

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  
RELATING TO ANIMAL CRUELTY

Before the House Committee on Judiciary and Hawaiian Affairs

Wednesday, February 21, 2024; 2:00 p.m.

State Capitol Conference Room 325, Via Videoconference

**WRITTEN TESTIMONY ONLY**

Chair Tarnas, Vice Chair Takayama, and members of the Committee:

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

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.



February 21, 2024 2pm

JHA Committee

**RE: HB1980; Relating to Animal Cruelty**

Dear Chair Tarnas and Judiciary and Hawaiian Affairs 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.

After conferring with local humane societies we recommend the following amendments:

Page 2, line 17 retain existing misdemeanor penalties and add that if the offense involves the death of the animal the offense shall be a class b felony and upon conviction the person be prohibited from owning or possessing any animals for 5 years which is consistent with existing felony level provisions in 711-1108.5

SECTION 3. Section 711-1109, Hawaii Revised Statutes, is amended by amending subsection (4) to read as follows:

"(4) Cruelty to animals in the second degree [~~is~~] shall be a **misdemeanor, except class C felony; provided** that if the offense involves **the death of the animal** or ten or more pet

animals in any one instance, then cruelty to animals in the second degree [~~is~~] shall be a class [C] 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.**

Thank you for your consideration of our testimony.

Inga Gibson  
On behalf of the Animal Welfare Institute  
[PonoAdvocacy@gmail.com](mailto:PonoAdvocacy@gmail.com)  
808.922.9910

**HB-1580**

Submitted on: 2/20/2024 6:55:20 AM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Chantell Moniz	HINA'S LEGACY RESCUE FOUNDATION	Support	In Person

Comments:

My name is Chantell Moniz, founder and President of Hina's Legacy Rescue Foundation. I support this bill because it has been long over due that the penalties be increased. We were hoping for much more stiffer penalties, as we have dealt with so many Animal Cruelty cases, and have seen the torment these animals endured. These animals does not deserve to be treated as trash. The penalties really doesn't fit the crime, and we can only pray this is the beginning of a change that is much needed. Please pass this bill to help the voiceless animals.



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

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

Date: Feb. 20, 2024

To: Chair Rep. David A. Tarnas  
Vice Chair Gregg Takayama  
and Members of the Committee on Judiciary and Hawaiian Affairs

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

RE: Testimony with support for HB 1580: Relating to Animal Cruelty  
Wednesday, Feb. 21, 2024, 2 p.m., Room 325 and Via Videoconference

---

Aloha Chair Tarnas, Vice Chair Takayama and Committee Members,

On behalf of the Hawaiian Humane Society, thank you for considering our support for House Bill 1580, 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.

We are requesting two amendments.

Given the wide range of harms covered under the second-degree animal cruelty statute, we recommend retaining the existing misdemeanor penalties on Page 2, Line 17, unless the offense involves the death of the animal. Fatalities would join cases involving ten or more pet animals, as written in the current statute, in becoming a Class B felony. We also added a provision that upon conviction the person is prohibited from owning or possessing any animals for 5 years, which is consistent with existing felony level provisions in 711-1109.5.

*SECTION 3. Section 711-1109, Hawaii Revised Statutes, is amended by amending subsection (4) to read as follows:*

*"(4) Cruelty to animals in the second degree [~~is~~] shall be a misdemeanor, except class C felony; provided that if the offense involves the death of the animal or ten or more pet animals in any one instance, then cruelty to animals in the second degree [~~is~~] shall be a class [C] 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.*

On Page 3, Line 14-15 we recommend that the committee strike the requested amendment raising the penalty for "intentional interference with the use of a service animal or law enforcement animal" to a class C felony as the offence does not involve harm to an animal.

Please pass HB 1580 with these amendments for the protection of animals and people. Mahalo for your consideration.

**HB-1580**

Submitted on: 2/18/2024 10:27:07 PM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marian Hussenbux	Animal Interfaith Alliance in Britain	Support	Written Testimony Only

Comments:

Animal cruelty is obviously an extremely difficult crime to prosecute as it typically takes place behind closed doors. Witnesses frequently know the perpetrators and are unwilling to testify.

This measure would elevate the penalties in these cases, which is appropriate given that only the most egregious abuse is ever brought to trial.

