



**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. 2058, H.D. 1, RELATING TO DANGEROUS DOGS.

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
Kelcie K. Nagata or Bryan C. Yee, Deputy Attorneys General

Chair Rhoads and Members of the Committee:

The Department of the Attorney General provides the following comments:

The purposes of this bill are to: (1) define what constitutes a dangerous dog; and (2) establish requirements and penalties for owners of dangerous dogs. The bill proposes to add a new part to chapter 142, Hawaii Revised Statutes (HRS), to authorize officers to designate, seize, and impound dangerous dogs.

As written, the offense of negligent failure to control a dangerous dog appears to be primarily found in section 142-E, from page 9, line 13, through page 12, line 11. However, section 142-C(b) on page 8, lines 10-15, also provides that the owner of a dangerous dog commits the offense of negligent failure to control a dangerous dog, if the owner of a dangerous dog fails to comply with the requirements listed in section 142-C, page 5, line 18, through page 8, line 15. There are no criminal penalties specified for this "offense" in section 142-C(b) on page 8, but the dangerous dog may be subject to seizure and impoundment if the owner is unable to secure the dog.

If this Committee does not intend to create a separate criminal offense, but rather establish the failure to abide by the requirements as a basis for seizure and impoundment of a dangerous dog, section 142-F(a), page 12, line 12, through page 13, line 8, already completes this function. Thus, the wording on page 8, lines 10-15, could be deleted.

In addition to the aforementioned issue, there are a few inconsistencies in the wording of the bill that could cause confusion. These inconsistencies may be remedied as follows:

(1) The reference to section 143-2.6, on page 12, line 16, should be deleted because the seizure of the dog due to a violation of section 143-2.6 would not require an officer to get a search warrant. Section 142-F(a), page 12, line 16, should be amended as follows:

"142-C[;] or 142-E, [~~143-2.6 or as applicable,~~] a law enforcement"

(2) The bill appears to use both terms "law enforcement officer" and "officer." If both terms are intended to have the same meaning, then one term should be used consistently throughout the bill. Further, the term "officer" is defined on page 3, line 7, as having the same meaning as section 143-1. While there is no legal infirmity, we note that, because section 143-1 defines "officer" to include the police of counties less than 100,000 in population, this definition does not include the police officers of the City and County of Honolulu, the County of Hawaii, and the County of Maui. If the intent is for police officers statewide to be able to enforce the provisions of this bill, the definition of "officer" in this part could be amended to read:

"Officer" [~~has the same meaning as in section 143-1~~] means any sheriff, deputy, and any member of a police force and animal control officers of the several counties of the State.

(3) The definition of "animal control authority" on page 2, lines 3-5, should be amended to delete "or a private contractor retained by a county to enforce animal laws" because the bill calls on the animal control authority to perform uniquely governmental functions, such as a rescission of an officer's declaration. It is important to note that police powers are powers inherent to the government. The new definition should then read as follows:

"Animal control authority" means a county agency that enforces animal laws; provided that this definition should not apply to other parts of this chapter.

(4) As written, the indemnification wording found in section 142-F(a) on page 13, lines 5-8, may hinder those who are seizing and impounding dogs under this new part because breaking a lock or gate to seize a dangerous dog may be done intentionally. To remedy this issue, the wording on page 13, lines 5-8, should be replaced with the following:

An officer is not liable for any damage resulting from an entry under this subsection unless the damage was caused by acts beyond the scope of the officer's authority, or by the officer's negligence, gross negligence, or intentional misconduct.

(5) The term "serious bodily injury," as defined on page 12, lines 8-11, seems to have the same meaning as "substantial bodily injury" in section 707-700, HRS. Accordingly, we suggest changing the term "serious bodily injury" to "substantial bodily injury" and also defining "substantial bodily injury" to have the same meaning as in section 707-700. Additionally, if the term "serious bodily injury" is amended to "substantial bodily injury," we further suggest that the term "serious injury to any animal," at page 4, line 17, be amended to "substantial injury to any animal" throughout the wording of the bill. The definition itself does not need to be amended.

(6) The term "euthanize," or variations of that word, is used on page 12, line 5, and page 16, lines 4 and 12, but the term "humanely destroyed" is used on page 11, line 7. If "humanely destroyed" has the same meaning as "euthanized," we suggest that it be amended to "euthanized."

Clarification of these terms and their usage through the proposed new part of chapter 142 would add clarity and reduce the risk of confusion for everyone involved in the enforcement and court processes.

If this bill becomes law without amendment, it may not be possible to actually enforce all of its provisions, thus defeating the purpose of the bill.

Thank you for the opportunity to provide comments.

JON N. IKENAGA
STATE PUBLIC DEFENDER



HAYLEY CHENG
ASSISTANT PUBLIC
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March 14, 2024

Senate Committee on Judiciary
Sen. Karl Rhoads, Chair
Sen. Mike Gabbard, Vice Chair and Members of the Committee
Conference Room 016

Testimony in opposition to H.B. 2058, H.D. 1

The Office of the Public Defender respectfully opposes H.B. 2058, H.D. 1, which, *inter alia*, increases the penalty for the offense of dangerous dog to a class C felony with a mandatory minimum term of imprisonment of no less than one year, permits an officer to make an unsupported probable cause determination categorizing a dog as dangerous and imposes extraordinary expenses upon the owner, including excessive liability insurance and/or bond to cover “potential future actions.”

The concerns raised in H.B. 2058 § 1, which articulates the purpose for the bill, are appositely addressed and penalized in each judicial circuit in the state under pre-existing county ordinances. See Hawaii Revised Ordinances, § 12-7; Maui Code of Ordinances § 6.04; Hawaii County Code, § 4-31; and Kauai County Code, Art. 17, § 22-17.3. S.B. 2692 is duplicative legislation that unreasonably increases the penalties that creates a fatal constitutional violation under the Hawaii Constitution, Article I, § 5. The Hawaii Supreme Court addressed this exact situation holding that, “[w]here the same act committed under the same circumstances is punishable either as a felony or as a misdemeanor, under either of two statutory provisions, and the elements of proof essential to either conviction are exactly the same, a conviction under the felony statute would constitute a violation of defendant’s right to due process and the equal protection of the law.” State v. Modica, 58 Haw. 249, 567 P.2d 420, 421 (1977). The fatal constitutional dilemma is but one of many reasons H.B. 2058 should be rejected.

H.B. 2058 presents additional problematic constitutional issues. Section 142-B, pages 4-5, lines 20-21 and lines 1-2, permits an officer to “find and declare a dog to be a dangerous dog if the officer has probable cause to believe that the dog falls within the definition of ‘dangerous dog.’” The officer is not the equivalent of

Page Two
H.B. 2058

a court of law, and the officer should not be permitted to make a legally binding determination of law. An officer who is involved in the investigation can be improperly influenced based on personal bias, interactions with the witnesses or complainants or even the officer's employment as an "animal control officer" with the Hawaiian Humane Society or like organizations. These inherent subjective and external biases and influences constitutionally taint the officer's legal designation which is why a court or grand jury are called upon to make probable cause determinations. The officer's determination of probable cause would be susceptible to legal challenges based on these influences.

The legal dilemmas in H.B. 2058 persist despite the bill's requirement of a written statement from "a person who is willing to testify that the dog and its owner have acted in a manner that causes it to fall within the definition of 'dangerous dog[.]'" Section 142-B, page 5, lines 4-6. The requirement of a written statement does not ensure that there was an unbiased investigation or sufficient evidence to support a finding of probable cause. Rather, the bill permits an unfounded accusation to be made against an owner and a dog, without any evidence, and thereby triggering significant legal and financial consequences under the bill. Here, any person who is willing to write a statement triggers the probable cause determination. It is not unheard of that a spiteful neighbor lies to get an owner in trouble and causing the disposal of the dog which creates an unjust nightmare emotionally and financially for the owner of an innocent dog.

Another significant problem of the bill is that Section 142-B, page 5, lines 7-8, subsections (2) and (3) do nothing to ensure due process and equal protection for the accused owner. Section 142-B (a) (2) provides that the officer's determination is based upon the officer's observation of the dog's actions. For the vast majority of cases, an officer is not present at the time of the incident. Further, any post-incident conduct observed by the officer would not be relevant to the underlying incident.

Similarly, under Section 142-B (a)(3), the determination may be based on "[o]ther substantial evidence admissible in court." An officer responding to a report of a dog attack, whether law enforcement or an animal control officer, is not in a position to determine what, if any, evidence is admissible in court. The officer, unlike a judicial court, does not know what evidence is admissible in a court of law under the Hawaii Rules of Evidence, state law or case law. Additionally, the bill does not define what would constitute "substantial evidence," more less admissible evidence. Under H.B. 2058, section 142-B (a), permitting an officer to make the determination of dangerous dog creates fatal constitutional issues under article I, §5 of the Hawaii Constitution.

It is unjust and problematic for the probable cause determination to be based solely on a written statement by a single person who is willing to write that the owner and dog meet the definition of a dangerous dog. A dog attack is a highly emotional incident that is stressful and frenzied. A dog attack significantly impacts an individual's perception and memory. The victim of a dog attack, either as the owner of pet which has been attacked or having personally suffered an injury from a dog, is subjected to the stress and emotion of the moment and may not be thinking straight. Circumstances and details leading up to the attack, the attack, identification of the dog and the victim or the victim's pet's role(s) in the attack can be influenced and compromised based on emotions, stress and bias. It is unfair and unjust to permit the weight of the penalties to rise and fall based on a one-sided written statement.

Another major legal issue with H.B. 2058 is that once the determination of a dangerous dog is made, restrictions and requirements are automatically activated and fall upon the owner and the dog. The owner is financially responsible for boarding, care and impoundment expenses. Additionally, the bill problematically

requires that the owner obtain liability insurance or post a bond in a “higher amount” to address “potential future actions” of the dog. The onerous financial requirement for possible future unknown conduct is inappropriate and violative of the owner’s due process rights. The owner will suffer irreversible financial obligations that will not be refunded even if the owner is not convicted of the criminal offense. There is no recourse for the owner to challenge the officer’s probable cause determination of dangerous dog or to present any evidence. The lack of any ability to appeal, present evidence or any way challenge a vindictive and/or baseless dangerous dog determination raises constitutional issues under the due process and equal protection clauses of Article I, section 5 of the Hawaii Constitution.

The considerable increase in penalties is disproportionate for the conduct and the state of mind. H.B. 2058 seeks to increase the penalty from a misdemeanor to a class C felony with a mandatory prison term and a mandatory minimum term of one year of imprisonment, based on the resulting injuries, similar to the categorization of assault-type charges. The escalation of the penalties for dangerous dog is unjustified because unlike charges which base the penalty on the severity of injury, those offenses are based on intentional and knowing conduct. Here, the offense is based on a negligent statement of mind that does not reflect the same level of intentional conduct.

In addition, mandatory prison sentencing is not appropriate. The sentence is significantly disproportionate to the severity of the offense and the requisite state of mind. The mandatory prison sentence removes discretion from the judge as well as the Hawaii Paroling Authority and inappropriately shifts the authority to the police and prosecution. The mandatory prison sentence and minimum term of imprisonment will lead to many cases being set for trial, increasing the work and caseload for defense attorneys and prosecutors and congest the court. There is no support that mandatory prison sentences and mandatory minimum terms of imprisonment will effectively curb the criminal conduct. Furthermore, there are less expensive and more effective alternatives to prison, including probation. The negligent failure to control a dangerous dog and the drastic increase of penalty with a mandatory prison term and a mandatory minimum term of one year of imprisonment cannot be supported.

Thank you for the opportunity to comment on this bill.

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

DEXTER KISHIDA
Deputy to the Chairperson

State of Hawai'i
DEPARTMENT OF AGRICULTURE
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**TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE**

BEFORE THE SENATE COMMITTEE ON JUDICIARY

**MARCH 14, 2024
9:30 AM
CONFERENCE ROOM 016 & VIDEOCONFERENCE**

**HOUSE BILL NO. 2058, HD1
RELATING TO DANGEROUS DOGS**

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

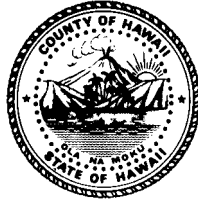
Thank you for the opportunity to testify on House Bill 2058, HD1. House Bill 2058, HD1 proposes to amend Chapter 142, HRS by adding a new part designated "Dangerous Dogs." This new part includes §142-A Definitions, §142-B basis for designation as a dangerous dog, §142-C Legal requirements of owner, §142-D Rescission of declaration, §142-E Negligent failure to control a dangerous dog; §142-F Impoundment of a dangerous dog, §142-G Inspection, §142-H Exemption, §142-I Civil action not precluded, and establishes requirements and penalties. The Department provides comment.

The Department recommends this measure be placed in Chapter 711, HRS instead of Chapter 142, HRS. The Department believes Chapter 711, HRS is more appropriate because it addresses criminal offenses and criminal proceedings, such as those this measure proposes for dangerous dogs.

Thank you for the opportunity to provide comments.



Susan L.K. Lee Loy
Council Member
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HAWAI'I COUNTY COUNCIL

25 Aupuni Street, Hilo, Hawai'i 96720

March 11, 2024

The Honorable Senator Karl Rhoads, Chair
The Honorable Senator Mike Gabbard, Vice Chair
Members of the Senate Committee on Judiciary

Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: Support for HB 2058 HD1, relating to Dangerous Dogs

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

Mahalo for the opportunity to express support for House Bill No. 2058 HD1. This bill is of utmost importance in addressing the longstanding challenges and growing concerns surrounding dangerous dog attacks and seeks to establish statewide requirements and penalties for dangerous dog owners.

Although our County has done great policy work to establish felony level offenses for dog attacks, existing state law preempts the enactment of felony offenses via county ordinance. As a result, these penalties are not enforceable and this situation continues to frustrate our County law enforcement, victims, and their families.

HB 2058 HD1 reflects the community's recognition of the urgency to address the dangerous conditions and is a positive step towards imposing appropriate penalties and protecting the public.

Sincerely,

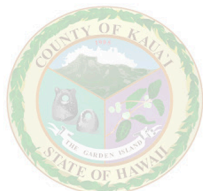
A handwritten signature in black ink, appearing to read "Susan L.K. Lee Loy".

Susan "Sue" L.K. Lee Loy
Council Member, County of Hawai'i



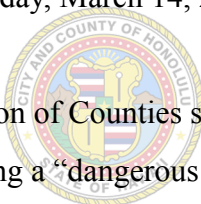
**Testimony of the
Hawai'i State Association of Counties
H.B. No. 2058 H.D. 1**

Relating to Dangerous Dogs.

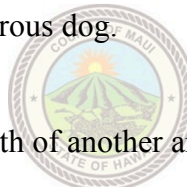


Committee on Judiciary

Thursday, March 14, 2024, 9:30 a.m.



The Hawai'i State Association of Counties supports H.B. No. 2058, H.D.1, which establishes the criteria for designating a “dangerous dog,” the legal requirements of the owner of a dangerous dog, and penalties for failure to control a dangerous dog.



Dangerous dog attacks have resulted in injury or death of another animal or injury or death of a person. H.B. No. 2058 H.D.1 will establish a law that addresses dangerous dog incidents of irresponsible dog owners, and establish enforceable sentences that are appropriate for the offenses.

For these reasons, the Hawai'i State Association of Counties strongly supports H.B. 2058, H.D.1, and requests your favorable consideration of this measure.



