this testimony to oppose B1580.

HB-1580-HD-1

Submitted on: 3/13/2024 11:41:08 AM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Bill Dixon	Individual	Support	Written Testimony Only

Comments:

I strongly support HB 1580, which increases penalties for the most egregious animal cruelty offenses including animal sexual abuse, first degree cruelty cases involving torture and the use of body-gripping traps. I urge you to approve this measure and advocate for its approval.

HB-1580-HD-1

Submitted on: 3/13/2024 6:07:24 PM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Christiana Hetzel	Individual	Support	Written Testimony Only

Comments:

There are federal laws against animal cruelty, yet here in our beautiful Hawai'i nei, disregard for animals seems at an all time high. These are sentient beings as well as beloved companions to humans, & deserve to be treated with kindness and respect. There should be much harsher penalties for anyone willfully hurting or abusing an animal in any way, whether it's someone's pet or not. As I'm involved in rescue & rehabilitation, I've seen awful acts committed against animals of all kind, with close to zero repercussions for the perpetrators. Please pass this bill & help put an end to needless suffering of both animals & responsible pet owners. Mahalo

(No subject)

Kannon Banquel <kannonbanquel26@gmail.com>

Mon 3/11/2024 7:54 PM

To:JDC Committee <JDCCommittee@capitol.hawaii.gov>

You don't often get email from kannonbanquel26@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I oppose HB 1980 and HB 1580

Written Testimony

Tiffany Medina <medinatiffany411@gmail.com>

Mon 3/11/2024 2:35 PM

To:JDC Committee <JDCCommittee@capitol.hawaii.gov>

You don't often get email from medinatiffany411@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I OPPOSE BILL HB1980 AND HB1580

THIS IS A CULTURE, HOBBY, LIVING, PASSION, INVESTMENT AND SO MUCH MORE! DO NOT TAKE AWAY OUR HEART AND SOUL!!

HERES TO HELPING YOU UNDERSTAND 1% OF OUR PASSION:

- large combs prevent the bird from taking food into its mouth and makes the head so heavy it sinks into the bird's chest. this is the reason for cutting comb.
- chicken spurs point inwards and grow to be naturally sharp. most time it affects the way they walk, we cut the spurs to help them feel more comfortable walking and to protect ourselves from getting hurt by their spurs. we also cut them to ensure the safety of our hens for when they are mating.
- over the years i have never seen or heard of anyone catching a disease from a show bird. owners of show birds take care of their birds. The bill has given false information.
- a lot of people use these birds to bring to shows. shows that REPRESENT culture of their ancestors. taking away our right to raise, travel, buy or sell our birds because of suspicion is unfair to our community. if we possess chickens and this bill passes what are you guys going to do to these amazing birds from our beautiful yard. sad truth is that you will kill them all.

"I began raising birds when I was twelve years old. It was more or less a hobby for years. But by 1977, I was traveling with my birds to states where game fowl harvesting was legal. That, along with construction, was how I made my living. In the late eighties, when the economy was bad, I started a business, Bobby Jones Hatchery. I raised as many birds as the market could stand: Sometimes it was 600 or 700 a year; other times it was 1,500. Soon the birds became my sole source of income. I began getting invitations to countries where harvesting is widely accepted, like the Philippines, Guam, Saipan, and, of course, Mexico."

says, Bobby jones

HB-1580-HD-1

Submitted on: 3/13/2024 6:54:24 PM

Testimony for JDC on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeanelle H	Individual	Support	Written Testimony Only

Comments:

Fully support this animal cruelty bill.

Dear esteemed law makers,

I am begging you to pass HB1580. I see so much animal abuse on the west side of Oahu.

People openly talk about cock fighting. They are not worried about the repercussions at all. The current feral chicken problem we have on this island is because of cock fighting. They throw out the chicken that they don't want! Additionally, cock and dog fighting necessarily includes illegal gambling.