We support the Bill together with an amendment by Hawaiian Humane which would maintain the current penalty for “intentional interference with the use of a service animal or law enforcement animal” as a misdemeanour since that is the only provision in the statute that does not involve harm to an animal.

**HB-1580**

Submitted on: 2/17/2024 9:09:18 AM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Elsie Foster	WAIANAE WAGS	Support	Written Testimony Only

Comments:

I am in support of HB1580. Living and working with animals along the Wai'anae Coast, we are witness to the increasing amount of animal cruelty. The lack of any true penalty is one reason why these horrors continue.

Please support HB1580. Thank you for your time and consideration.

Elsie Foster - WAIANAE WAGS



Date: Feb. 19, 2024

To: Chair Rep. David A. Tarnas  
Vice Chair Gregg Takayama  
and Members of the Committee on Judiciary and Hawaiian Affairs

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: Relating to Animal Cruelty  
Wednesday, Feb. 21, 2024, 2 p.m., Room 325 and Via Videoconference

---

Aloha Chair Tarnas, Vice Chair Takayama and Committee Members,

Thank you for considering my support for House Bill 1580, which amends the criminal penalties for various animal cruelty offenses by increasing the category of offense.

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 1<sup>st</sup> 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 2<sup>nd</sup>, 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 2<sup>nd</sup>, 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 2<sup>nd</sup> 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.

We urge you to pass HB 1580 and enable a proportionate response to this kind of abuse. Mahalo for your consideration.

**HB-1580**

Submitted on: 2/20/2024 9:58:47 AM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ilene Cohen Harrington	Domestic Violence Hurts Animals and People	Support	Written Testimony Only

Comments:

Animal cruelty and domestic violence are one issue. If someone is abusing animals, research has proven that in most cases, they are also abusing their family members. Please pass this bill into law.

**HB-1580**

Submitted on: 2/20/2024 12:00:06 PM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mara Hanson	Individual	Support	In Person

Comments:

Aloha Chair Nakashima, Vice-Chair Matayoshi, and members of the Judiciary ad Hawaiian Affairs Committee!

As a resident of Oahu, which has seen skyrocketing issues of cruelty to and neglect of animals, I am writing in strong support of any and all increased penalties for animal abuse-related crimes. I am writing in support of adopting HB1580, despite my feeling that it does not go quite far enough. I am supporting it in hopes that it is just the 1st step in the direction of much-needed progress in our state's treatment of animals.

Though I support the bill I feel there are several places where it does not go far enough or address all the pukas in our current animal welfare laws. For instance, the purposeful fighting of dogs for entertainment and gambling-related profit should be a class A felony. Do you realize the amount of time, energy, and purposeful cruelty over months and years that it takes to cause a dog to become so aggressive as to fight its own kind? The "training" starts while they are still 6- to 8-week-old puppies! So there is a persistent and well-planned intent in the commission of that crime. Additionally, Hawaii is only 1 of 2 states that does not yet criminalize watching or spectating dog fights. But, if there were no spectators, no one could financially benefit from watching (and betting on) these fights. No spectators would mean no incentive. So, I hope you will see to it that this aspect is also addressed in additional or future legislation, if not in the final draft of this bill.

Thank you for recognizing the connection between cruelty to animals and its "gateway drug" relation to later cruelty and abuse to children, elders, and even full-grown and physically sound adults. While I believe in protecting animals from cruelty for their own sake, we must also factor in the potential future harm to humans that can result from allowing a mentally broken person to practice cruel acts on animals and get away with it. Thank you for recognizing this slippery slope and including it as a factor while deciding if animal cruelty crimes should be reclassified and subject to stiffer penalties.

In summary, I am in favor of HB1580. I am also in favor of even stiffer penalties and higher classification of animal abuse crimes, and would welcome stiffer classification of all animal abuse, neglect, abandonment, or cruelty crimes.

Mahalo for your work on this issue and I look forward to further progress in future legislation!

**HB-1580**

Submitted on: 2/20/2024 2:00:51 PM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cathy Matsuno	Individual	Support	In Person

Comments:

I fully support this bill. Please note we rescues are overwhelmed and need the support of our lawmakers to pass supportive bills to protect all animals on O'ahu. Justice is in your hands to protect our innocent sentient beings. Please help.