REBECCA VILLEGAS
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TESIMONY OF REBECCA VILLEGAS COUNCIL MEMBER

HAWAII COUNTY COUNCIL

ON HB2058 HD1 RELATING TO DANGEROUS DOGS

Senate Committee on Judiciary

March 11, 2024

Chairperson Rhoads and Members of the Committee:

My testimony is submitted in my individual capacity as a member of the Hawaii County Council.

I support HB2058 HD1, a measure which finds that dogs owners should clearly be held responsible for the aggressive actions of their dogs that harm persons or other animals. The purpose of this bill is to: (1) define what constitutes a dangerous dog; and (2) establish requirements and penalties for owners of dangerous dogs.

For these reasons stated above, I urge the House Committee on Finance to support this measure. Should you have any questions, please contact me at, (808) 323-4267.

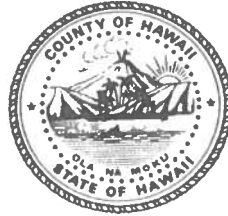
Mahalo for your consideration.

A handwritten signature in black ink, appearing to read "Rebecca Villegas".

Rebecca Villegas
Council Member, Hawai'i County Council

KELDEN B.A. WALTJEN
PROSECUTING ATTORNEY

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OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF HOUSE BILL NO. 2058 HD1

RELATING TO DANGEROUS DOGS

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

Thursday, March 14, 2024 at 12:00 p.m.
State Capitol Conference Room 016
And Via Video Conference

Honorable Chair Yamashita, Vice Chair Kitagawa, and Members of the Committee on Finance, The County of Hawai'i, Office of the Prosecuting Attorney submits the following testimony in support of the passage of House Bill No. 2058 HD1 with comments.

This bill was drafted in response to growing concerns surrounding dangerous dog attacks across our state and seeks to establish statewide requirements and penalties, including felony penalties, for dangerous dog owners where a dog attack results in injury or death to another animal and/or bodily injury, substantial bodily injury, serious bodily injury, and/or death of another person.

Hawaii Revised Statutes ("HRS") Section 142-75 provides the authority for each county to enact and enforce ordinances to regulate dangerous dog owners. HRS Section 46-1.5 further defines the general powers and limitations of the counties including restricting the counties power to establish ordinances and fix penalties for a violation of an ordinance as a violation (i.e. subject to a fine), petty misdemeanor, or misdemeanor offense.

Notwithstanding, in April 2022, the Hawai'i County Council passed Bill 125 into law as Hawai'i County Code ("HCC") 4-4-32 establishing felony level offenses for dog attacks that resulted in substantial bodily injury, serious bodily injury, and/or death of another person. See attached Exhibit "A". Unfortunately, review of Sections 142-75 and 46-1.5 indicate that existing state law preempts the enactment of felony offenses via county ordinance. As a result, the class B and C felony penalties contained within HCC 4-4-32 are not enforceable much to the frustration of Hawai'i County law enforcement, officials, victims and their families, and our community.

Our Office regularly meets with community groups, local government leaders, law enforcement officials, and members of the public about their concerns and interests regarding the criminal justice system. In hopes of addressing our community's concerns and prioritizing the safety and well-being of Hawai'i Island residents we have conducted several online surveys. In

our 2021 online survey which ran from December 9, 2021 through December 30, 2021, a total of 1,422 individuals participated. Of those 1,422 participants, 1,144 or 81.08% supported legislation for harsher penalties for the criminal liability of dog owners in dog attacks resulting in substantial bodily injury, serious bodily injury, or death. Please see attached Exhibit "B".

On February 6, 2024, the Hawai'i County Council Committee on Governmental Operations and External Affairs recommended the adoption of Resolution No. 430-24, "A resolution urging the Hawai'i State Legislature to amend Chapter 142, Hawaii Revised Statutes, to provide for greater public safety against the risk of damage, injury, and death posed by dangerous dogs by increasing enforcement and penalties against owners of such dogs."

House Bill No. 2058 is a positive step in the right direction. That being said, there are few concerns that may need to be addressed including consideration of adopting the definitions of "serious bodily injury" as defined under HRS Chapter 707 or renaming "serious bodily injury" under Chapter 142 and enacting a class B felony penalty offense resulting in serious bodily injury or death of another person.

The County of Hawai'i, Office of the Prosecuting Attorney remains committed to the pursuit of justice with integrity and commitment. There is a substantial public interest to address serious incidents involving irresponsible owners of dangerous dogs. The imposition of appropriate penalties and sanctions for owners of dangerous dogs will promote respect for the law, ensure that offenders receive an appropriate sentence that reflects the seriousness of the offense, provide adequate deterrence for further criminal conduct, and protect the public.

For the foregoing reasons, the, County of Hawai'i, Office of the Prosecuting Attorney supports the passage of House Bill No. 2058 HD1 with comments. Thank you for the opportunity to testify on this matter.

Section 4-4-29. Leash required for public places.

No person shall bring or permit any dog in any County park, public school ground, or airport unless it is held under control by a suitable leash, not more than six feet long; provided, however, that dogs even under control by a suitable leash shall not be allowed in any County beach park. These restrictions shall not apply to dogs utilized by police for patrol or other police purposes.

(1983 CC, c 4, art 4, sec 4-29; am 1986, ord 86-34, sec 5; am 2022, ord 22-36, sec 6.)

Section 4-4-30. Penalty for permitting a dog to stray.

In addition to other penalties listed in this chapter, the owner of any dog which strays upon any public lands or the private lands of another shall be fined as follows:

- (1) For a first offense, or any offense not preceded within a five-year period by a conviction under this section: \$25.
- (2) For any offense which occurs within a five-year period of a prior conviction under this section: \$50.
- (3) For any offense which occurs within five years of two prior convictions under this section: \$75.
- (4) For any offense which occurs within five years of three or more prior convictions under this section; any one or more of the following:
 - (A) A fine of up to \$500.
 - (B) Up to one hundred hours of community service.

(1983 CC, c 4, art 4, sec 4-30; am 1995, ord 95-32, sec 3; am 2022, ord 22-36, sec 6.)

Division 3. Dangerous Dogs.**Section 4-4-31. Dangerous dogs may be slain.**

- (a) If any dangerous, fierce, or vicious dog shall be found running at large and cannot be taken up or tranquilized and impounded, such dog may be slain by any officer or agent authorized to perform any duty under this chapter.
- (b) Notwithstanding any provision to the contrary which may be found elsewhere in this chapter, where livestock have been killed, maimed or injured by any dangerous, fierce or vicious stray dog, the owner of such livestock or the owner's agent, after being deputized as a special officer in accordance with the provisions of section 4-2-4, may take any action necessary to protect the owner's livestock from such dangerous, fierce, or vicious dog, including, without limitation, slaying or otherwise disposing of the same.

(1983 CC, c 4, art 4, sec 4-28; am 2022, ord 22-36, sec 6.)

Section 4-4-32. Negligent failure to control a dangerous dog; penalties.

- (a) A dog owner commits the offense of negligent failure to control a dangerous dog, if the person negligently fails to take reasonable measures to prevent the dog from attacking, without provocation, a person or animal and such attack results in:
- (1) The maiming or causing of serious injury to or the destruction of an animal;
 - (2) Bodily injury to a person;
 - (3) Substantial bodily injury to a person; or
 - (4) Serious bodily injury or death.
- (b) For the purposes of this section, "reasonable measures to prevent the dog from attacking" shall include but not be limited to:
- (1) Measures required to be taken under sections 4-3-1, 4-3-2, 4-3-5, 4-4-21, 4-4-24, 4-4-30 and 4-9-1 of this chapter to prevent the dog from becoming a stray; and
 - (2) Any conditions imposed by the court for the training of the dog or owner or for the supervision, confinement or restraint of the dog for a previous conviction under this section.
- (c) A person convicted under this section of a violation of subsections (a)(1) or (a)(2) shall be guilty of a petty misdemeanor and sentenced to one or more of the following:
- (1) A fine of not less than \$200 nor more than \$1,000;
 - (2) A period of imprisonment of up to thirty days or, in lieu of imprisonment, a period of probation of not more than six months in accordance with the procedures, terms and conditions provided in chapter 706, part II, Hawaii Revised Statutes; or
 - (3) Restitution to any individual who has suffered bodily injury or property damage as a result of an attack by the dog.
- (d) A person convicted under this section of a violation of subsection (a)(3) shall be guilty of a class C felony and sentenced to one or more of the following:
- (1) A fine of not less than \$500 nor more than \$10,000;
 - (2) A period of imprisonment of up to five years or, in lieu of imprisonment, a period of probation of four years with up to one year of imprisonment, in accordance with the procedures, terms and conditions provided in chapter 706, part II, Hawaii Revised Statutes;
 - (3) Restitution to any individual who has suffered bodily injury or property damage as a result of an attack by the dog; or
 - (4) The dog shall be humanely destroyed.
- (e) A person convicted under this section of a violation of subsection (a)(4) shall be guilty of a class B felony and sentenced to one or more of the following:
- (1) A fine of not less than \$500 nor more than \$25,000;
 - (2) A period of imprisonment of up to ten years or, a period of probation of four years with up to eighteen months of imprisonment, in accordance with the procedures, terms and conditions provided in chapter 706, part II, Hawaii Revised Statutes;

(3) Restitution to any individual who has suffered bodily injury or property damage as a result of an attack by the dog; or

(4) The dog shall be humanely destroyed.

(2002, ord 02-138, sec 3; am 2022, ord 22-36, secs 6 and 7.)

Section 4-4-33. Habitual negligent failure to control a dangerous dog; penalties.

(a) A dog owner commits the offense of habitual negligent failure to control a dangerous dog, if the person was convicted of a violation of section 4-4-32 within five years prior to the present incident, the prior violation involved the same dog, and the dog owner negligently failed to take reasonable measures to prevent the dog from attacking, without provocation, a person or animal and such attack results in:

(1) The maiming or causing of serious injury to or the destruction of an animal; or

(2) Bodily injury to a person.

(b) A person convicted under this subsection shall be guilty of a misdemeanor and sentenced to one or both of the following procedures, terms and conditions provided in chapter 706, part II, Hawai'i Revised Statutes:

(1) A fine of not less than \$200 nor more than \$2,000;

(2) A period of imprisonment of up to one year, or in lieu of imprisonment, a period of probation of not more than one year in accordance with the procedures, terms and conditions provided in chapter 706, part II, Hawai'i Revised Statutes;

(3) Restitution to any individual who has suffered bodily injury or property damage as a result of an attack by the dog; or

(4) The dog shall be humanely destroyed.

(2022, ord 22-36, sec 10; am 2022, ord 22-36, sec 10.)

Section 4-4-34. Citation and summons; seizure; relinquishment of ownership.

(a) Upon finding probable cause to believe that there has been a violation of sections 4-4-32 or 4-4-33, an enforcement officer may arrest or issue a summons and citation to the dog's owner, or both. In addition to arresting or issuing a summons and citation to the owner, an enforcement officer shall have the dog seized and impounded until: (1) the Court orders that the dog be humanely destroyed or returned to the owner, or; (2) a criminal case arising out of the violation of section 4-4-32 or 4-4-33 is dismissed, whichever comes first. Such impoundment may be at the premises of a licensed veterinarian, a County animal control facility, or at a commercial kennel. All expenses incurred by the County relating to the care and custody of the dog shall be borne by the owner regardless of whether the alleged offense results in a conviction pursuant to the provisions of chapter 4.

(b) If a dog is seized and impounded pursuant to this section, the citation shall notify the owner that if the owner does not appear at the time and place stated in the summons, the dog shall be subject to relinquishment pursuant to subsection (d).

- (c) Any person who refuses to surrender a dog that is subject to relinquishment pursuant to this section shall be guilty of a petty misdemeanor and fined not less than \$200 nor more than \$2,000, imprisoned not more than thirty days, or both.
- (d) In the event that the owner of a dog seized and impounded pursuant to this section fails to appear in court as required, ownership of the dog shall be deemed relinquished and the court may order disposition of the dog as it deems appropriate.
- (e) Notwithstanding any relinquishment of ownership of the dog pursuant to subsection (d) or voluntary relinquishment of ownership of the dog, the owner shall still be responsible for all expenses of boarding the dog and any penalties which may be imposed by the court.

(2002, ord 02-138, sec 3; am 2022, ord 22-36, secs 6 and 9.)

Section 4-4-35. Additional penalties.

- (a) Unless the dog has been or is ordered to be humanely destroyed, the dog owner shall also be sentenced to the following provisions, in addition to the provisions of sections 4-4-32 and 4-4-33:
 - (1) The owner shall provide the owner's name, address and telephone number to the County animal control service;
 - (2) The owner shall provide the location at which the dog is currently kept, if such location is not the owner's address;
 - (3) The owner shall promptly notify the appropriate animal control service of:
 - (A) Any changes in the ownership of the dog or the location of the dog along with the names, addresses, and telephone numbers of new owners or the new address at which the dog is located;
 - (B) Any further instances of an attack by the dog upon a person or an animal;
 - (C) Any claims made or lawsuits brought as a result of further instances of an attack by the dog; or
 - (D) The death of the dog.
 - (4) The owner shall obtain a license for the dog pursuant to section 143-2, Hawaii Revised Statutes, if the dog is not currently licensed; and
 - (5) Unless already identified by microchip, the dog shall be permanently identified, at the owner's expense, by injecting into the dog an identification microchip using standard veterinary procedures and practices. The microchip identification number of the dog shall be provided to the County animal control service.
- (b) Unless the dog has been or is ordered to be humanely destroyed, in addition to the provisions of subsection (a), the dog owner may also be sentenced to any of the following terms or conditions:
 - (1) When indoors, the dog be under the control of a person eighteen years of age or older;
 - (2) When outdoors and unattended, the dog be kept within a locked fenced or walled area from which it cannot escape;
 - (3) When outdoors and unattended, the dog be confined to an escape-proof kennel;

- (4) When outdoors, the dog be attended and kept within a fenced or walled area from which it cannot escape;
 - (5) When outdoors, the dog be attended and kept on a leash no longer than six feet in length and under the control of a person eighteen years of age or older;
 - (6) When outdoors, the dog be attended and muzzled with a muzzle that prevents the dog from biting any person or animal but does not cause injury to the dog or interfere with its vision or respiration;
 - (7) A sign or signs be placed in a location or locations directed by the court advising the public of the presence and dangerousness of the dog;
 - (8) The owner and dog, at the owner's expense, attend training sessions conducted by an animal behaviorist, a licensed veterinarian, or other recognized expert in the field;
 - (9) The dog be neutered or spayed at the owner's expense, unless the neutering or spaying of the dog is medically contraindicated;
 - (10) The owner procure liability insurance or post bond of not less than \$50,000, or for a higher amount if the court finds a higher amount appropriate to cover the medical and/or veterinary costs resulting from potential future actions of the dog;
 - (11) The dog be humanely destroyed; or
 - (12) Any other condition the court deems necessary to restrain or control the dog.
- (c) For the purposes of this section, an "escape-proof kennel" means a kennel which allows the dog to stand normally and without restriction, which is at least two and one-half times the length of the dog, and which protects the dog from the elements. Fencing or wall materials required under this section shall not have openings with a diameter of more than two inches, and in the case of wooden fences, the gaps therein shall not be more than two inches. Any gates within such kennel or structure shall be lockable and of such design as to prevent the entry of children or the escape of the dog, and when the dog is confined to such kennel or area and unattended, such locks shall be kept locked. The kennel may be required to have double exterior walls to prevent the insertion of fingers, hands, or other objects.
- (d) Upon probable cause, an enforcement officer may either arrest or issue a summons and citation to the owner for violation of subsection (a).
- (2022, ord 22-36, sec 13.)

