



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

S.B. NO. 1022, RELATING TO ANIMAL ENDANGERMENT.

BEFORE THE:

SENATE COMMITTEES ON AGRICULTURE AND ENVIRONMENT AND ON PUBLIC SAFETY AND MILITARY AFFAIRS

DATE: Friday, February 7, 2025 **TIME:** 1:00 p.m.

LOCATION: State Capitol, Room 224 and Videoconference

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Mark S. Tom, Deputy Attorney General

Chairs Gabbard and Elefante and Members of the Committees:

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

This bill adds a new section to chapter 708, Hawaii Revised Statutes (HRS), to provide immunity from criminal liability to public officials and individuals seeking to retrieve pet animals from unattended vehicles. The bill also adds a new section to chapter 711, HRS, to prohibit individuals from leaving pet animals in unattended vehicles under certain circumstances. The proposed offense would be a misdemeanor.

While the focus of the bill is the health, safety, and well-being of pet animals left unattended in vehicles under unsafe conditions, we note that the current offense of cruelty to animals in the second degree under section 711-1109(1)(e), HRS, could already be used in these types of circumstances to prosecute the vehicle's owner or operator. Section 711-1109(1)(e), HRS, provides:

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

* * *

(e) Carries or causes to be carried, in or upon any vehicle or other conveyance, any animal in a cruel or inhumane manner;

Section 711-1109(1)(e), HRS, contains broader wording to address a variety of circumstances that may result in harm to an animal. It also includes the states of mind of "intentionally, knowingly, or recklessly," whereas the proposed new section in chapter

711 would be limited to “intentionally,” as stated on page 3, line 6. Additionally, section 711-1109(1)(e) is not limited to the protection of “pet animals,” but rather aims to protect “every living creature, except a human being.” See section 711-1100, HRS (defining “animal.”) The offense under section 711-1109(1)(e), HRS, is a misdemeanor (and a class C felony if the offense involved ten or more pet animals in any one instance).

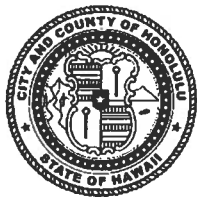
For the above reasons, we recommend the following amendments to this bill:

- (1) In section 3, delete the proposed section 711- (a), HRS, on page 3, lines 6-11, and the corresponding penalty provision, section 711- (h), on page 6, lines 10-11.
- (2) Move the remaining subsections of proposed section 711- , out of section 3, and incorporate them as new subsections in section 2, in the proposed new section 708- , HRS.
- (3) With the contents of section 3 deleted or moved to section 2, the remainder of the bill sections should be renumbered accordingly.

Thank you for the opportunity to provide comments.

HONOLULU POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 • WEBSITE: www.honolulu.police.org



RICK BLANGIARDI
MAYOR
MEIA

ARTHUR J. LOGAN
CHIEF
KAHU MĀKA'I

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS
HOPE LUNA NUI MĀKA'I

OUR REFERENCE MC-PA

February 7, 2025

The Honorable Mike Gabbard, Chair
and Members
Committee on Agriculture and Environment
The Honorable Brandon J.C. Elefante, Chair
and Members
Committee on Public Safety and
Military Affairs
State Senate
415 South Beretania Street, Room 224
Honolulu, Hawai'i 96813

Dear Chairs Gabbard and Elefante and Members:

SUBJECT: Senate Bill No. 1022, Relating to Animal Endangerment

I am Major Shellie Paiva of District 4 (Kailua/Kāne'ohe/Kahuku) of the Honolulu Police Department (HPD), City and County of Honolulu.


The HPD respectfully opposes Senate Bill No. 1022, Relating to Animal Endangerment, as it is written and offers the following concerns.

The introduction of an animal endangerment law will affect our ability to enforce laws and ordinances relating to property damage. A private citizen rescuing an unattended animal not under duress would not be held accountable under the current bill's language. Amending the act to permit only first responders as assessors and investigators for animal endangerment cases will help prevent the potential for malicious damage of another person's property.

The HPD urges you to oppose Senate Bill No. 1022, Relating to Animal Endangerment.