**HB-1580**

Submitted on: 2/20/2024 2:06:56 PM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Vivi franson	Individual	Support	In Person

Comments:

Dear Members ,

Insupport Hb 1580

please ENFORCE THE LAWS TO PUNISH THESE criminals to fullest extent of the Law

thank you,

Vivi Franson

**David Tarnas, Chair**  
**Gregg Takayama, Vice Chair**  
House Committee on Judiciary & Hawaiian Affairs

**HB1580**

*[Wednesday, February 21, 2024]  
[2:00 p.m Conference Room 325 &  
Videoconference State Capitol  
415 South Beretania Street]*

**IN SUPPORT**

**Introduction**

- 1) [My name is Gloria Kwon and I represent no organization]
- 2) [Today I am testifying in favor for HB 1580.]

**Content**

- [I am in support of this bill to ensure the safety of our community, therefore it is imperative that misdemeanor charges relative to animal cruelty be lifted to Class A, B, and C felonies in order for defendants to take accountability for their at-risk behaviors. These behaviors are one of few refined indicators that can predict future harm, committed on human beings.]
- [A concern I have is in regards to Section 8a of the bill. It says sexual assault of an animal will be a Class C on the first offense, then Class B on the second offense. This should be reconsidered, as the first offense of sexual assault on an animal be a Class B felony, and the second offense a Class A felony. ]

**Closing**

*[I am in support of this bill to help ensure the safety of our citizens. Drastic preventative measures should be taken when met with evidence of an individual committing acts of animal cruelty. These*

*behaviors lead to dangerous outcomes, and these behaviors are almost guaranteed.]*

[Gloria Kwon]

*[gloriakwon100@gmail.com]*



**HB-1580**

Submitted on: 2/16/2024 8:02:08 PM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lois Crozer	Individual	Support	Written Testimony Only

Comments:

This seems well thought out, and I agree.

**HB-1580**

Submitted on: 2/16/2024 9:29:01 PM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Stephanie McLaughlin	Individual	Support	Written Testimony Only

Comments:

Please support this important bill which will help animals in Hawaii from unnecessary cruelty and suffering.

**HB-1580**

Submitted on: 2/17/2024 12:17:31 AM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Bonnie Gollero	Individual	Support	Written Testimony Only

Comments:

It is really disturbing to realize that an animal is mutilated and tortured. These violent perpetrators should be given the harshest penalties, taken off the streets, and sentenced to mandatory jail time. I don't think \$1,000 is near enough punishment. \$5,000 for their horrific, sadistic crime, these criminals are never going to stop, forfeit their property - that's more like it, one year mandatory prison time for the first offense, and they should never be allowed to possess another rooster, ever. Cruelty to an animal should not be tolerated.

**HB-1580**

Submitted on: 2/17/2024 11:48:01 AM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jane E Arnold	Individual	Support	Written Testimony Only

Comments:

Please support HB1580, with amendments re service animals that will be proposed by the Hawaiian Humane Society. Thank you.

Jane E Arnold

1763 IWI Way, Apt D

Honolulu HI 96816

**HB-1580**

Submitted on: 2/17/2024 12:17:52 PM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Natalie Graham-Wood	Individual	Support	Written Testimony Only

Comments:

I support HB1580. I live at Sunset Beach, Oahu.

**HB-1580**

Submitted on: 2/17/2024 12:38:10 PM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Carole R. Richelieu	Individual	Support	Written Testimony Only

Comments:

This measure would elevate the penalties in these cases which is more than appropriate given that only the most egregious abuse is ever brought to trial, if ever. Support HHS amendment maintaining the current penalty for “intentional interference with the use of a service animal or law enforcement animal” as a misdemeanor since that is the only provision in the statute that does not involve harm to an animal.

Hawaii Kai

**HB-1580**

Submitted on: 2/18/2024 9:59:54 AM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Elizabeth Bishop	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas and Committee Members,

Mahalo for passing this important bill to prevent further animal cruelty.

Elizabeth

Oahu, Hawaii

**HB-1580**

Submitted on: 2/18/2024 11:23:02 AM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Eileen Sam	Individual	Support	Written Testimony Only

Comments:

Dear House Committee,

(Yet again) My name is Eileen Sam, I'm resident of Kaimuki neighborhood, and my district rep is Bertrand Kobayashi. I passionately support HB1580 because we need to toughen animal cruelty to a felony vs misdemeanor. Over the past years, our animal cruelty cases on Oahu alone have been horrific. From people hanging a dog from a bridge to shooting animals to death, this is unacceptable and yet the perpetrators are not held accountable enough. Please pass this bill so we can do a better job protecting animal rights in Hawai'i. Thank you again for your consideration.