Section 4-4-36. Civil action not precluded.

Nothing contained in this article shall preclude any person injured by a dog from bringing a civil action against the owner of such dog pursuant to the applicable provisions of state law.
(2002, ord 02-138, sec 3; am 2022, ord 22-36, secs 6 and 12.)

Section 4-4-37. Exemption.

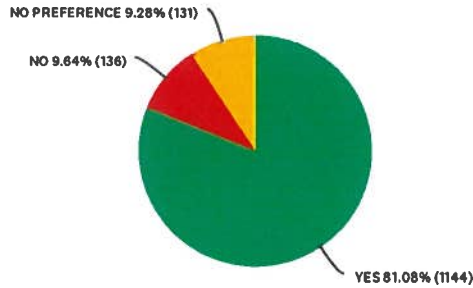
The provisions of this article shall not apply to dogs owned by any law enforcement agency and used in the performance of law enforcement work.
(2002, ord 02-138, sec 3; am 2022, ord 22-36, secs 6 and 8.)



OFFICE OF THE PROSECUTING ATTORNEY LEGISLATIVE INITIATIVES SURVEY

Q9 Do you support legislation for harsher penalties for the criminal liability of dog owners in dog attacks resulting in substantial bodily injury, serious bodily injury, or death?

Answered: 1,411 Skipped: 11



ANSWER CHOICES	RESPONSES	
YES	81.08%	1,144
NO	9.64%	136
NO PREFERENCE	9.28%	131
TOTAL		1,411

BACKGROUND

Currently, regardless of the seriousness of the injury, most dog attack cases on Hawai'i Island are investigated and prosecuted as a violation of Hawai'i County Code Section 4-31. If convicted a person shall be subject to a fine between \$200 and \$2,000, up to thirty (30) days in jail, and/or six (6) months probation. HRS provides the following relevant definitions:

"Serious bodily injury" means bodily injury which creates a substantial risk of death or which causes serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

"Substantial bodily injury" means bodily injury which causes a major avulsion, laceration, or penetration of the skin, a bone fracture, a serious concussion, or a tearing, rupture, or corrosive damage to the esophagus, viscera, or other internal organs

PROSECUTORS PROPOSAL

The Office of the Prosecuting Attorney proposes assessing felony level penalties where a dog attack results in substantial or serious bodily injury, or death.



Jennifer Kagiwada
Council Member District 2 South Hilo



Office: (808) 961-8272
jennifer.kagiwada@hawaiicounty.gov

HAWAI'I COUNTY COUNCIL - DISTRICT 2

25 Aupuni Street • Hilo, Hawai'i 96720

DATE: March 13, 2024
TO: Senate Committee on Judiciary
FROM: Jennifer Kagiwada, Council Member
Council District 2
SUBJECT: HB 2058 HD1

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

I am writing to you in strong support of HB 2058 HD1. This is a long overdue and very important bill to help protect the safety of our community. Our County passed Ordinance No. 36 in 2022 to establish fines, penalties, and other regulations for those who own dangerous dogs.

Dog attacks have continued to occur since the enactment of our County legislation, which has demonstrated the need for stronger laws and enforcement. We have been made aware through attempted prosecution of County laws that there are inconsistencies between the State and County laws and we therefore need this legislation to help with clarification and enforcement.

Our County Council office introduced Resolution 430 in support of HB 2058 HD1 and passed its final reading on February 21st. Reso 430 is in support of the State passing legislation on this issues and I am attaching a copy to this testimony. Please note that this Reso 430 includes language in its first "Be it resolved" clause asking for penalties that include a class B felony option if the attack results in death. Please amend HB 2058 HD1 to include similar language so that the State and County legislation is consistent and provides for appropriate penalties if a death occurs.

Thank you for the opportunity to testify in favor of HB 2058 HD1.

Mahalo,

A handwritten signature in black ink, appearing to read "Jenn Kagiwada".

Jenn Kagiwada

RESOLUTION NO. 430 24

(DRAFT 2)

A RESOLUTION URGING THE HAWAI'I STATE LEGISLATURE TO AMEND CHAPTER 142, HAWAI'I REVISED STATUTES, TO PROVIDE FOR GREATER PUBLIC SAFETY AGAINST THE RISK OF DAMAGE, INJURY, AND DEATH POSED BY DANGEROUS DOGS BY INCREASING ENFORCEMENT AND PENALTIES AGAINST OWNERS OF SUCH DOGS.

WHEREAS, the American Veterinary Medical Association considers dog attacks to be a serious health risk to our society that is almost entirely preventable through public education and properly enforced measures by owners to keep dogs humanely restrained and secured; and

WHEREAS, Hawai'i County residents and their animals have recently been subjected to a number of vicious attacks by dogs, causing severe injuries and ultimately resulting in the deaths of persons and animals that were attacked; and

WHEREAS, on April 6th, 2022, in response to these recurring attacks, the Council of the County of Hawai'i ("the Council") unanimously passed Bill No. 125, Draft 2, which was signed into law as Ordinance No. 22-36 by Mayor Mitchell Roth on April 21st, 2022; and

WHEREAS, Ordinance No. 22-36 provided additional provisions to regulate persons who own, harbor, or keep any dog that has bitten, injured, maimed, or killed a person or injured, maimed, or destroyed an animal belonging to another person; and

WHEREAS, dog attacks have continued to occur since the enactment of this legislation, demonstrating the need for stronger laws, penalties, and enforcement relating to dangerous dogs; and

WHEREAS, inconsistencies in State and County laws regarding dangerous dogs have made it unclear which laws are enforceable to hold dog owners accountable; and

WHEREAS, the problem of dangerous dogs is not unique to Hawai'i County, and the Hawai'i State Association of Counties recognized this issue as the number one legislative priority for its 2024 legislative package; and

WHEREAS, the Hawai'i State Legislature is currently considering multiple bills, such as S.B. 2692 and H.B. 2058, that would establish requirements and penalties for dog owners that allow their dogs to injure or kill other animals or people; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I that this body hereby urges the Hawai'i State Legislature to amend Chapter 142, Hawai'i Revised Statutes, to set and increase fines, penalties, and other regulations as prescribed in Ordinance No. 22-36, including providing that owners convicted under the law be found guilty of a class C

felony for a dog attack that results in substantial bodily injury to a person, or a class B felony if the attack results in death.

BE IT FURTHER RESOLVED that the Council supports the intent of S.B. 2692 and H.B. 2058 and urges the legislature to consider these bills and other similar measures as potential vehicles to bring about much-needed changes to State law in an effort to prevent any more injury, damage, or death caused by dangerous dogs.

BE IT FINALLY RESOLVED that the County Clerk shall transmit a copy of this resolution to the Honorable Joshua Green, M.D., Governor of the State of Hawai'i; the Honorable Ronald D. Kouchi, President of the Hawai'i Senate; the Honorable Scott K. Saiki, Speaker of the Hawai'i House of Representatives; the Honorable members of the Hawai'i Island delegation to the Hawai'i State Legislature; the Honorable Mitchell D. Roth, Mayor of the County of Hawai'i; the Honorable Kelden Waltjen, Prosecuting Attorney of the County of Hawai'i; Benjamin Moszkowicz, Chief of Police of the County of Hawai'i; the Honorable Thomas Waters, Chair of the Council of the City and County of Honolulu; the Honorable Alice L. Lee, Chair of the Council of the County of Maui; the Honorable Melvin Rapozo, Chair of the Council of the County of Kaua'i; the Honorable Steven S. Alm, Prosecuting Attorney of the City and County of Honolulu; the Honorable Rebecca V. Like, Prosecuting Attorney of the County of Kaua'i; and Andrew H. Martin, Prosecuting Attorney of the County of Maui.

Dated at Kona , Hawai'i, this 21st day of February , 20 24 .

INTRODUCED BY:



 COUNCIL MEMBER, COUNTY OF HAWAI'I

COUNTY COUNCIL
 County of Hawai'i
 Hilo, Hawai'i

I hereby certify that the foregoing RESOLUTION was by the vote indicated to the right hereof adopted by the COUNCIL of the County of Hawai'i on February 21, 2024 .

ATTEST:


 COUNTY CLERK CHAIRPERSON & PRESIDING OFFICER

ROLL CALL VOTE

	AYES	NOES	ABS	EX
EVANS	X			
GALIMBA	X			
INABA	X			
KAGIWADA	X			
KĀNEALI'I-KLEINFELDER			X	
KIERKIEWICZ	X			
KIMBALL	X			
LEE LOY	X			
VILLEGAS	X			
	8	0	1	0

Reference: C-712.21/GOEAC-108

RESOLUTION NO. 430 24

(DRAFT 2)



Hawaiian Humane Society
People for animals. Animals for people.

2700 Waiialae 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 2058, HD1: Relating to Dangerous Dogs
Thursday, March 14, 2024, 9:30 a.m., Room 016 & Videoconference

Aloha Chair Rhoads, Vice Chair Gabbard and Committee Members,

On behalf of the Hawaiian Humane Society, thank you for considering our support for House Bill 2058, which establishes requirements and penalties for owners of dangerous dogs, allows for impounding of dangerous dogs under certain conditions, and takes effect 1/1/3000.

The current response to dangerous dog issues in Hawai'i is dictated by county ordinance. While local control makes sense for a lot of issues, it has its limitations when it comes to these offences. This bill takes the issue to the state level in order to address those limitations.

HB 2058 would improve law enforcement's response to the threat dogs may pose in the community, as well as to bite incidents, in the following ways:

- It allows pre-court dangerous dog designations in cases – such as frequent strays that menace the community without causing a bite injury – that are designed to preserve a pet owner's property rights while keeping the community safe. These same rules could be imposed in the case of minor bites when a victim does not want to press charges, preventing a more serious incident and/or helping to establish proof of negligence if the owner is noncompliant. These are the most common dangerous dog issues seen by law enforcement and the current tools are inadequate to compel better behavior, leading to frustration in the community.

- The bill also creates a process for reversing a dangerous dog designation under certain conditions. This has precedent in other jurisdictions and is a step toward more progressive animal law enforcement.
- For cases serious enough to warrant prosecution, particularly those that cause the serious injury or death of a human being, this measure allows for a felony penalty, which is not possible under county ordinance. Our communities are angry that these cases, especially the truly egregious ones, are not taken more seriously.

This measure is intended to have the double benefit of reducing the number of cases that will need to go to court at all, while imposing more appropriate penalties for those that do.

While public safety is the primary goal of this measure, its provisions also take a strong stand for animal welfare.

- It has clear guidelines for what constitutes provocation.
- It does not discriminate based on arbitrary factors such as breed.
- It standardizes the rules across the state, allowing for more consistent training and enforcement at the county level.
- It requires pre-paid boarding or surrender of impounded dogs. Pre-paid boarding is common in other jurisdictions, and it reduces the number of animals who suffer the devastating mental and physical deterioration that occurs in dogs who spend a year or more in a shelter environment while cases resolve.

We urge you to pass HB 2058 with an effective date of Jan. 1, 2025, to give the counties time to prepare to implement the new statute. This measure will allow law enforcement to better respond to community concerns, prevent dog bites from taking place, and increase penalties in the case of the worst attacks.

Mahalo for your consideration.



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 2058, HD1: Relating to Dangerous Dogs
Thursday, March 14, 2024, 9:30 a.m., Room 016 & Videoconference

Aloha Chair Rhoads, Vice Chair Gabbard and Committee Members,

On behalf of the Hawai'i Animal Welfare Association, thank you for considering our support for House Bill 2058, which establishes requirements and penalties for owners of dangerous dogs, allows for impounding of dangerous dogs under certain conditions, and takes effect 1/1/3000.

HAWA represents the largest animal welfare nonprofits in each county and the animal law enforcement contractors on Kauai, O'ahu and Maui. Our members are in strong support of this measure. Fatal attacks on Hawai'i Island have fueled anger in the community and created a sense of powerlessness among law enforcement agencies. Hawai'i County attempted to address the lack of an appropriate penalty for serious dog bites in 2022 but learned it could not codify a felony penalty in county ordinance.

Better tools are needed statewide to encourage dog owners to keep their animals contained and their neighborhoods safe, to prevent attacks, and to impose adequate punishment when they occur. This bill would help to provide those tools.

We urge you to pass HB 2058 with an effective date of Jan. 1, 2025, to give our organizations, county police departments, and Hawai'i County Animal Control time to prepare to implement the new statute.

This measure will keep people and animals safe from harm. Mahalo for your consideration.

HB-2058-HD-1

Submitted on: 3/12/2024 1:16:53 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:

HB2058 HD1 Relating to Dangerous Dogs increases penalties and requirements/responsibilities for owners keeping dogs deemed dangerous.

We consider that it is the guardian of the dog who is responsible for fostering the dog's dangerous behaviour.

While the primary purpose of the bill is to protect public safety, it balances protections for animals by allowing law enforcement broader authority to require guardians to keep their dogs safe at home and by discouraging prolonged impoundment.

We are asking for an effective date of January 1, 2025, to give the counties ample time to prepare.



AMERICANS FOR DEMOCRATIC ACTION

OFFICERS

John Bickel, President
Alan Burdick, Vice President
Doug Pyle, Secretary

DIRECTORS

Melodie Aduja
Juliet Begley
Stephanie Firtzpatric
Robert Kinslow

MAILING ADDRESS

Stephen O'Harrow
Maria Glodilet Rallojaj
Bill South
P.O. Box 23404
Honolulu

March 11 2024

TO: Chair Rhoads and Members of the Judiciary Committee

RE: Re: HB 2058 HD1 on Dangerous Dogs

Support for Hearing: Thursday, March 14

We support progressive legislation in Hawaii and nationally. The late Patsy Mink was one of our leaders. Our ADA state board respectfully testifies on a personal basis in strong support of this bill. One of our board members is Shannon Matson, whose father, Robert "Bob" Northrop, was killed last August while walking on the street when four large uncontrolled dogs ran out from their owner's house and mauled him.

We were rather surprised to learn that Hawaii has no comprehensive law on controlling violent dogs. This failure must be remedied as soon as possible.

We respectfully suggest that you increase the criminal penalties for injuries resulting in death from a Class C felony (up to 5 yrs. jail and \$10K in fines) to a Class B felony (up to 10 yrs. jail and \$25K in fines) similar to negligent homicide.

Under HRS Sec. 707-703(1), a person is guilty of negligent homicide in the first degree if the person causes the death of another person by the operation of a vehicle in a "negligent" manner. The statutorily defined standard of "negligence" upon which this offense is based is set forth in HRS Sec. 702-706(4).

First Degree Negligent homicide involves causing the death of a "vulnerable user" while driving in a "negligent" manner. "Vulnerable users" include pedestrians lawfully on the street or public highway, road and emergency workers engaged on work on the street or public highway, persons on bicycles and mopeds, and persons on wheelchairs.

Thank you very much for your consideration of our testimony.

Sincerely,

John Bickel, President

HB-2058-HD-1

Submitted on: 3/13/2024 6:47:44 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	Written Testimony Only

Comments:

I strongly support that people should be held responsible for the actions of their dogs. Animals are a reflection of the owner. Owners train animals to be a certain way.