Thank you the opportunity to testify.

APPROVED:


Arthur J. Logan
Chief of Police

Sincerely,


Shellie Paiva, Major
District 4



**THE HUMANE SOCIETY
OF THE UNITED STATES**

1255 23rd St. NW
Suite 450
Washington, DC 20037
P 202-452-1100
F 202-778-6132
humanesociety.org

Feb. 6, 2025

On behalf of The Humane Society of the United States and our supporters in Hawaii, I write in strong support of Senate Bill SB 1022: Relative to animals in hot vehicles. Every year, animals suffer and die when left alone in hot cars. SB 1022 goes a long way to ensuring that Good Samaritans can intervene to save the life of an animal who is at serious risk of bodily injury or death.

Susan Atherton
Co-Chair

Thomas J. Sabatino, Jr.
Co-Chair

Kitty Block
*President and
Chief Executive Officer*

William H. Hall
*Treasurer and
Chief Financial Officer*

Alison Corcoran
*Chief Development
and Marketing Officer*

Katherine L. Karl
*General Counsel and
Chief Legal Officer*

Erin Frackleton
Chief Operating Officer

Nicole Paquette
*Chief Programs
and Policy Officer*

Alexa Herndon
Chief People Officer

Miguel Abi-Hassan
*Chief Animal Rescue,
Care and Sanctuary Officer*

Johanie V. Parra
Secretary

Plenty of citizens have come across animals in need of rescue from parked cars on hot days. First responders on the scene to rescue animals left in hot cars around the country have given firsthand accounts of the suffering that a dog left in such conditions can endure. They have described the claw marks left on the door with nail particles still stuck in them made by trapped animals, and the contorted body shapes of those desperately trying to get out. They have described the look of horror on a person's face when they find out that their dog has suffered or died. Sixteen states have enacted laws allowing Good Samaritans to responsibly intervene and several states are considering legislation this year.

This bill includes thoughtful provisions that a Good Samaritan must take when entering a vehicle with the intent to save an animal from extreme weather conditions including:

- Good Samaritan makes a reasonable effort to locate the vehicle's owner
- Good Samaritan notifies law enforcement or calls 911 prior to entering the vehicle
- Law enforcement confirms they are unlikely to be able to respond in time to prevent extreme suffering or death
- Good Samaritan determines the vehicle is locked and uses no more force than is reasonably necessary to enter the vehicle
- Good Samaritan has a good faith belief the entry into the vehicle is necessary because the animal's safety, health or well-being appears to be in immediate danger and the conditions could reasonably be expected to cause extreme suffering or death
- Good Samaritan remains with the animal in a safe place, in proximity to the vehicle until help arrives.
- There is a witness present

We urge committee members to support SB 1022 as an important step toward achieving a more humane Hawaii and a chance to avoid unnecessary animal suffering.

DIRECTORS

Susan Atherton
Yolanda Berkowitz
Georgina Bloomberg
J. Elizabeth Bradham
Marcus East
Carolyn N. Everson
Caren M. Fleit
Robert A. Greenspon
Brad Jakeman
Cathy Kangas
Sylvia T. Kaser, Esq
Adi Kumar
Charles A. Laue
Kathleen M. Linehan, Esq.
C. Thomas McMillen
David S. Niekerk
Marsha R. Perelman
Thomas J. Sabatino, Jr.
Suzy Welch
Steven G. White

Sincerely,
Susan Rhee

SB-1022

Submitted on: 2/5/2025 9:30:21 AM

Testimony for AEN on 2/7/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cathy Goeggel	Testifying for Animal Rights Hawai'i	Support	Written Testimony Only

Comments:

We support SB1022 strongly ! Mahalo



525 East Cotati Avenue
Cotati, California 94931

T 707.795.2533
F 707.795.7280

info@aldf.org
aldf.org

February 7th, 2025

RE: Memorandum of Support on SB 1022
Relating to animal endangerment

Dear Chair Gabbard, Vice Chair Richards, and honorable members of the Senate Committee on Agriculture and Environment; and Chair Elefante, Vice Chair Wakai, and honorable members of the Senate Committee on Public Safety and Military Affairs,

The Animal Legal Defense Fund, the nation's preeminent legal advocacy organization for animals, and its hundreds of members in Hawai'i, strongly support the enactment of SB 1022. This bill aims to make leaving an animal unattended in a vehicle in dangerous conditions a misdemeanor and limits civil and criminal liability to Good Samaritans who rescue domestic animals in distress from motor vehicles after taking reasonable steps.