Mahalo,

Eileen



**HB-1580**

Submitted on: 2/18/2024 2:08:03 PM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jennifer Chiwa	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Representative Tarnas, Vice Chair Representative Takayama and Members of the Committee on Judiciary and Hawaiian Affairs.

Please support HB 1580 which amends the criminal penalties for animal cruelty offenses by increasing the category of offense. I absolutely support increasing the category of offense for animal cruelty cases to emphasize that this state will not tolerate cruelty to sentient, defenseless animals, and that those who are cruel to these animals deserve harsh punishment.

Mahalo.

Jennifer Chiwa

Makiki

**HB-1580**

Submitted on: 2/19/2024 8:40:40 AM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
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.

**HB-1580**

Submitted on: 2/19/2024 9:09:19 AM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
JOHNNY KELLY	Individual	Support	Written Testimony Only

Comments:

Do you remember this tragic case: <https://www.khon2.com/local-news/owners-of-shelter-where-270-dogs-were-seized-receive-their-sentences/> Please watch Joe Moore's report, this is the text:

A Makaha man is sentenced to one year in prison after a judge said his case is one of the worst examples of animal cruelty he’s ever seen in his life.

David “Lanny” Moore was convicted on 24 counts of animal cruelty in May. Moore and his mother June were both convicted of animal cruelty after police seized 310 dogs from their no kill animal shelter, Friends For Life, in October 2016.

Judge Edward Kubo addressed Moore sternly, telling him know he considered the grotesque and serious nature of how many animals were victimized before coming to his decision.

“What I saw and what the jury saw were animals who were being treated worse than animals,” Judge Edward Kubo said as he addressed David Moore in court.

Kubo reprimanded David “Lanny” Moore in court before sentencing him to one year in prison. Moore was also ordered to pay \$39,450 in restitution to the Hawaiian Humane Society.

Moore told Kubo he was called by a higher power to care for the animals and only had good intentions.

“There was no intent to ever to hurt a human or an animal. There was no intent of me neglecting them. I work hard sir. I did whatever I could,” Moore said.

Kubo said the dogs were found in deplorable conditions and that their conditions were less than humane.

“Water bowls or access to water was nonexistent...some bowls looks like urine was in the water bowls...There was insufficient space to allow animals to sit lie or turn around or to make bodily movement without making physical contact with another animal,” Kubo said.

Moore's mother June was convicted on one count of animal cruelty.

Kubo sentenced her to four days in prison and one year probation.

Before reading her sentence, Kubo said he took into account her physical handicap and other factors, but he wanted to make a point.

“There is a need to impress upon the defendant the seriousness of what it means to be cruel to an innocent animal. This court must ensure that such actions never repeat it self,” Kubo explained.

Joseph Mottl, David Moore’s attorney said he thinks the sentences handed down by Kubo were appropriate.

“I’m happy with the result. It’s a sad situation. These are good people, but I understand the decision and I’m not unhappy with the verdict,” Mottl said.

Mottl is unsure whether Moore will file an appeal.

Suzy Tam, the communications manager for the Hawaiian Humane Society said they are pleased to see the Moore’s will be going to jail for their crimes.

“We’re happy to know that this case of animal cruelty was recognized for its seriousness and he did get some jail time, which shows that we are beginning to realize, in this community, that animal cruelty is a significant, serious crime to animals that have no voice,” Tam said.

Sounds good right! The bumb is going to jail for one year! Woopee! He should have gotten 25 years and \$100k fine! Keep reading

I live in Nanakuli, I personally went to the Friends for Life shelter 4 months after this judgment. I wanted to see if it was open again. Well I was greeted by none other than David "Lanny" Moore! He was not in jail, he was home! I talked to him for 30 minutes and pretended I was looking for a dog to adopt. The conversation turned to his court case. I asked him why he was not in jail. He said he did not have to go because he whined to the court and a softed headed judge waived the jailed sentance and he spent no part of his one year sentence in jail!

All the suffering, pain and death of these poor 310+ dog and this sorry bastard was not punished for it.