AMERICAN
KENNEL CLUB®

Phil M. Guidry, J.D.
Director, Policy Analysis
Government Relations

Wednesday, March 13, 2024

The Honorable Karl Rhoads, Chair
Hawai'i Senate Judiciary Committee
Room 228, State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

RE: Due Process Concerns with House Bill 2058 (H.D. 1), re: Dangerous Dogs

Chair Rhoads and members of the Hawai'i Senate Judiciary Committee:

The American Kennel Club (AKC) promotes the study, breeding, exhibiting, and advancement of purebred dogs, and represents over 5,100 dog clubs nationally, including 40 clubs in Hawai'i. AKC advocates for the purebred dog as a family companion, advances canine health and well-being, protects the rights of dog owners, and promotes the ideals of responsible dog ownership.

AKC and our affiliated clubs are both happy and proud to serve lawmakers and communities by sharing with them our animal care and responsible ownership principles. **Today, we write to share some concerns with House Bill 2058. We respectfully request that the committee amend the bill prior to further consideration.**

AKC supports reasonable, enforceable, non-discriminatory (i.e., breed-neutral) laws to govern the ownership of dogs, including laws that: establish a fair process by which specific dogs are identified as "dangerous" based on stated, measurable actions; impose appropriate penalties on irresponsible owners; and establish a well-defined method for dealing with dogs proven to be dangerous. To these ends, we support many of the provisions of Section 2 of HB 2058 (H.D. 1), including the following draft sections as described here:

- **Definitions**
- **Designation as dangerous dogs; basis**
- **Legal requirements of owner, in part**
- **Rescission of declaration**
- **Negligent failure to control a dangerous dog**
- **Inspection**
- **Exemption**
- **Civil action not precluded.**

While we appreciate incorporation of amendments that have addressed some of our previous concerns, AKC remains concerned with subsection (e)(2)(B) of draft section **142-F Impoundment of a dangerous dog** (page 15 of bill). In our view, the automatic relinquishment provided for can lead to a forfeiture of ownership by operation of law without affording a defendant an opportunity to appeal the impoundment, the assessment of fees, or the reasonableness of fees. We are of the same view of the mandatory spay/neuter requirement in draft section **142-C Legal requirements of owner, subsection (a)(10)** (page

8 of bill). Respectfully, a failure to provide an individual with those opportunities would result in a deprivation of procedural due process.

AKC believes that governments must protect constitutional rights and privileges of dog owners. Owners must be afforded substantive and procedural due process protections, and must not be permanently or unreasonably deprived of the property interests they have in their animals without first pleading guilty to, being found guilty of, or pleading “no contest” to, animal-related criminal charges.

In cases involving seized animals in which an owner does not voluntarily surrender ownership, laws that provide for the assessment of care costs upon a finding of probable cause of criminal activity must: limit such assessments to amounts that are reasonable, substantiated costs directly related to care of the seized animals; allow courts to waive such fees in cases involving an indigent defendant; provide for full refund of fees and interest in any case not resulting in a final adjudication of guilt or pleading no contest; and, absent the owner’s written consent, prohibit the spaying or neutering of, or performance of other elective non-therapeutic surgery on, any seized animal during pendency of a case.

We encourage the adoption of appropriate amendments to HB 2058 H.D. 1 to ensure the due process rights of Hawai’i’s dog owners are protected.

Thank you for consideration of these concerns. Please feel free to contact me at (919) 816-3503 or phil.guidry@akc.org, or Lynn Muramaru of our Hawaiian federation of dog clubs, the Pacific Pet Alliance, at pacificpetalliance@gmail.com, if we may be of additional assistance on this or any other dog-related matter.

Sincerely,



Phil M. Guidry, J.D.
Director, Policy Analysis
AKC Government Relations

CC: HB 2058 sponsors: Representatives Tarnas, Ilagan, Nishimoto
Lynn Muramaru – Pacific Pet Alliance

HB-2058-HD-1

Submitted on: 3/13/2024 11:57:09 AM

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

Submitted By	Organization	Testifier Position	Testify
Timothy j Rowan	Testifying for Malama O Puna, nonprofit	Support	Written Testimony Only

Comments:

Aloha, I support HB2058, after seeing dangerous dogs attack and kill and injure people and pets. We need action Mahalo Tim

HB-2058-HD-1

Submitted on: 3/8/2024 3:36:59 PM

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

Submitted By	Organization	Testifier Position	Testify
Richard Collins	Individual	Support	Written Testimony Only

Comments:

I fully support this bill. A friend and colleague recently lost a family member who was killed by a dog attack and the dog owners faced no criminal charges over the matter. This bill will act as a deterrence for owners of dangerous dogs and will hold accountable those who fail to properly oversee their dogs. Please pass this bill out of committee.

HB-2058-HD-1

Submitted on: 3/9/2024 6:47:36 AM

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

Submitted By	Organization	Testifier Position	Testify
teresa tico	Individual	Support	Remotely Via Zoom

Comments:

Aloha Committee Members,

I am in support of HB2058. As an attorney who has handled many dog bite cases through civil claims and lawsuits, I am disappointed that the existing criminal penalties are so lax. On Kauai, where I reside, the greatest penalty for a dog owner whose dog inflicts serious bodily injury on a person is a petty misdemeanor. Usually these cases are plea bargained down to a leash law violation. Also, due to the lack of enforcement of leash laws and dangerous dog laws, people think they don't have to leash their dogs. They think the beach is a dog park. A few days ago on the beach at Naue where I reside, an unleashed pit bull jumped on me. When I told the owner who was nearby that there is a leash law, she insisted dogs don't have to be leashed on the beach. Only when I told her I'm attorney and can cite the law did she leash her dog. This is the type of conduct that has to stop. Only when we have stricter laws with stiffer penalties will we have fewer leash law violations and dog attacks. Please pass this bill. Mahalo.

Teresa Tico, PO Box 220, Hanalei, HI 96714 Tel. (808) 639-9080

HB-2058-HD-1

Submitted on: 3/10/2024 8:11:04 AM

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

Submitted By	Organization	Testifier Position	Testify
tony frascarelli	Individual	Support	Written Testimony Only

Comments:

I support this measure. Thank you.

HB-2058-HD-1

Submitted on: 3/10/2024 12:34:44 PM

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

Submitted By	Organization	Testifier Position	Testify
Bradford Baang	Individual	Support	Written Testimony Only

Comments:

I grew up walking to/from school and events with my neighbors' pitbulls chasing me while I raced to the safety of my home. Some aren't lucky as I have been. Currently my neighbor's pitbull got loose and nearly killed my little dog. Owners of dangerous dogs should clearly be held responsible for the aggressive actions of their dogs that harm persons or other animals. About time vicious dog owners take responsibility.

Mahalo

Brad

Michael J. Konowicz
68-1845 Waikoloa Road, Suite 106-228
Waikoloa HI 96738

March 10, 2024

Senate Committee on Judiciary
Hawaii State Capital
415 South Beretania Street
Honolulu, HI 96813

RE: SUPPORT FOR HB 2058 HD1

Aloha Senators--

I'm writing to you today encouraging you to support HB 2058 HD1 , "Owners of Dangerous Dogs; Requirements and Penalties."

It is a travesty that people have been killed, injured, or maimed by vicious dogs in our state with limited repercussions.

I am supporting this bill in honor of Bob Northrop who was killed on the streets of the Big Island by a pack of 4 dogs last August. Please honor his life and protect our lives by supporting this bill too.

I also request that you amend the proposed bill to include up to a Class B felony when any attack by a dog results in a death.

Signed,

A handwritten signature in blue ink, appearing to read "Michael J. Konowicz".

Michael J. Konowicz
Big Island Resident

HB-2058-HD-1

Submitted on: 3/10/2024 1:09:19 PM

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

Submitted By	Organization	Testifier Position	Testify
Michele Mitsumori	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Chair, Vice Chair, and Members,

My name is Michele Mitsumori, a resident of Hilo, Hawai'i County, and I would like to testify in SUPPORT of HB2058 HD1.

Last month, a friend of mine was viciously attacked by a dog on the driveway of her own family home. The dog was owned by someone visiting a neighbor across the street. Despite my friend's screams, neither the dog's owner nor the neighbor came to help. My friend ended up in the hospital twice, the second time when the wound became infected.

Owners need to be responsible for their animals, and for the harm, if not loss of life, they cause to others. The suffering and expenses of the victims and their families must also be recognized. These are not scratches or bruises, but can have lifelong impact, if not even loss of life.

Thank you for the opportunity to submit my SUPPORT of HB2058 HD1.

HB-2058-HD-1

Submitted on: 3/10/2024 1:12:04 PM

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

Submitted By	Organization	Testifier Position	Testify
Julia Usinger	Individual	Support	Written Testimony Only

Comments:

Please pass this law to make the streets of safer for citizens from dangerous dogs. My grandchildren play outside in Ocean View, an area which is laden with loose dangerous dogs. It's only right that dog owners are held responsible. I'd like to add the comment that if an attack results in death (it has HAPPENED), it should be a FELONY for those owners. Please help make the streets safe!! Mahalo.

HB-2058-HD-1

Submitted on: 3/10/2024 1:13:59 PM

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

Submitted By	Organization	Testifier Position	Testify
Valerie Weiss	Individual	Support	Written Testimony Only

Comments:

I support this measure for the safety of all Hawaii residents and visitors. Thank you.

HB-2058-HD-1

Submitted on: 3/10/2024 1:25:16 PM

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

Submitted By	Organization	Testifier Position	Testify
Dana Keawe	Individual	Support	Written Testimony Only

Comments:

Strongly Support HB2058 HD1

HB-2058-HD-1

Submitted on: 3/10/2024 1:26:09 PM

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

Submitted By	Organization	Testifier Position	Testify
N'Zinza Washington	Individual	Support	Written Testimony Only

Comments:

Establishing requirements and penalties for owners of dangerous dogs is important for ensuring public safety and preventing incidents of dog-related harm. By setting clear guidelines for ownership and imposing penalties for non-compliance, the legislation aims to mitigate the risk posed by dangerous dogs. Allowing for the impounding of dangerous dogs under certain conditions provides a means to address immediate threats and protect the community from potential harm. This legislation strives to promote responsible pet ownership and safeguard the well-being of residents in Hawaii.

N'Zinza D Washington

Hawaii Island Resident

HB-2058-HD-1

Submitted on: 3/10/2024 1:37:52 PM

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

Submitted By	Organization	Testifier Position	Testify
Penelope Hazzard	Individual	Support	Written Testimony Only

Comments:

They should carry homeowner insurance recognizing the dog(s) on the property. My brother found a new home for a large dog when the insurance company wouldnt give him a reasonable policy covering injuries caused by a guard dog on his commercial property. Same for residential owners who admit to dangerous pets. Common sense bill thank you Make citizens responsible for dogs just like injuries by car.

HB-2058-HD-1

Submitted on: 3/10/2024 1:42:34 PM

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 strongly support this Bill. It should go without saying that owners of dangerous dogs should be held responsible for the aggressive actions of their dogs that harm persons or other animals.

As someone who was chased by a pack of large, aggressive dogs when I was five years old, I can testify to the life-long, negative consequences dangerous dogs can have on a person's life. Owners of such dogs must act responsibility and this Bill may force those who have no other motivation other than the penalty of this law to do so.

HB-2058-HD-1

Submitted on: 3/10/2024 1:46:21 PM

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

Submitted By	Organization	Testifier Position	Testify
ANDREW ISODA	Individual	Support	Written Testimony Only

Comments:

Establishes requirements and penalties for owners of **dangerous dogs**.

Scheduled for a hearing on 03/12/24 - Introduced by Representatives Ilagan, Nishimoto, and Tarnas. Owners of dangerous dogs should clearly be held responsible for the aggressive actions of their dogs that harm persons or other animals. I have a close personal friend whose father was killed by a loose dog and the owner of that dog has never been held responsible.

HB-2058-HD-1

Submitted on: 3/10/2024 2:06:58 PM

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

Submitted By	Organization	Testifier Position	Testify
pamela burrell	Individual	Support	Written Testimony Only

Comments:

Aloha House members,

Please support HB2058 HD1. Owners of dangerous dogs should clearly be held responsible for the aggressive actions of their dogs that harm persons or other animals. I know of a man who was killed by a dog and the owner was not held accountable. This is wrong.

Regards,

Pamela Burrell, Kalihiwai, Kaua'i

HB-2058-HD-1

Submitted on: 3/10/2024 2:30:11 PM

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

Submitted By	Organization	Testifier Position	Testify
Daniel R Freund	Individual	Support	Written Testimony Only

Comments:

I am the owner of a big dog (a Belgian shepherd mix). I have always assumed that I was responsible for my dog's behavior. This is a common sense proposal and I encourage you to vote in favor of it.

- Dan Freund, Kapaa

HB-2058-HD-1

Submitted on: 3/10/2024 2:45:12 PM

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

Submitted By	Organization	Testifier Position	Testify
Kelly Klocker	Individual	Support	Written Testimony Only

Comments:

Owners of dangerous dogs should clearly be held responsible for the aggressive actions of their dogs that harm persons or other animals. Support

HB-2058-HD-1

Submitted on: 3/10/2024 2:46:35 PM

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

Submitted By	Organization	Testifier Position	Testify
Eliel Starbright	Individual	Support	Written Testimony Only

Comments:

Owners of dangerous dogs should clearly be held responsible for the aggressive actions of their dogs that harm persons or other animals. Eliel Starbright, Kapaa

HB-2058-HD-1

Submitted on: 3/10/2024 2:54:09 PM

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

Submitted By	Organization	Testifier Position	Testify
Shay Chan Hodges	Individual	Support	Written Testimony Only

Comments:

I support HB2058.

HB-2058-HD-1

Submitted on: 3/10/2024 3:12:41 PM

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

Submitted By	Organization	Testifier Position	Testify
Leimomi Khan	Individual	Support	Written Testimony Only

Comments:

I continue to support this measure and ask that you amend the bill to include up to a Class B felony option when the attack results in death. My friend and his dog were attacked. He lost his dog and it was devastating. Such pets are like family; they bring us such joy. Homeowners who have uncontrollable, mean dogs should be held accountable.

HB-2058-HD-1

Submitted on: 3/10/2024 3:13:54 PM

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

Submitted By	Organization	Testifier Position	Testify
Danelle Guion	Individual	Support	Written Testimony Only

Comments:

Please support HB2058 HD1 because owners of dangerous dogs should be held responsible for the aggressive actions of their dogs that harm persons or other animals.

I know of someone whose father was killed by a loose dog and the owner of that dog has never been held responsible. CLEARLY SAD AND UNACCEPTABLE!

Thank you for your support!

HB-2058-HD-1

Submitted on: 3/10/2024 3:25:57 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 recognizes the terrible damage that can be done when one or more dogs attack without provocation. Dangerous dog violations are currently enforced by the counties and the penalties are an insufficient response to the worst attacks.

Current ordinances also fail to provide law enforcement with adequate tools to keep dogs safe and prevent harm to the community, and they result in dogs being impounded for long periods.

This bill addresses those shortcomings in a variety of ways:

- It creates a statewide dangerous dog law, enabling a felony penalty for bites that maim or kill a person.
- It standardizes rules statewide.
- It improves law enforcement tools with the goal of preventing bites.