Just as abusive as directly hurting an animal is the indiscriminate breeding of dogs and cats. We have to put down too many dogs and cats on this island because people have fun have puppies and kittens and just end up throwing them away later. We need a LICENSE TO BREED AND MANDATORY STERILIZATION OF PETS NOT LICENSED FOR BREEDING.

All a part of the Aloha spirit that we are supposed to be famous for, is taking care of people, animals, and our environment. We need to manage our island to reduce the stress that leads to all kinds of abuses and crimes. Its time to make a comprehensive campaign to RESTORE ALOHA TO THESE ISLANDS! Passing HB1580 will be one step in saying that we no longer tolerate this behavior!!

Sue Shell

Date: March 12, 2024

To: Chair Sen. Karl Rhoads
Vice Chair Sen. Mike Gabbard
and Members of the Committee on Judiciary

Submitted By: Harold Han, Senior Manager of Field Operations & Response
Hawaiian Humane Society, 808-356-2211
Honolulu Police Department, Special Police, Badge #2706

RE: Testimony in support of HB 1580, HD1: Relating to Animal Cruelty
Thursday, March 14, 2024, 9:30 a.m., Room 016 & Videoconference

Aloha Chair Rhoads, Vice Chair Gabbard and Committee Members,

Thank you for considering my support for House Bill 1580, HD1, which amends the criminal penalties for various animal cruelty offenses by increasing the category of offense, and takes effect 7/1/3000.

I have managed the field services team at the Hawaiian Humane Society for more than eight years. Prior to working in animal welfare, I was an officer with the Honolulu Police Department for 15 years.

As the organization tasked with animal law enforcement on O'ahu, Hawaiian Humane struggles with the judicial system's failure to take animal cruelty seriously. The public is also frustrated with what it sees as an inadequate law enforcement response. This measure is a step in the right direction.

I want to share a handful of examples of serious crimes and their consequences.

In July 2017, James Montgomery plead no-contest to cruelty 1st for abusing 33 animals and killing one. The dogs were housed in a concrete bunker with no ventilation or light. The floor was covered in urine and feces, and dog remains were found. Montgomery was previously convicted of animal cruelty in a case involving more than 150 dogs in 2006. He was sentenced to nine months in jail in the 2017 case, has completed probation and can own animals again.

Heather Maynard's 2 dogs were found after a 100 foot fall off the Ka'ena point trail killed one and severely injured the other. She left the scene at 10 a.m. and made no attempt to rescue the animals or call 911. The dogs were found by hikers at about 1 p.m. Maynard plead no contest to two counts of cruelty 2nd, a misdemeanor, and two counts of animal

desertion, a class C-felony. She was sentenced to 24 hours of community service at the Hawaiian Humane Society and a \$400 fine.

The largest animal rescue in Hawaiian Humane's history involved 330 dogs and 8 small mammals seized from atrocious conditions at a Waianae property owned by David "Lanny" Moore and his mother June Moore. Charged with Cruelty 2nd, a class C-felony, David Moore was found guilty via bench trial and sentenced to one year in prison and \$39,450 in restitution. June Moore received probation. David Moore remains free amid ongoing appeals and no restitution has been paid. The actual cost to Hawaiian Humane for caring for the animals was more than \$850,000.

Steven Boos was charged with misdemeanor Cruelty 2nd for abusing a small terrier over a period of 1-1/2 years causing multiple fractures and requiring a pelvis implant and rear leg amputation. The dog has ongoing medical issues. Boos admitted guilt in an interview and waived his Miranda rights. He was sentenced to 30 days in jail but fled the state. After being apprehended trying to cross into Canada, he was extradited and sentenced to 1 year in prison, which he served.

Animal cruelty cases must meet the same high burdens of proof required to prosecute any crime and they come with unique complications. The victims cannot speak for themselves, the acts often take place behind closed doors, and most would-be witnesses know – and many times fear – the perpetrators. When animal cruelty does yield sufficient evidence to warrant a trial, the state must ensure that justice is done for the voiceless victims.

I urge you to pass HB 1580, HD1, with an immediate effective date and enable a proportionate response to this kind of abuse.

Mahalo for your consideration.