This is how we treat animaly cruelty in this state it MUST stop now! So lawmakers if you really care as you say you do STOP THE ANIMAL CRUELTY AND GIVE THE LAWS TEETH THAT HURT THE CRIMINALS!

**HB-1580**

Submitted on: 2/19/2024 9:32:04 AM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Verna Kong	Individual	Comments	Written Testimony Only

Comments:

I support HB1580. Although we have advanced our protections of animals in our community through laws already passed, those laws must be strengthened by measures such as increasing offense categories and criminal penalties -- to maximize enforcement. Thank you.

**HB-1580**

Submitted on: 2/19/2024 11:16:51 AM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Laura Myers	Individual	Support	Written Testimony Only

Comments:

This bill should be a no-brainer. Animals deserve protection from abusive owners and others. Please vote 'yes' for the bill. Mahalo!

**HB-1580**

Submitted on: 2/19/2024 1:37:41 PM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lee Cuccia	Individual	Support	Written Testimony Only

Comments:

Support! Animal cruelty laws have very little consequences and so has little impact. Please help strengthen the consequences and protect animals.

**HB-1580**

Submitted on: 2/19/2024 2:07:29 PM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

Stop the Bull SHIT we kown this is the Communist Ajenda!!!!!!



**HB-1580**

Submitted on: 2/19/2024 4:12:05 PM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Renee Rabb	Individual	Support	Written Testimony Only

Comments:

I am writing in support HB1580 by Rep. Kila, which increases penalties for animal cruelty. Animal cruelty only causes more violence in society, as sick individuals turn their anger towards vulnerable people including their family members. Since animal cruelty is not often prosecuted, the instances that do go to trial should be taken very seriously.

Let's do what we can to show aloha to the animals who are the victims of abuse.

Mahalo,

Renee Rabb

Hawaiian Paradise Park

Keaau, HI 96749

**HB-1580**

Submitted on: 2/19/2024 4:15:11 PM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sunshine Eckstrom	Individual	Support	Written Testimony Only

Comments:

Only the worst people hurt animals and they should be punished accordingly. Our community should have no tolerance for animal abuse and penalties for animal cruelty offenses should be increased as much as possible.

**HB-1580**

Submitted on: 2/19/2024 6:55:44 PM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
ginger edmunds	Individual	Support	Written Testimony Only

Comments:

I 100% support this bill, the state of Hawaii is lacking strict animal protection laws. Abuse of animals leads to more crimes, protect the animals please and punish the abusers and prevent more animal abuse and human abuse in the future. Thank you.

**HB-1580**

Submitted on: 2/20/2024 9:47:14 AM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ted Bohlen	Individual	Support	Written Testimony Only

Comments:

Support!

**HB-1580**

Submitted on: 2/20/2024 10:28:45 AM

Testimony for JHA on 2/21/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cynthia F Tucker PsyD	Individual	Support	Written Testimony Only

Comments:

Dear Honorable Senators and Representatives,

My name is Cynthia Tucker, PsyD, and I am a practicing Psychologist in Kailua, O'ahu.

**I urge strong Support for HB1580 elevating penalties for animal cruelty and abuse**

It is well documented that cruelty to animals is a now a felony in all states and unconscionable, and is highly associated violence and crimes that often accompanies such animal cruelty. It can be considered a 'breeding ground' for highly likely future crimes.

Research in the field of psychology also reflects that animal cruelty is very highly correlated with crime, domestic violence, family and child abuse, and can also be associated with murders.

In fact, the FBI behavioral task force has also now listed animal cruelty as a Class A Felony along with arson, rape and murder and also states on its website that animal cruelty is a 'crime against society'.

I feel strongly that a strong enforcement of these felonies will help to dissuade other potential offenders from their animal abuse or cruelty actions, and I also feel that is the only way to get a very strong message out that this abuse or cruelty will not be tolerated by our society, and there will be strong prosecution and jail time, along with a felony record.

I am certain we would not like our keiki to see people around them harming animals in any way, and thereby giving them the impression that that sort of behavior is somehow tolerated, along with the danger it poses to the animals, whether pets or not, and associated correlations of predictable crime, violence, child abuse and harm, burglaries, assaults, rapes or murders.

**I strongly support the passing of this Bill 1580**

Thank you for your time and consideration.