Please move this bill forward with a good effective date.

HB-2058-HD-1

Submitted on: 3/10/2024 3:28:26 PM

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

Submitted By	Organization	Testifier Position	Testify
Judie Hoepner	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill.

HB-2058-HD-1

Submitted on: 3/10/2024 3:42:05 PM

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

Submitted By	Organization	Testifier Position	Testify
Robert N Mansfield, Jr	Individual	Support	Written Testimony Only

Comments:

Owners of dangerous dogs should be held accountable for aggressive harm to persons or other animals.

HB-2058-HD-1

Submitted on: 3/10/2024 3:51:39 PM

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

Submitted By	Organization	Testifier Position	Testify
Robert Fontana	Individual	Support	Written Testimony Only

Comments:

The only problem that I see with this bill is with the proposed effective date of 1/1/3000, which must be a typo. Please update the corrected date that the bill will become effective. I strongly endorse this bill as it is time for people to take responsibility for their pets and any liability that they may cause. The hope with this passage is that people will take responsibility to TRAIN their pets so that they may control them when unforeseen circumstances arise.

HB-2058-HD-1

Submitted on: 3/10/2024 3:56:01 PM

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

Submitted By	Organization	Testifier Position	Testify
Alice Bryan	Individual	Support	Written Testimony Only

Comments:

I strongly support extremely harsh measures for owners of dangerous dogs who do not have them under control at all times. My friends old dog was brutally killed by a pit bull mix walking to its car and the owner of the dog did nothing to stop the attack. The owner of the dog that was killed was badly injured trying to save her dog. Dangerous dogs should not be allowed in public places especially off leash.

HB-2058-HD-1

Submitted on: 3/10/2024 4:11:00 PM

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

Submitted By	Organization	Testifier Position	Testify
John & Rita Shockley	Individual	Support	Written Testimony Only

Comments:

Aloha!

Owners of dangerous animals need to be held accountable for what that animal has done. It is the responsibility of animal owners to train their animals so they do not harm the public or public property.

Mahalo for your time.

HB-2058-HD-1

Submitted on: 3/10/2024 4:13:20 PM

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

Submitted By	Organization	Testifier Position	Testify
Anita Anderson	Individual	Support	Written Testimony Only

Comments:

I am in strong support of HB2058 HD1. Owners of dangerous dogs should clearly be held responsible for the aggressive actions of their dogs that harm persons or other animals. Thank you

HB-2058-HD-1

Submitted on: 3/10/2024 4:31:07 PM

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

Submitted By	Organization	Testifier Position	Testify
Dennis Nolan	Individual	Support	Written Testimony Only

Comments:

As someone who has just missed being seriously harmed by a dangerous dog not under complete control, I strongly support this bill.

Testimony on HB2058 – Dangerous Dogs

My name is Gary Saito and I am a Hawaii resident. I urge your support of SB2692. It is hard to believe that we live in a society in which a human life can be viciously taken by an animal whose owner lacks control and restraint of it in a public area when it exhibits vicious behaviors. An animal acts on instincts and tendencies; the owners of the animals have the ability to reason and must exercise it to curb and control undesirable behaviors of the animals in their charge.

It is further hard to believe that a person can be attacked, maimed, and even killed without provocation, and our society shows no responsibility to address that behavior or take an appropriate action. If we say the animal can't be expected to know right from wrong, it is our responsibility to acknowledge that it is the responsibility of the animals' owners to protect others whose lives would have been whole and safe were it not for the animals in their keep. Attacks that result in the loss of life should be considered class B felonies because a life lost cannot be recovered.

Let's keep our public safe from unnecessary harm. Let's do our best to prevent unprovoked injuries and deaths to undeserving people because of animals that can't manage their vicious tendencies. Please do something. One life senselessly lost is too many. You have the power and ability to change this tragic situation.

HB-2058-HD-1

Submitted on: 3/10/2024 6:29:30 PM

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

Submitted By	Organization	Testifier Position	Testify
Darlene	Individual	Support	Written Testimony Only

Comments:

Please hold owners responsible for damages done by their dogs. Mahalo.

HB-2058-HD-1

Submitted on: 3/10/2024 6:33:41 PM

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

Submitted By	Organization	Testifier Position	Testify
Bruce L Hultgren	Individual	Support	Written Testimony Only

Comments:

I would like to express strong support for this bill. Dangerous dogs are a not infrequent problem in our state, and we have seen that very clearly here on Windward Oahu.

Owners of dangerous dogs should be responsible for their dogs damage.

HB-2058-HD-1

Submitted on: 3/10/2024 7:46:57 PM

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

Submitted By	Organization	Testifier Position	Testify
Robert Culbertson	Individual	Support	Written Testimony Only

Comments:

Aloha Senators!

This reform bill (HB2058) and legislation is long overdue. Dangerous dogs abound as cheap 'security systems'; some being trained specifically for enhanced viciousness.

In rural subdivisions that are increasingly filling up, the juxtaposition and incidences of loose dogs and/or packs of dogs acting aggressively is coincident with a rise in irresponsible dog ownership.

In my own personal circle of acquaintances at least three persons have been badly injured and lately one person has died from dog injuries, and proven due to irresponsible owners here on the Big Island.

Therefore in addition to upping the penalties for convictions of bad actors, I would recommend that you amend the bill *to include up to a Class B felony option when the attack results in death!*

Thanks for your time and consideration.

R A Culbertson

Honokaa

HB-2058-HD-1

Submitted on: 3/10/2024 8:22:04 PM

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

Submitted By	Organization	Testifier Position	Testify
Elizabeth Hansen	Individual	Support	Written Testimony Only

Comments:

Aloha/ I have a large dog but he is not dangerous/ this critical that this law be passed to protect our community. Please pass this bill.

Mahalo,

Elizabeth Hansen, Hakalau HI 96710

HB-2058-HD-1

Submitted on: 3/10/2024 8:25:21 PM

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

Submitted By	Organization	Testifier Position	Testify
Rodger Hansen	Individual	Support	Written Testimony Only

Comments:

Aloha/ I have a large dog but he is not dangerous/ this critical that this law be passed to protect our community. Please pass this bill.

Mahalo,

Rodger Hansen, Hakalau HI 96710

HB-2058-HD-1

Submitted on: 3/10/2024 8:27:19 PM

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

Submitted By	Organization	Testifier Position	Testify
Marcia Kemble	Individual	Support	Written Testimony Only

Comments:

Owners of dangerous dogs should be held accountable for any harm or injury caused by their dogs.

HB-2058-HD-1

Submitted on: 3/10/2024 8:40:30 PM

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

Submitted By	Organization	Testifier Position	Testify
Diane Ware	Individual	Support	Written Testimony Only

Comments:

Dear Chair and Committee members,

Owners of dangerous dogs should clearly be held responsible for the aggressive actions of their dogs that harm persons or other animals. I have a friend whose father was killed by a loose dog and the owner of that dog has never been held responsible. I am a dog owner myself.

Diane Ware 96785

HB-2058-HD-1

Submitted on: 3/10/2024 8:49:28 PM

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

Submitted By	Organization	Testifier Position	Testify
Jim Klyman	Individual	Support	Written Testimony Only

Comments:

As a dog owner and bike rider, I have experienced loose dogs that chase and harass passers by. While there is the occasional "escaped animal" situation, there needs to be responsibility assigned to the escaped pet's owners when there is physical injury caused by the unrestrained animal. Especially when there are negligent owners of vicious animals that purposely allow such animals free access to public access areas, such as roadways, walkways, and public parks with the belief that this will keep people away. I am all for guard animals, but only when constrained to the private property and not public road or walkways. Let's pass a bill with some teeth and not just a bunch of bark!

HB-2058-HD-1

Submitted on: 3/10/2024 9:02:33 PM

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

Submitted By	Organization	Testifier Position	Testify
Tamara Paltin	Individual	Support	Written Testimony Only

Comments:

Support

Mahalo,

Tamara Paltin

HB-2058-HD-1

Submitted on: 3/10/2024 9:05:51 PM

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

Submitted By	Organization	Testifier Position	Testify
Peggy Brandt	Individual	Support	Written Testimony Only

Comments:

I am testifying in support of dog owners of dangerous dogs being held responsible and liable for the aggressive actions of their pets. My husband, simply jogging up the drive of a subdivision, was bit in the leg by a dog who was not properly contained in the yard of a household, and there was little response from the dog owner. This should not be the case.

HB-2058-HD-1

Submitted on: 3/10/2024 9:09:01 PM

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

Submitted By	Organization	Testifier Position	Testify
Linda L Jenks	Individual	Support	Written Testimony Only

Comments:

Absolutely dog owners must be held accountable. Thank you for this bill.

HB-2058-HD-1

Submitted on: 3/10/2024 9:12:36 PM

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

Submitted By	Organization	Testifier Position	Testify
Maki Morinoue	Individual	Support	Written Testimony Only

Comments:

Aloha

I strongly support [HB2058 HD1](#).

We must place consequences on owners of dangerous dogs!

Owners of dangerous dogs should be held responsible for their dogs' aggressive actions, which harm persons or other animals.

Since I was a kid in Hawai'i, now middle-aged, we had kids, adults, and kupunas severely injured and traumatized by vicious dogs. In August 2023, a pack of four dogs killed a man named Bob Northrop. He was the father of a respected community member on Hawai'i Island.

What is most angering is that for generations our leaders let the dogs go back to the owner with no charges. This sends a message that the system does not care about the people and the community's safety. Many return home terrified to walk in their neighborhood after an incident like this, and they have to change their routes and routines to avoid the dog(s) that attacked them. Bob Northrop, wasn't even given that chance.

This bill creates responsibility and consequences we have been waiting for. Now is the time to pass this into law.

We need leaders who look out for our people; this is one way to do that.

Mahalo

Maki Morinoue

Hōlualoa, Hawai'i Island

96725

HB-2058-HD-1

Submitted on: 3/10/2024 9:31:08 PM

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

Submitted By	Organization	Testifier Position	Testify
Ramona Hussey	Individual	Support	Written Testimony Only

Comments:

I STRONGLY support HB2058 HD1 which would hold dog owners responsible for the acts of harm by their dogs. I urge your support of this bill.

HB-2058-HD-1

Submitted on: 3/10/2024 10:14:40 PM

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

Submitted By	Organization	Testifier Position	Testify
Shannon Rudolph	Individual	Support	Written Testimony Only

Comments:

SUPPORT!

HB-2058-HD-1

Submitted on: 3/10/2024 11:01:37 PM

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

Submitted By	Organization	Testifier Position	Testify
Thomas Brandt	Individual	Support	Written Testimony Only

Comments:

Strong support!

HB-2058-HD-1

Submitted on: 3/10/2024 11:09:41 PM

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

Submitted By	Organization	Testifier Position	Testify
Catherine Lau	Individual	Support	Written Testimony Only

Comments:

As a dog owner, I believe that dog owners should be held responsible for the injury and death that their animals cause. Nobody should be afraid to walk their dog or child for fear of a dog attack. These dogs should be taken into custody and their owners should be held responsible. My sister's sweet little dog was killed by a loose dog while walking in her neighborhood and the killer dog was allowed to stay with it's owner. It had attacked other dogs in the neighborhood and this would not have happened if the dog had been taken care of after those attacks.

HB-2058-HD-1

Submitted on: 3/10/2024 11:31:22 PM

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

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Support	Written Testimony Only

Comments:

SUPPORT

HB-2058-HD-1

Submitted on: 3/11/2024 4:14:33 AM

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

Submitted By	Organization	Testifier Position	Testify
Jean Jewell	Individual	Support	Written Testimony Only

Comments:

I support this bill. Owners of dogs must be held responsible when they cause serious harm to others.

Jean Jewell

96725

HB-2058-HD-1

Submitted on: 3/11/2024 5:33:53 AM

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

Submitted By	Organization	Testifier Position	Testify
Tony Radmilovich	Individual	Support	Written Testimony Only

Comments:

Strong support. Personally I was bitten by one such dog even when it was on the leash!

HB-2058-HD-1

Submitted on: 3/11/2024 6:37:40 AM

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

Submitted By	Organization	Testifier Position	Testify
Emily Garland	Individual	Support	Written Testimony Only

Comments:

Please support.

Mahalo,

Emily

HB-2058-HD-1

Submitted on: 3/11/2024 6:41:03 AM

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

Submitted By	Organization	Testifier Position	Testify
John P Gerry	Individual	Support	Written Testimony Only

Comments:

Please support making owners of dangerous dogs responsible and accountable. Many of us have friends that were seriously injured by dangerous dogs and the owner had no repercussions.

HB-2058-HD-1

Submitted on: 3/11/2024 6:49:58 AM

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

Submitted By	Organization	Testifier Position	Testify
Brenda Zafirides Huff	Individual	Support	Written Testimony Only

Comments:

Almost 20 years ago I was attacked by a dangerous dog while walking in my neighborhood on Kauai. I was hospitalized for almost a week and incurred thousands of dollars in expenses. I still suffer from severe PTSD related to the incident and I never received the restitution awarded to me through the Hawaii state victim witness program. Owners of these dogs should be held accountable for their random acts of aggression. I support this bill but I don't feel like it goes far enough to protect the victims of the dangerous dog attacks but its a start.

Where is the justice for the victims? People with these dogs ignore the leash law and have no liability insurance. The state does to to inact legislation regarding this issue.

HB-2058-HD-1

Submitted on: 3/11/2024 8:18:30 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:

I strongly support HB2058 by Rep. Ilagan. We have a serious problem on Big Island with loose dangerous dogs attacking people and other pet animals. I know that other islands face the same problems. We have had two deaths from dog attacks and at least one near death recently. Dog owners who let aggressive dogs run loose are risking the health and safety of their neighbors. This has to stop. Kapuna are afraid to walk in their own neighborhoods. Children can't play outside safely.

The requirement of liability insurance for a dangerous dogs is particularly important. I am also impressed with the thoughtful listing of provocations that protect the dog from harassment by people intent on causing trouble.

This legislation will be a big help for all people on the islands and will encourage responsible dog ownership. Please pass this bill out of committee .

Mahalo on behalf of responsible dog owners.

Renee Rabb

Hawaiian Paradise Park

Keaau, HI 96749

HB-2058-HD-1

Submitted on: 3/11/2024 8:24:15 AM

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

Submitted By	Organization	Testifier Position	Testify
Alice Luck	Individual	Support	Written Testimony Only

Comments:

I am writing in support of this measure because I believe the state needs stronger laws to protect residents against threats to public safety, including dangerous dogs. Mahalo.

HB-2058-HD-1

Submitted on: 3/11/2024 8:31:14 AM

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

Submitted By	Organization	Testifier Position	Testify
Richard Janik	Individual	Support	Written Testimony Only

Comments:

I fully support bill HB 2058 regards dangerous dogs. As an anesthesiologist who has witnessed two young girls with their faces and ears torn off by dogs.

Richard J Janik, MD

PO Box 1311

Lihue, HI 96766

HB-2058-HD-1

Submitted on: 3/11/2024 9:06:04 AM

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

Submitted By	Organization	Testifier Position	Testify
Sherry Thal	Individual	Support	Written Testimony Only

Comments:

Aloha,

I strongly support HB2058 HD1.

Enough is enough on owner leniency for dogs that harm and kill people and other animals. This must change now!