The Animal Legal Defense Fund strongly supports "Good Samaritan" laws across the country. Although public awareness has been on the rise about the dangers of leaving children or animals in hot cars as a result of media coverage and outreach campaigns by many groups, including the Animal Legal Defense Fund, too many people remain unaware of the potential risk. This is evidenced by the number of animals who still die in hot vehicles every year. For example, although it has been shown to have little effect on the interior temperature of a vehicle, many people still believe leaving windows open on a warm day is sufficiently protective, or do not realize how quickly temperatures can soar to life-threatening levels inside a car even when the outside temperature is as low as 70 degrees. Even on demonstrably hot days, some people still do not realize the dangers of leaving an animal inside a vehicle even when just running a "quick errand."

Dogs and other companion animals are particularly vulnerable to heatstroke because they cannot cool themselves like humans and have a harder time maintaining a comfortable body temperature. And Hawai'i is a state that experiences hotter temperatures than most year-round. Having laws in place to protect citizens from liability in these cases is an important step toward empowering people to act when they see an animal or child in distress. In addition, in order to avoid liability, the Good Samaritan will have had to act in accordance with the commonsense steps outlined in the bill to ensure they have tried all other measures before breaking the window.

Further, there has been no evidence that the passage of these kinds of bills would result in a rash of car window smashing across the state. This bill protects the average constituent who wants to do the right thing, and probably would not stand idly by while a dog is in distress anyway despite the current absence of this law. This bill would simply protect them under the outlined limited circumstances. By passing this bill, Hawai'i would join 14 other states in helping save animals from unnecessary deaths.

For these reasons, the Animal Legal Defense Fund strongly supports the enactment of SB 1022 and respectfully requests that it be passed by your committees.

Sincerely,

Lindsay Vierheilig
Legislative Affairs Manager
Animal Legal Defense Fund
lvierheilig@aldf.org

SB-1022

Submitted on: 2/4/2025 11:12:36 AM

Testimony for AEN on 2/7/2025 1:00:00 PM

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

Comments:

I am in full support of this bill. All too often we hear of hurt or murdered pets which have been left unattended in vehicles. This will enable the public to help and save their lives.

SB-1022

Submitted on: 2/5/2025 8:48:11 PM

Testimony for AEN on 2/7/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jacob Wiencek	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

Protecting animal welfare is a key public policy concern. Heat, especially when trapped in a car, is an extra unique and vital concern here in Hawaii. I believe this bill is appropriate. I urge this Committee to SUPPORT this bill!

SB-1022

Submitted on: 2/4/2025 11:38:41 AM

Testimony for AEN on 2/7/2025 1:00:00 PM

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

Comments:

This bill releaes someone who rescues an animal is danger of losing it's life from prosecution. All the points must be met - have called 911, have tried to reach the owner, have totally believed the pet was going to die, have checked the doors to see if unlocked, must stay with injured pet or bring to vet... it seems that all instances have been thought out. I heartedly support this bill.

SB-1022

Submitted on: 2/4/2025 12:25:46 PM

Testimony for AEN on 2/7/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Caroline Azelski	Individual	Support	Written Testimony Only

Comments:

Support. Thank you.

SB-1022

Submitted on: 2/4/2025 12:58:07 PM

Testimony for AEN on 2/7/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Bishop	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill that will save countless innocent animal lives!

With aloha,

Lisa Bishop

SB-1022

Submitted on: 2/4/2025 12:50:00 PM

Testimony for AEN on 2/7/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Victor K. Ramos	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE this bill as written. Leaves too much room for anyone to interpret the definition of "reasonable." If the windows were sealed, there would be zero room for any misinterpretation.