Sincerely,

Cynthia F Tucker, PsyD



**HB-1580**

Submitted on: 2/20/2024 12:14:10 PM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
S. Iha	Individual	Support	Written Testimony Only

Comments:

Giving voice to those who can't speak for themselves. I support HB1580. Please support this as well.

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair  
Rep. Gregg Takayama, Vice Chair

H.B. No. 1580  
RELATING TO ANIMAL CRUELTY

FEBRUARY 21, 2014  
2:00PM VIA VIDEOCONFERENCE

I am writing to express my strong support for HB1580 "Relating to Animal Cruelty," which seeks to amend the criminal penalties for various animal cruelty offenses by increasing the category of offense. As a responsible member of our community and a passionate advocate for animal welfare, I believe this bill is a necessary step to ensure the protection and well-being of animals in our state.

Animal cruelty is a serious problem that not only causes great suffering to innocent animals but also has a bad impact on our entire society. By increasing the penalties for animal cruelty offenses, HB1580 sends a clear message that such acts will not be tolerated in our state. This legislation will help deter people from committing acts of cruelty against animals and will provide a stronger legal resource for prosecuting offenders.

Animals are sentient beings that deserve our respect, care, and protection. As a compassionate society, we have a moral obligation to ensure that they are treated with kindness and compassion. By supporting HB1580, we can take an important step toward creating a more humane and just society for all people, including humans and animals.

I urge you to consider the importance of this legislation and support HB1580. Together, we can positively impact the lives of countless animals and uphold the values of compassion and empathy in our communities. Thank you for your attention to this critical issue. I thank you for your commitment to serving our country and advocating for the well-being of all residents.

Sincerely,

May Rose Pangayan

University of Hawaii at Manoa  
Thompson School Social Work and Public Health  
808-840-3929





**HB-1580**

Submitted on: 2/21/2024 8:35:09 AM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nancy Jones	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice-Chair Takayama and Honorable Committee Members:

I respectfully present this testimony SUPPORTING HB1580, which raises criminal penalties for animal cruelty offenses – mainly from Class B to Class C felonies. We are especially concerned about animal fighting and other even more heinous mistreatment, which – under this Bill – would become a Class C felony and/or carry an up to \$2,000 fine. There are SO many cases of animal cruelty that have plagued Hawai`i in recent years. It is our hope that increasing the penalties relative to any mistreatment of animals or interfering with service animals will serve as a deterrent to such animal abuse.

For all of the above reasons, and in the interest of safeguarding Hawai`i’s animals, I respectfully urge your Committee to please pass HB 1580 out of your Committee and allow it to move forward during this Legislative Session.

Mahalo for this opportunity to present this testimony supporting HB1580.

Nancy Jones

PO Box 1462, Wai`anae, HI 96792 / Email: [nancyhydroalt@gmail.com](mailto:nancyhydroalt@gmail.com)

**HB-1580**

Submitted on: 2/21/2024 8:36:01 AM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Zeb Jones	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice-Chair Takayama and Honorable Committee Members:

I submit this testimony to SUPPORT HB1580, which increases criminal penalties for animal cruelty offenses - mostly from Class B to Class C felonies. We are particularly worried about animal fighting and other more terrible abuse, which - under this Bill - would become a Class C felony and/or have an up to \$2,000 fine. There are MANY cases of animal cruelty that have happened in Hawai`i in recent years. We hope that raising the penalties related to any harm to animals or obstructing service animals will discourage such animal abuse.

For all these reasons, and to more effectively protect Hawai`i's animals, I kindly ask your Committee to please pass HB 1580 out of your Committee and let it move forward during this Legislative Session.

Zebuel "Zeb" C. Jones

PO Box 1462, Wai`anae, HI 96792 / Email: [zebbe3442@gmail.com](mailto:zebbe3442@gmail.com)

**HB-1580**

Submitted on: 2/21/2024 10:01:25 AM

Testimony for JHA on 2/21/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
ginny tiu	Individual	Support	Written Testimony Only

Comments:

**Cruelty in any form, to any living creature, should not be tolerated in a humane and civil society. Humans are suppose to be the more intelligent beings. We should not be allowed to use our "superiority" to hurt others. Our laws should try to discourage that by having meaningful consequences.**

**thank you very much for your kind consideration, Ginny Tiu**

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**

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

**KAUAI OFFICE**  
3060 EIWA STREET  
SUITE 206  
LIHUE, HAWAII 96766  
TEL. No. (808) 241-7128  
FAX No. (808) 274-3422

**MAUI OFFICE**  
81 N. MARKET STREET  
WAILUKU, HAWAII 96793  
TEL. No. (808) 984-5018  
FAX No. (808) 984-5022

H.B. No. 1580: RELATING TO ANIMAL CRUELTY

Chair David Tarnas  
Vice Chair Gregg Takayama  
Honorable Committee Members

The Office of the Public Defender (OPD) **opposes** this bill.