Mahalo,

Sherry Thal, Kea'au 96749

HB-2058-HD-1

Submitted on: 3/11/2024 9:06:31 AM

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

Submitted By	Organization	Testifier Position	Testify
Sharlene Chun Lum	Individual	Support	Written Testimony Only

Comments:

Mahalo for considering many situations when writing this bill and spelling out the responsibilities of owners of dangerous dogs.

HB-2058-HD-1

Submitted on: 3/11/2024 9:38:53 AM

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

Submitted By	Organization	Testifier Position	Testify
Julie Stowell	Individual	Support	Written Testimony Only

Comments:

Please support HB2058 HD1. We need strong penalties and requirements for owners of dangerous dogs. The record of the past few years of harmful and deadly attacks on people by dangerous dogs is appalling. Owners of these dangerous dogs should be held accountable for the aggressive actions of their dogs. The owners of the dog that attacked, and lead to the death of Bob Northrop, have not been held accountable. Please ensure that our communities are safe from dangerous dogs.

Mahalo,

Julie Stowell

HB-2058-HD-1

Submitted on: 3/11/2024 9:23:40 AM

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

Submitted By	Organization	Testifier Position	Testify
Nancy Hall	Individual	Support	Written Testimony Only

Comments:

Pet owners **MUST** be held responsible for injury to people and animals. Unleashed dogs should not be allowed to terrorize people walking by their house. The owner must be responsible for leashing or good fencing that the dog cannot escape.

HB-2058-HD-1

Submitted on: 3/11/2024 9:42:38 AM

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

Submitted By	Organization	Testifier Position	Testify
John NAYLOR	Individual	Support	Written Testimony Only

Comments:

Aloha,

Dangerous dogs & their owners should be held accountable .

Mahalo,

JN Makawao

HB-2058-HD-1

Submitted on: 3/11/2024 9:51:03 AM

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

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Support	Written Testimony Only

Comments:

Hello,

My name is Nanea Lo. I'm born and raised in the Hawaiian Kingdom. I live in Mō'ili'ili. I'm writing in STRONG SUPPORT HB2058 HD1.

me ke aloha 'āina,

Nanea Lo, Mō'ili'ili, O'ahu

HB-2058-HD-1

Submitted on: 3/11/2024 10:28:43 AM

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

Submitted By	Organization	Testifier Position	Testify
Thomas Bottrell	Individual	Support	Written Testimony Only

Comments:

I strongly support HB 2058

HB-2058-HD-1

Submitted on: 3/11/2024 12:13:20 PM

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

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

Owning a dog is a serious responsibility. Too many dog owners do not do enough to keep either their animals or their neighbors safe, and partly because penalties for negligence are relatively low, owners of dogs that hurt other animals or people unprovoked are not being adequately held accountable. This perpetuates the less-than-serious attitude many dog owners take regarding this responsibility. A more appropriate penalty will hopefully prevent more tragedies from occurring.

As an animal lover, I am naturally wary of laws that might be used to unnecessarily harm or kill animals, including dogs, however. As someone who has not studied law, I am hoping that those with the expertise and knowledge will be able to ensure this bill doesn't cause unintended consequences to animals and their welfare. An appropriate balance must be met to protect people and animals from dangerous dogs, but also to ensure that dogs are being re-trained and rehabilitated whenever possible, and not destroyed unless it truly is unavoidable.

HB-2058-HD-1

Submitted on: 3/11/2024 12:38:30 PM

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

Submitted By	Organization	Testifier Position	Testify
John	Individual	Support	Written Testimony Only

Comments:

Aloha Members of the Senate Judiciary,

Our family is submitting sincere testimony in support of HB2050 and urge you to make future incidents a Class B Felony if the incidents result in serious injury or death in individuals. When dogs attack and kill other dogs it is already traumatic for families, especially children who lose their pets to vicious dog attacks. When dogs attack and kill a person it's unbearably tragic, and completely preventable. We have come close to such incidents with unleashed vicious dogs. Our dogs are ALWAYS leashed and under our control but many dogs are allowed to run loose. When two or more dogs are involved in attacks the result is often much deadlier, for pets as well as for people. PLEASE put some teeth in this and support this much needed legislation. We needed this years ago, but let's do it now, right now. Mahalo for you kekoa. The Lyle Family in Volcano.

HB-2058-HD-1

Submitted on: 3/11/2024 1:44:04 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 HB2058 HD1. I live Sunset Beach, North Shore, Oahu.

HB-2058-HD-1

Submitted on: 3/11/2024 2:53:47 PM

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

Submitted By	Organization	Testifier Position	Testify
Marsha Hee	Individual	Support	Written Testimony Only

Comments:

TO: Committee on Judiciary, Sen. Rhoads, Chair, Sen. Gabbard, Vice-Chair & JDC Members -

I support that HB2058 be heard by your Committee. It is important to me, my family, friends and community neighbors that we have this bill to establish requirements and penalties for dangerous dogs and owners of dangerous dogs that potentially cause harm to innocent community individuals.

A friend of mine was attacked and bitten by strange dogs roaming without any cause on her part. Sadly and understandably she no longer feels safe walking in our neighborhood. I depend on walking outside for exercise and health reasons. I have been bitten on one occasion by a dog that got loose. Another friend's father was killed from an unprovoked attack by dangerous dogs. Nothing has been done to hold those dogs and their owners responsible for an innocent person dying. This is not acceptable. We must establish requirements and penalties effective Jan. 2025 that address measures be taken by dangerous dogs and owners of dangerous dogs to safeguard public safety and health. Stipulations that include allowing for impounding of dangerous dogs under certain conditions. I ask that the Committee amend HB2058 to include up to a Class B felony option when the attack results in death in favor of holding owners of dangerous dogs accountable for the actions of themselves and their animals regarding public safety and serious harm to individuals.

Respectfully submitted by,

Marsha Hee - Life-long citizen of Hawaii, current resident of Volcano, Hawaii Island

HB-2058-HD-1

Submitted on: 3/11/2024 4:15:56 PM

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

Submitted By	Organization	Testifier Position	Testify
Jacqueline S. Ambrose	Individual	Support	Written Testimony Only

Comments:

Aloha,

YES to owners of dangerous dogs being held responsible for the aggressive actions of their dogs that harm persons or other animals.

HB-2058-HD-1

Submitted on: 3/11/2024 5:31:45 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:

A dangerous dog is usually the owner's fault because dogs need to be trained correctly as to what proper behavior is, but once a dog steps over the line, it's best not to have it anywhere it could cause injury to others. I wish this bill could be followed up by a bill to allow that dog freedom in a safe environment because many aggressive dogs have issues because their needs are not understood. I also wish the owners of these dogs could get some good education about what responsibilities having a domesticated animal entails, but in the meantime, please pass this basic no frills, sensible bill.

HB-2058-HD-1

Submitted on: 3/11/2024 4:19:39 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:

As an animal lover, I support laws that ensure the welfare of animals. Additionally, I realize the importance of keeping the public safe from dangerous dogs. I support this bill as it will allow law enforcement to have broader authority to ensure those owners take steps to keep their dogs safe at home and to increase penalties for those owners who disregard these steps. With the recent injuries and deaths of individuals from dog attacks on Oahu and the Big Island, this is long overdue.

HB-2058-HD-1

Submitted on: 3/11/2024 9:51:35 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-2058-HD-1

Submitted on: 3/11/2024 9:39:23 PM

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

Submitted By	Organization	Testifier Position	Testify
Larry Thurston	Individual	Support	Written Testimony Only

Comments:

I totally suppose this bill. As an owner of two large dogs, who has been trained and are under my control at all times, I totally believe that owners of dangerous dogs should clearly be held responsible for the aggressive actions of their dog(s) that harm persons or other animals. I have a close personal friend whose dog was killed by a loose dog and the owner of that dog has never been held responsible for that action. I also know of other several other people that have been hurt or their pets hurt by a aggressive dog that was not under control of the owner. Those dogs should be removed from the owners.

Thank you

Larry Thurston

HB-2058-HD-1

Submitted on: 3/12/2024 7:20:28 AM

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

Submitted By	Organization	Testifier Position	Testify
Michaelle Edwards	Individual	Support	Written Testimony Only

Comments:

Please support and unanimously pass this bill to hold dog owners accountable when their dangerous dogs attack and maul people, livestock and other dogs. The number of unleashed dogs and subsequent dog attacks in the Hawaiian islands has become an epidemic and people are being attacked in their neighborhoods and at the public parks and beaches. I was viciously attacked by a pitbull at Lumahai beach on Kauai on December 6th. My small dogs weighing each about 12 pounds were leashed as I walked them towards my parked car. Suddenly a huge unleashed pitbull charged us and I tried to protect my dogs by pulling them behind me. The attacking pitbull lunged at me severaly bruising my diaphragm area and solar plexus. He bit my hand as he lunged for my small dog Bella clamping down with his massive jaws on her small body. I tried to make him release her and the dog was in attack mode and would not open his Jaw. I had to get on my hands and knees and bite the dog in the ear as hard as I could. He did let go but my dog was mortally wounded and died on the way to the vet. The owners of the dog denied aid or responsibility and left without giving me any information, their name or phone or address. They tried to say their dog was not violent as I stood there with my hand bleeding profusely. When I attempted to photograph them, the boyfriend of the female dog owner put a towel over his head. I quickly photographed their license plate and was able to use a private detective to track down the address and home of the owner. When I was treated at the hospital for my wounds, the staff called the police and a police report was made however I never heard from the police or the humane society about finding the irresponsible dangerous dog owners.It took dozens of phone calls, emails and trips to the police department, Kauai Mayor's office and the humane society. however I was finally able to persuade the police to do their job and press charges against the owner. Because dangerous dog attacks are considered to be petty misdemanors on Kauai, the police do not make the investigations or criminal charges a priority. The dog has been released to the owners after they agreed to keep it in an escape proof kennel. That is a huge concern to me and other members of the public as these people have shown no responsibility for their dog or the welfare of others. The case will go to trial on May 21 and I will petition the judge to put the dangerous dog down to protect the community from another vicious deadly attack. PASS this bill and enforce penalties and leashlaws too. When people own dogs that are capable of murdering other dogs and injuring and killing humans, they must be held accountable and responsible.

HB-2058-HD-1

Submitted on: 3/12/2024 7:55:25 AM

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

Submitted By	Organization	Testifier Position	Testify
Meg Schofield	Individual	Support	Written Testimony Only

Comments:

I'm writing to urge passage of this bill to hold owners of dangerous dogs in Hawaii accountable. Dangerous dogs are a significant problem that many residents have been affected by, and the culture of shrugging our collective shoulders are doing nothing must be changed. Time and again I witnessed unprovoked dog attacks in my neighborhood, at the beach, and while walking my dogs on public roads on Kauai, and of course have heard countless horror stories of dog attacks from friends and in the news media. The trauma is very, very real. The long-standing state/county response leaves victims of dog attacks without legal recourse, which is tantamount to being grievously injured again! Please send a message to the selfish, entitled owners of dangerous dogs that there will be serious consequences for their failure to be responsible, and enact the stiffest law possible.

HB-2058-HD-1

Submitted on: 3/12/2024 8:45:54 AM

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

Submitted By	Organization	Testifier Position	Testify
Erica Duffy	Individual	Support	Written Testimony Only

Comments:

I Erica Duffy support the passing of Bill 2058, I fully support and believe owners of dangerous dogs should be held accountable for putting the community (citizens, children and all other animals) at risk for harmful and or permanent injuries or mutilations and or deaths.

HB-2058-HD-1

Submitted on: 3/12/2024 10:31:46 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 ncreasing penalties and requirements/responsibilities for owners keeping dogs deemed dangerous, balancing protections for animals by allowing law enforcement broader authority to require owners to keep their dogs safe at home and by discouraging prolonged impoundment, as well as an effective date of 1/1/25 to assist the counties.

Hawaii Kai

HB-2058-HD-1

Submitted on: 3/12/2024 11:57:04 AM

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

Submitted By	Organization	Testifier Position	Testify
Vivian S. Toellner	Individual	Support	Written Testimony Only

Comments:

Aloha, I support this bill. I know 2 persons who have been attacked by loose dogs. I know several people afraid to go for a simple walk in the neighborhood. Mahalo.

HB-2058-HD-1

Submitted on: 3/12/2024 1:35:00 PM

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

Submitted By	Organization	Testifier Position	Testify
joan Levy	Individual	Support	Written Testimony Only

Comments:

I have known too many people who have been injured and whose pets have been injured or killed by pets that are not kept under owner control. Especially with repeat offender attacks. And NO consequences. This irresponsible behavior must stop. Please pass this bill!

HB-2058-HD-1

Submitted on: 3/12/2024 2:49:05 PM

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

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

Comments:

This is a no brainer pass Hb2058. Please prevent what happened to my family from happening again. Give my family some peace. You can't replace my daughters father, he was killed by a pack of dogs on August 1st of last year. When I tell people what happened, most are shocked. When I tell them that the only ones who paid a price were the dogs and not the owners they can't believe it. I doubt that anyone in our family will ever ever forget this date. Still the name of the person who owned these animals is not even been published. Why is this state protecting people who raise dangerous dogs or create them by their negligence. I can't help but wonder if these same owners are raising more dogs that will kill yet another person. How many people have to die or be injured before we have a strong enough law to protect the people who live here. Why is it okay for people to raise dogs here and have no consequences for their behavior? I only wish the bill was even stronger. It will not bring my exhusband or my daughters father back but it is a start to the healing process. Stop letting people get away with murder.

HB-2058-HD-1

Submitted on: 3/12/2024 3:09:53 PM

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

Submitted By	Organization	Testifier Position	Testify
Anna Schamber	Individual	Support	Written Testimony Only

Comments:

I, Anna Schamber of Kailua Kona am in support of HB2058. I need to see that dog owners are actually held accountable when a dog kills a human. I can't believe my father was mauled to death by a pack of dogs and the owners have had zero consequences. The dog owners have been able to go on with their lives while me and my family have been grieving for months. There will be more attacks if we don't start making the dog owners take responsibility of their pets. My father was walking to a friends house through his neighborhood when he was ripped apart, that's a horrific and painful way to die, it shouldn't have happened. Since my fathers death there have been two more horrible attacks in our state. One that left an 8year old boy with a broken leg, broken upper eye bone and stitches to his scalp. The other attack was on a 10 year old boy playing outside in Ewa beach who's arm was severely damaged and sustained face lacerations. These dog attacks happen to our most vulnerable in the community, our keiki and our kupuna. Please let's make it safe to walk outside and play in our yards. Let's make this law make sense.

HB-2058-HD-1

Submitted on: 3/12/2024 3:17:24 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:

My husband and I were walking our dogs when, from behind a neighbor's house, two dogs come charging up, grabbed one of our dogs. I WAS PETRIFIED!

I do not wish this tho happen to anyone else and luckily our dogs lived healthy lives.

I am a true animal lover but know that some dogs have to be restrained. Some are dangerous to the public and should be dealt with accordingly, even it means having to euthanize it. These owners should have to deal with the consequences, especially if it happens more than once. As our neighbors dogs.

Please support this bill.

Mahalo

HB-2058-HD-1

Submitted on: 3/12/2024 6:05:45 PM

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

Submitted By	Organization	Testifier Position	Testify
Alice Ogawa	Individual	Support	Written Testimony Only

Comments:

I support HB2058

Mahalo

Alice Ogawa

HB-2058-HD-1

Submitted on: 3/12/2024 6:23:46 PM

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

Submitted By	Organization	Testifier Position	Testify
Kathleen Dwyer	Individual	Support	Written Testimony Only

Comments:

I support this bill for the safety of the community.

HB-2058-HD-1

Submitted on: 3/12/2024 6:59:37 PM

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

Submitted By	Organization	Testifier Position	Testify
Theresa Miura	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am submitting testimony in support of HB2058.

In February 2023, I was bitten by a loose dog while on my regular morning walk. There were actually 2 dogs, thank goodness only one bit me. They were loose and I was attacked on a County of Hawai'i road. I was bleeding severely and was taken in an ambulance to the ER. I received 23 stiches and spent months healing. I now have a physical scar but the mental scars will never go away. I tried to walk again around the neighborhood but I am afraid of loose dogs and have PTSD. I was lucky in that I am in pretty good shape. There are many older people who walk on the same street and may not have faired as well as I did. We have had 2 deaths on our island due to dog attacks!

On Hawai'i Island in 2023, we had 279 reported dog bites, those resulted in 19 citations! Something is wrong with this picture. There needs to be a penalty that has some "teeth" in it. Right now nothing happens to these negligent dog owners. There is no penalty that makes people think twice about letting their dogs run loose.

My medical bills were in the thousands of dollars. It has been over a year and still I have no resolution. The police, the prosecutors and the court system are overwhelmed with all kinds of cases and dangerous dogs cases are just heaped on the pile. In the meantime, victims of dog bites or worse, death, are trying to pay their bills, healing physically and mentally and the dogs and their owners are going along with their everyday lives with NO punishment.

There has to be a way where victims can get justice in a more timely manner and some law and follow up that will make these dog owners be responsible for their dogs.

Mahalo for your time.

HB-2058-HD-1

Submitted on: 3/12/2024 7:40:03 PM

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

Submitted By	Organization	Testifier Position	Testify
Leslie Miles	Individual	Support	Written Testimony Only

Comments:

I support this bill.

HB-2058-HD-1

Submitted on: 3/12/2024 8:46:11 PM

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

Submitted By	Organization	Testifier Position	Testify
Patricia Kathleen Hebson	Individual	Support	Written Testimony Only

Comments:

Please pass HB 2058.

Hawaii needs dog owners to be held responsible for any hurt and damages their dogs create. Dogs can not be trusted to not hurt humans. owners need to be held responsible for the hurt and damages their dogs create.

A dog can always be so dangerous And scary for me yet I have owned and loved many. I always kept my dog restrained on a leash when outside with me, yet sometimes they could overpower me no matter their size Or their love for me.

Knowing the power of dogs I've trained, loved and took care of, now When I see any dog running around the beach or in public down the street or in their yard behind a fence I experience fear of my being outside around the area and go out of my way to backtrack out of the area, might head back inside to my house from what I thought was going to be a pleasant walk turning into a time of anxiety or if walking at beach or park and they are loose I head to my car.

My friend lives near a dog park and has had multiple Times loose dogs come into her horse pasture, and I've seen her equine be attacked with their ears, punctured in their head and eyes punctured from the dog teeth and knocked down, and their legs get injured and ripped flesh off the equine, even as the animal is kicking at the dogs trying to protect themselves. The owners don't care and even get sassy to the person who's

experiencing 0

pain watching the loved animal get ripped apart plus emotionally upset and pain and suffering about the injuries dogs create. People are getting killed from dog unprovoked attacks

This sassy attitude from the human dog owners has got to stop. HB 2085 will assist that innocents don't get hurt and put responsibility on the party responsible for injury pain and suffering.

as a past dog owner of many dogs, I say
Please pass HB2085.

HB-2058-HD-1

Submitted on: 3/12/2024 9:33:24 PM

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

Submitted By	Organization	Testifier Position	Testify
Darrel Van Hoose	Individual	Oppose	Written Testimony Only

Comments:

I understand the need for prosecution; however, I know of individuals who do not like animals and have antagonize and physically hurt animals and animals have attacked. What stops those individuals who go out of their way to treat dogs poorly and end up getting bit by a dog trying to protect themselves. If it's their word against yours and they are injured, I do not see the courts being able to properly weigh the testimony due to the injury. I have personally been bit and have had half my face torn off and had to be repaired. The dog was in the wrong, but prosecuting the owner is not something I would want done. Unless the owner of the dog was commanding their dog to attack. Thank you for hearing my testimony.

HB-2058-HD-1

Submitted on: 3/12/2024 10:42:26 PM

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

Submitted By	Organization	Testifier Position	Testify
Phil Barnes	Individual	Support	Written Testimony Only

Comments:

HB2058 is an excellent step forward for holding dog owners responsible for the actions of their pets. It is incomprehensible to me why anyone would choose to own such a dangerous animal but they are all too common. Thank you for your consideration.

HB-2058-HD-1

Submitted on: 3/12/2024 11:26:51 PM

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

Submitted By	Organization	Testifier Position	Testify
Darice Unick	Individual	Support	Written Testimony Only

Comments:

Something must be done about the number of dangerous dogs that escape their yards or are allowed to roam unrestrained. I have had dogs on my street viciously bark and run at me - then follow snapping and snarling within inches of my backside as I walk away - all the while scared to death of being attacked. I do not feel safe walking on my own street. I like dogs but this is totally out of control! Mahalo

HB-2058-HD-1

Submitted on: 3/12/2024 11:35:14 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:

I am a lifelong Oahu resident. I adamantly support this bill, and ask that it be made effective immediately upon approval. Please rectify the issue regarding the county ordinance by enacting these desperately needed measures into state law. Perpetrators need to be held accountable, they should be responsible for restitution for all damages incurred, and this bill can save lives. There have been multiple deaths and vicious maulings, which could have been prevented had mandates such as this been already set in place.

HB-2058-HD-1

Submitted on: 3/12/2024 11:38:56 PM

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

Submitted By	Organization	Testifier Position	Testify
Royelen Lee Boykie	Individual	Support	Written Testimony Only

Comments:

Please support HB2058 and help keep residents of Hawaii safe and protect our animal companions in animal neighbors.

It would seem that we have reached a crisis point with regards to dogs and cats here on Hawai'i island and from what I understand in the state as well.

Dogs are being treated inhumately and being trained for nefarious purposes. The result is suffering, suffering by people and by animals. There must be increased penalty for dangerous dogs.

Thank you for supporting HB 2058

Royelen Lee Boykie, Homeowner and Resident, Hawai'i Island

HB-2058-HD-1

Submitted on: 3/13/2024 4:46:15 AM

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

Submitted By	Organization	Testifier Position	Testify
Kehau Lee	Individual	Support	Written Testimony Only

Comments:

The submitted testimonies of so many personal tragedies succinctly justify the desperate need for the protective measures this bill would provide.

Please approve this bill with an immediate effective date. I am a born and raised Hawai'i resident.

HB-2058-HD-1

Submitted on: 3/13/2024 6:29:03 AM

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

Submitted By	Organization	Testifier Position	Testify
Cydney Blanchard	Individual	Support	Written Testimony Only

Comments:

I strongly support HB 2058. My close friends dog was brutally murdered by a pitbull. Her name is Michelle Edwards. She also sustained lacerations and deep cuts, trying to save her dog. This dog was not provoked at all, and jumped out of the back of a truck as my friend was walking her leashed dog by the truck.It's not right to have to be fearful while taking a Walk in a public area but I am because of dogs like this.

thank you, Cydney Blanchard,

HB-2058-HD-1

Submitted on: 3/13/2024 6:32:43 AM

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

Submitted By	Organization	Testifier Position	Testify
john matson	Individual	Support	Written Testimony Only

Comments:

Please support HB2058 and begin to hold dog owners accountable when they hurt or kill someone. Mahalo!

John matson

puna resident

HB-2058-HD-1

Submitted on: 3/13/2024 6:52:08 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:

STRONG SUPPORT

**SHOULD INCLUDE PROVISION TO HOLD HARMLESS PERSONS DEFENDING
THEMSELVES IF ATTACKED.**

MAHALO!

HB-2058-HD-1

Submitted on: 3/13/2024 6:59:29 AM

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

Submitted By	Organization	Testifier Position	Testify
Andrew Marshall	Individual	Support	Written Testimony Only

Comments:

I support the passing of HB2058 to protect people in our communities from dangerous dogs and to hold dog owners accountable.

HB-2058-HD-1

Submitted on: 3/13/2024 7:12:52 AM

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

Submitted By	Organization	Testifier Position	Testify
Nikiya White	Individual	Support	Written Testimony Only

Comments:

Aloha, I am writing in support of HB2058. Our island needs stricter laws for dog owner negligence and dangerous dogs. There should be fines and penalties in place based on number of occurrences and severity. Taking away or putting down vicious dogs isn't enough. There's nothing preventing the owners from getting more dogs. There's no prevention of these dogs from also becoming vicious or continuing to breed more and more dogs. There is no accountability of the negligent owners to keep their animals secured, neutered, licensed/registered etc.

As a dog lover and owner, I have strived to be "responsible." I provide shelter, food/water, care, love, monthly preventative medicines, and annual checkups for my dogs. They are microchipped, spayed and properly licensed and registered.

Meanwhile, I personally have encountered stray/loose dogs in my neighborhood and on multiple occasions loose dogs have come onto my property. They have chased, terrorized and corned my sheep/goats. I have had chickens go missing with only gobs of feathers to be found. On one occasion, a loose dog jumped out of the bushes and started growling ferociously at my children and I as we were enjoying a quiet morning walk down the road. What am I to do in that circumstance?

It pains me to hear about dog attacks occurring at an alarming rate. This is affecting children, adults and our elderly alike. This affects our pets and livestock. It doesn't feel safe to walk down neighborhood roads without the possibility of getting harmed and/or killed. It doesn't even feel safe to be at home because at any time someone else's dogs could come into our property.

Who is to be held responsible for this? Who is responsible when our animals/livestock or our family member is hurt or killed?

Something desperately needs to be done. I urge you to please hear our community's concern. I urge you to please take immediate action.

Mahalo!

Nikiya White of Mountain View

Joeyandnikiya@gmail.com

[808-895-6053](tel:808-895-6053)

HB-2058-HD-1

Submitted on: 3/13/2024 7:31:17 AM

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

Submitted By	Organization	Testifier Position	Testify
Franz Weber	Individual	Support	Written Testimony Only

Comments:

I support the proposed legislation

HB-2058-HD-1

Submitted on: 3/13/2024 7:35:22 AM

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

Submitted By	Organization	Testifier Position	Testify
Shannon Matson	Individual	Support	Remotely Via Zoom

Comments:

Aloha Chair, Vice Chair, and Committee Members,

I am testifying in strong support of HB2058 HD1. My father was killed in August of 2023 by 4 loose dogs that I believe attacked another individual months prior. As I have continued to advocate for stricter laws, better enforcement of our current laws, and any sort of accountability for the dog owners I discovered that there is no State legislation regarding dog owners if a dog injures or kills another animal or human. This bill would fix that oversight. I wanted to be sure to mention that I agree with the small changes made in HB2058 after its hearing in the House Committee on Judiciary and Hawaiian Affairs and would support all of those being incorporated into the final bill.

The last two times this bill, or its companion bill SB2692, were heard there was testimony in opposition from the State Public Defenders Office. Please know that there were some good questions asked regarding their testimony in House FIN Committee that illustrated that their written testimony is confusing, and not entirely accurate. If they submit the same testimony again I implore you to ask similar questions as the Representatives did to help understand that this bill will NOT be in conflict with County ordinances, and in fact is necessary to standardize State wide laws on this issue and allow for adequate enforcement. They made that clear in their oral testimony in the House and I hope they do so again in your Committee if they choose to submit in opposition again.

Lastly, while I agree overall with this bill, I think that the potential criminal penalties are too low when compared to similar crimes, such as vehicular manslaughter. As badly as I want this bill to pass this session and correct a long-standing problem, I hope you take the time to read it and consider amending it to help it realize its full impact and intent. I believe that the bill should state that a person whose dog causes serious bodily injury or death should be exposed to a potential penalty of up to 10 years imprisonment, which is the potential punishment for vehicular manslaughter. This would also bring this bill into alignment with the comprehensive and widely supported Hawai'i County Ordinance that was passed on this topic in 2022. While of course a more severe punishment would only be used in the most severe of cases, it seems wrong to not allow for a potential Class B felony if an attack results in death, especially if those dogs have been declared dangerous in the past. Please make this amendment to pass a bill that will truly allow future victims and their families to seek the justice they deserve and make our communities safer for all.

Mahalo,

Shannon Matson

Hawai'i Island Resident

HB-2058-HD-1

Submitted on: 3/13/2024 7:49:17 AM

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

Submitted By	Organization	Testifier Position	Testify
Mei Sim Chan	Individual	Support	Written Testimony Only

Comments:

I have been scare of wallkin my own neighborhood due to loose dogs from a neighbor. I have a dog that I can't walk due to these loose dogs. This neighbor is not reasonable and will never contain his dogs within his property. He tried to bite another neighbor the other day. It is not right for everyone else on the street to be afraid due to one neighbor with uncontrolled dogs. It has to stop. Dog Owners need to be responisble for their own animals. Something has to be done and they need to be told to control their dogs. Please pass this bill so that people will think twice about it but they also need to be aware. As some dog Owners do not care!

HB-2058-HD-1

Submitted on: 3/13/2024 7:49:33 AM

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

Submitted By	Organization	Testifier Position	Testify
Brigid Kelleher	Individual	Support	Written Testimony Only

Comments:

To the court - I kindly testify in support of HB2058, in memory of Robert Northrop, who was killed by dogs more than seven months ago on Big Island.

Every day that those dog owners are not held accountable is a fresh nightmare for Robert's children and grandchildren. Now, Robert's grandson is terrified of dogs, and the whole family is consumed in grief - attempting to fight this great fight to create a safer Hawaii, while moving through the daily motions.

Robert Northrop was killed by dogs while on a walk in his neighborhood. Those dog owners have yet to be charged with animal cruelty for their neglect, or manslaughter for Robert's death due to their neglect.

Dog owners are obliged by law to take care of their animals. In Robert's case, these dog owners neglected their obligation to petcare so egregiously, that said dogs slaughtered an elderly man, out on his daily errands. If we don't hold these owners accountable, will we continue to let dogs attack and kill our neighborhood elders? What if they had found a child? A pregnant woman?

What if they had found you?

Robert's mauling should never have happened. But lest we disgrace his memory by creating the environment for it to occur again. These dog owners need to be held accountable for animal cruelty and involuntary manslaughter.

As of today, I have witnessed no signs of remorse from these dog owners. The only promise they can keep is to continue to contribute to their neighborhood's demise and dereliction.

We have a responsibility to one another, to keep our communities safe. Hawaiians do not feel safe in their own neighborhoods while dog owners such as these are allowed to live without consequences.

Now the onus rests on you. We have asked for this measure to be passed, in order for us all to feel safe. Please pass HB2058, so that other lives - human and canine - may be spared.

HB-2058-HD-1

Submitted on: 3/13/2024 7:55:29 AM

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

Submitted By	Organization	Testifier Position	Testify
Kelly Marshall	Individual	Support	Written Testimony Only

Comments:

I support HB2058 for the protection of our communities from dangerous dogs and keeping dog owners accountable. Mahalo.