The OPD does not condone the mistreatment, neglect or abuse of any animal. However, the OPD believes the focus should be on continuing enforcement of existing laws paired with education and rehabilitation of offenders rather than increasing punishments.

Increasing the penalty for an offense does not deter the prohibited conduct. In its publication "Five Things About Deterrence,"<sup>1</sup> the National Institute of Justice sets forth several<sup>2</sup> relevant precepts regarding deterrence: (1) "The certainty of being caught is a vastly more powerful deterrent than the punishment"; (2) "Sending an individual convicted of a crime to prison isn't a very effective way to deter crime"; (3) "Police deter crime by increasing the perception that criminal will be caught and punished"; and (4) "Increasing the severity of punishment does little to deter crime." Increasing the severity of the offenses listed in this bill and exposing violators to up

---

<sup>1</sup> "Five Things About Deterrence," May 2016, U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.  
<https://www.ojp.gov/pdffiles1/nij/247350.pdf>.

<sup>2</sup> The fifth precept, "There is no proof that the death penalty deters criminals," is not relevant to the instant bill.

to twenty years of imprisonment will not deter others from committing acts of animal abuse.

The Legislature’s objective should be channeling resources to enforce existing laws and focusing on education and rehabilitation of offenders. Instead of increasing the penalties for existing animal cruelty offenses, a more productive approach would be to maintain enforcement of existing laws and to focus on educating and rehabilitating offenders using non-carceral, non-punitive practices. According to the National Institute of Health, “[a]nimal welfare legislation is routinely underenforced by the state.”<sup>3</sup> Further, “[e]nforcement does not necessarily need to involve carceral outcomes, and indeed, sometimes ‘in the field’ educational or supportive responses to offending – as an alternative to criminal or regulatory response – are more appropriate.”<sup>4</sup> For example, the Benchmark Animal Rehabilitative Curriculum’s (B.A.R.C.) online Animal Cruelty Prevention and Education Course is designed to “inspire change in attitudes and actions toward in individuals who have mistreated them.”<sup>5</sup> B.A.R.C. emphasizes the value of education as preventing repetitive animal abuse.

By failing to include some form of education as part of whatever other measures the criminal justice system takes against those who mistreat animals, we’re virtually guaranteeing that nothing about the offenders’ thoughts and attitudes toward animals will change. A system that punishes animal abuse offenders, but ignores the need for rehabilitation, means many will reoffend. If the criminal justice system desires to reduce the likelihood that offenders will repeat their abusive behavior toward animals, it’s imperative that in most, if not all, cases of animal abuse, an educational component be included as part of the pre- or post-conviction terms or conditions.

---

<sup>3</sup> Rodriguez Ferrere, M. B., “Animal Welfare Underenforcement as a Rule of Law Problem,” June 12, 2022, National Institute of Health, National Library of Medicine, National Center for Biotechnology Information.

<sup>4</sup> Id.

<sup>5</sup> See <https://barceducation.org/>

**Educating abusers about animals’ needs, and what the law requires owners to provide for their animals, is a critical element of rehabilitation in animal cruelty cases.**

(Emphasis added). Indeed, even the Hawaiian Humane Society notes the importance of education as a response to animal abuse or cruelty.<sup>6</sup>

In sum, the OPD does not condone animal mistreatment, neglect or abuse, **and** urges the Legislature to focus on education and rehabilitation as more effectual and corrective efforts when preventing cruelty against all animals. Thank you for the opportunity to comment on H.B. No. 1580.

---

<sup>6</sup> See “Investigations, Rescues & Laws,” Hawaiian Humane Society (“We walk a fine line between education, advocacy, and enforcement, using an outreach-based approach for animal welfare. Often, we find that where the laws fall short, our influence as advisors and partners with pet owners, yields positive results.”)

<https://hawaiianhumane.org/investigations-rescues-laws/>