SENATE COMMITTEE ON JUDICIARY

SEN Karl Rhodes, Chair

SEN Mike Gabbard, Vice Chair

HB2058 HD1, Relating to Dangerous Dogs

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

In Support

I am a private citizen who has volunteered with and adopted a pet from the Hawaiian Humane Society. I fully support this addition to our important animal and human welfare protection measures. A dangerous dog is sometimes a difficult thing to define and determine, but many of us know the terrible, life-changing damage that can be done when one or more dogs attack without provocation.

I recognize that dangerous dog violations are currently enforced at the County levels, penalties are an insufficient response to the worst attacks, and current ordinances fail to provide law enforcement with the tools necessary to keep dogs safe and prevent harm to the community. I also understand that this current situation may result in dogs being impounded for long periods - a condition that makes the situation worse for everyone involved, especially the dog.

I appreciate the Committee's careful review of this measure, with input from the Hawai'i Humane Society and other entities committed to the protection of all pet animals and our people. Please support the components of this bill to standardize statewide rules and enforcement and protect our people, dog owners, police, and the population, at large. I also urge you to include a timeline leading to an effective date of 1 JAN 2025, to allow the counties time to prepare. Thank you for your consideration.

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

HB-2058-HD-1

Submitted on: 3/13/2024 8:09:29 AM

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

Submitted By	Organization	Testifier Position	Testify
David-John Schamber	Individual	Support	Written Testimony Only

Comments:

I am in support of HB2058. There are too many incidents occurring where dogs are attacking community members. Some children have been mauled, and others have been killed by these dogs. Dog owners need to be accountable for the actions of their dogs to a higher degree or this will continue to happen. We need to bring more awareness and knowledge about this issue to the public by imposing increased penalties, and better rules, regulations, and guidelines on dog ownership.

HB-2058-HD-1

Submitted on: 3/13/2024 8:19:32 AM

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

Submitted By	Organization	Testifier Position	Testify
Beverly Tese	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of HB2058. Please hold owners accountable for their animals. Especially if their animals kill or injure another person or animal. Please do something and protect the people.

HB-2058-HD-1

Submitted on: 3/13/2024 8:21:28 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 2058 HD 1 as this bill will improve laws on dangerous dogs. It's my understanding that rules would be standardized, law enforcement tools would be improved and pre-paid boarding would be required which should reduce the damaging effect of impoundment.

Again, please support HB 2058 HD 1.

Mahalo.

Jennifer Chiwa

Makiki

HB-2058-HD-1

Submitted on: 3/13/2024 8:25:40 AM

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

Submitted By	Organization	Testifier Position	Testify
Lauran Chapple	Individual	Support	Written Testimony Only

Comments:

Aloha!

As a mother of two and as someone who has been bitten by a dog who was improperly chained, I strongly support this bill. I sustained a bite in the leg, but what troubles me is if my children were with me, it could have been their face or worse. When I reached out to nearby neighbors, they informed me that the dog has been a nuisance for some time but that nothing could be done.

There needs to be repercussions for dangerous dogs improperly managed in order to prevent future tragedies from happening. We cannot rely on the good faith of dog owners alone to keep people safe. Historically, that has not worked and had even led to fatalities.

Please consider passing bill HB2058 to keep this island safe.

Mahalo,

Lauran Chapple, Waimea

HB-2058-HD-1

Submitted on: 3/13/2024 9:00:51 AM

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

Submitted By	Organization	Testifier Position	Testify
Heidi Segedin	Individual	Support	Written Testimony Only

Comments:

My dog was viciously attacked and I was bitten by a neighborhood dog on Waipouli Rd in Kapa'a, Kaua'i who was off leash on August 10, 2023. It was the most harrowing experience and my dog and I are still traumatized by this event and awaiting justice. The owner of the attack dog is completely irresponsible and won't do the right thing by any means. My case has been delayed and delayed and the consequences for the aggressive dog and owner are ridiculous. This has to stop! Owners of dangerous dogs must be held accountable not just slapped on the wrist. This is crazy! Dangerous and vicious dogs are killing people and other dogs and change has got to be made. More serious actions must be taken against these people who allow their dogs to run free and wreak havoc!! Please pass this bill and make the consequences fit the crimes!! Thank you. Sincerely, Heidi Segedin

HB-2058-HD-1

Submitted on: 3/13/2024 9:03:14 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:

Yes we do need this bill passed ASAP to protect us from dangerous dogs. BUT, in defense of the dangerous dogs, THE REAL DANGER IS THE DUMB HUMANS WHO TRAINED THEIR DOGS TO BE DANGEROUS! That's right, more stupid who do not know how to trained a dog and do all the wrong things to make the dog dangerous and then blame the dog when they should blame themselves! These owners are to dumb to find out how to train a dog and don't want to learn or care! REMEMBER, IT'S NOT THE DOGS FAULT THAT HE IS DANGEROUS

HB-2058-HD-1

Submitted on: 3/13/2024 9:18:39 AM

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

Submitted By	Organization	Testifier Position	Testify
Stephen Canham	Individual	Support	Written Testimony Only

Comments:

Committee Members: I strongly urge you to support HB2058, to increase the penalties for dangerous dogs. As a small child I almost lost an eye when an untethered dog attacked me and, although I have owned and loved dogs throughout my life, I am extremely wary of uncontrolled animals. Dog attacks are serious, not manini misdemeanor offenses, and dog owners need to be held fully accountable. Please support HB2058--it matters.

Stephen Canham, PhD

Kaneohe, HI

HB-2058-HD-1

Submitted on: 3/13/2024 9:23:59 AM

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

Submitted By	Organization	Testifier Position	Testify
Abby Simmons	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and esteemed Members of the Committee,

My name is Abby Simmons from Hawai'i Island and I am testifying in strong support of this measure (HB2058 HD1), with request for amendment.

There are no guilty animals. The responsibility of the proper care and securing of dangerous dogs falls solely on the animals' owner.

Sadly, as we have seen, the negligence of some owners has resulted in serious injuries and death to humans and other animals alike. This is a serious problem that should result in serious penalties for negligence.

Therefore, I would humbly ask the committee to support this bill and amend the bill to increase the potential criminal penalties, to compare to similar crimes, such as vehicular manslaughter.

A person whose dog causes serious bodily injury or death should be exposed to a potential penalty of 10 years imprisonment, which is the potential punishment for vehicular manslaughter.

Mahalo nui loa for your consideration.

Abby Simmons

HB-2058-HD-1

Submitted on: 3/13/2024 9:25:16 AM

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

Submitted By	Organization	Testifier Position	Testify
Paul Holcomb	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Rhoads, Vice Chair Gabbard, and Judiciary Committee members,

I am testifying in strong support of this measure (HB2058).

Paul Holcomb
Kāneʻohe, Hawaiʻi
HD 49, SD 24

Eileen O'Hara, Ph.D.
15-2782 Papio Street
Pahoa, HI 96778

Date: March 13, 2024

TO: Senate Committee on Judiciary, Chair Karl Rhodes

RE: Support for HB2058 HD1

Aloha Honorable Chair Rhodes and Committee members,

The County of Hawaii needs you to pass this important legislation. The rest of the State needs this measure to pass as well. The Hawaii County Council attempted to deal with the dangerous dog issue in a code revision last year, although the measure was deemed unenforceable due to the need for changes in State law.

We've had two deaths and multiple serious maulings by loose, aggressive, large dogs in the last two years alone. While loose and dangerous dogs have always been an issue on the Big Island, the tremendous growth in our population (now over 200,000), and especially in our rural subdivisions, has increased the danger exponentially.

As the County is currently reshaping its animal control program, there has been less enforcement of dangerous dogs leaving many people terrified to even walk their dogs on leash outside of their properties. My leashed and trained agility dog, a Corgi/Jack Russell mix, was attacked by a pack of dogs at the entrance to Ace Hardware in Pahoa not too long ago, requiring veterinarian attention (the human also experienced bites).

This is not a laughing matter but a serious public safety issue. We need the State to step up and approve this proposed measure HB 2058

Respectfully requesting your support of HB 2058

A handwritten signature in cursive script that reads "Eileen O'Hara".

HB-2058-HD-1

Submitted on: 3/13/2024 9:55:54 AM

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

Submitted By	Organization	Testifier Position	Testify
Michal Fentin Stover	Individual	Comments	Written Testimony Only

Comments:

I support HB2058 HD1, which will increase penalties for dangerous dogs. Mahalo.

HB-2058-HD-1

Submitted on: 3/13/2024 9:56:36 AM

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

Submitted By	Organization	Testifier Position	Testify
Tane Datta	Individual	Support	Written Testimony Only

Comments:

Please support this bill. Friends, family and neighbors have been hurt, scared and even killed by dogs and there is nothing the local police can really do about it without the support of laws.

HB-2058-HD-1

Submitted on: 3/13/2024 10:11:17 AM

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

Submitted By	Organization	Testifier Position	Testify
Jeffrey Mermel	Individual	Support	Written Testimony Only

Comments:

I strongly SUPPORT HB 2058.

The father of a friend of mine here in Hilo was killed by an attack dog several months ago and to date no charges have been filed....

Stronger penalties must be put in place for irresponsible owners of vicious dogs.

Please pass HB 2058

HB-2058-HD-1

Submitted on: 3/13/2024 10:26:26 AM

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

Submitted By	Organization	Testifier Position	Testify
Stacey Jarneski	Individual	Support	Written Testimony Only

Comments:

I fully support this bill as dog owners need to be punished for the actions of their dogs

HB-2058-HD-1

Submitted on: 3/13/2024 10:34:59 AM

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

Submitted By	Organization	Testifier Position	Testify
James Cohn	Individual	Support	Written Testimony Only

Comments:

I love dogs, but we on the Big Island are plagued by persons who do not take responsibility for their animals. We have had chickens killed by loose dogs, and there have been attacks upon innocent persons walking our streets. We must take steps to hold these persons responsible for the damage to pets, property and people. Such dogs are often used to discourage property intrusions, but when left loose or not controlled are a nuisance and a menace. I therefore support this HB2058.

Respectfully,

James Cohn

HB-2058-HD-1

Submitted on: 3/13/2024 10:38:57 AM

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

Submitted By	Organization	Testifier Position	Testify
Laycie Tobosa	Individual	Support	Written Testimony Only

Comments:

Aloha! I am writing this testimony in support of HB2058 to hold dog owners accountable for their pets. I am an animal lover and I grew up around dogs all of my life. I was attacked by a rottweiler when I was about 10 years old. It was one of the most frightening incidents of my life. Luckily I came out of it with minimal injuries, but others are not so lucky. I personally know at least 3 people involved in dog attacks, 2 of which were fatal. 2 incidents involving elderly and 1 incident involving a small child. In addition to the people I know personally, there have been numerous accounts of dog attacks in our community.

It is necessary to put into place laws to keep dog owners accountable in order to protect the most vulnerable people in our community. Our elderly neighbors going out for a run or children play outside in their yard. No one should live in fear of being attacked or killed by a dog, and when it does happen, the owners need to be held accountable. When a dog kills your loved one, that is final. You can't get that person back. No amount of wishing or praying, and no amount of money will ever change the fact that they are gone. Lives are forever changed. The least we could do is put into place laws firstly to prevent owners from being irresponsible and secondly to enforce accountability. I support HB2058 for the protection of our community. Mahalo!

HB-2058-HD-1

Submitted on: 3/13/2024 10:40:35 AM

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

Submitted By	Organization	Testifier Position	Testify
james d hughes	Individual	Support	Written Testimony Only

Comments:

Aloha Legislators,

Certainly time for owners of aggressive animals to be held accountable for both civil and criminal damage caused to others.

HB-2058-HD-1

Submitted on: 3/13/2024 11:10:13 AM

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

Submitted By	Organization	Testifier Position	Testify
Callie Stephenson	Individual	Oppose	Written Testimony Only

Comments:

I fear that this legislation will make it more difficult for dogs to be adopted and owned in Hawai'i. I am not convinced that the issue of dangerous dogs merits a bill that would make it easier for dogs to be put down for behavioral reasons. Dog ownership is difficult and requires responsibility, but I fear this legislation will dissuade citizens from becoming dog owners, and dog owners from continuing to own dogs.

HB-2058-HD-1

Submitted on: 3/13/2024 11:21:53 AM

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

Submitted By	Organization	Testifier Position	Testify
irene kloepfer	Individual	Support	Written Testimony Only

Comments:

Dangerous dogs harm people, people then need to go to er and medical bills ensue. The victim should not be liable for someone else's irresponsibility. Please pass this bill. Mahalo

HB-2058-HD-1

Submitted on: 3/13/2024 11:35:47 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 HB2058, which provides new tools to protect people from dangerous dogs.

Several years ago, my wife was bitten by two unrestrained, medium-size dogs that, without warning, charged out of their yard and bit her leg as she was walking by. The bites became infected and required two rounds of antibiotics to heal. Had the provisions of this bill been in place then, the owners would have been required to restrain and register the dogs to protect other neighbors from their dangerous behavior. And serious penalties could have been imposed if the dogs had gone on the attack again.

This bill will create a statewide dangerous dog law, enabling a felony penalty for bites that maim or kill a person. And it will improve law enforcement tools, including the authority of officers to declare a dog dangerous, with the goal of preventing future bites. In addition, it will balance protections for animals by allowing law enforcement broader authority to require owners to keep their dogs safe at home and by discouraging prolonged impoundment.

I urge you to approve this measure and advocate for its approval.

HB-2058-HD-1

Submitted on: 3/13/2024 11:55:37 AM

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

Submitted By	Organization	Testifier Position	Testify
Ranie Mulligan	Individual	Support	Written Testimony Only

Comments:

I am writing to you as a concerned citizen and as someone deeply affected by the recent attack of a friend by a dangerous dog. This incident has not only brought immense physical harm but also significant emotional trauma to her. Therefore, I urge you to support the proposed bill HB2058, which aims to increase penalties for owners of dangerous dogs.

Increasing penalties for irresponsible ownership of dangerous dogs is not about punishing animals but about promoting responsible pet ownership. It is about ensuring that those who choose to own pets, especially those with aggressive tendencies, take the necessary precautions to prevent harm to others.

Thank you for your time and consideration on this important matter. I hope to see our community become a safer place for all its residents, both human and animal alike.

HB-2058-HD-1

Submitted on: 3/13/2024 12:10:02 PM

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

Submitted By	Organization	Testifier Position	Testify
Anjani Thomas	Individual	Support	Written Testimony Only

Comments:

It's about time this law was enacted. There's too many dangerous dogs on the loose. Unfortunately, it's not the dog's fault--it's the owners. I support 100%

HB-2058-HD-1

Submitted on: 3/13/2024 4:23:06 PM

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

Submitted By	Organization	Testifier Position	Testify
Mary Lu Kelley	Individual	Support	Written Testimony Only

Comments:

Aloha.

I am in strong support for this bill because it establishes requirements and penalties for owners of dangerous dogs. Allows for impounding of dangerous dogs under certain conditions.

Please do the right thing.

Thank you,

Mary Lu Kelley

HB-2058-HD-1

Submitted on: 3/14/2024 2:49:58 AM

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

Submitted By	Organization	Testifier Position	Testify
Christy MacPherson	Individual	Support	Written Testimony Only

Comments:

I SUPPORT HB2058 HD1. I was bit once by a dog while on a jog and more seriously by a pitbull while carrying my baby years ago. If I had panicked and dropped him, who knows what could have happened as a result.

Mahalo for your consideration.