



**Conservation Council  
for Hawai'i**

*Hawai'i's voice for wildlife*

*Kō Hawai'i leo no nā holoholona lōhiu*



Testimony Submitted to the  
House Committee on Judiciary

Hearing: Tuesday, March 3, 2015 1:00 pm, Room 325

In Support of HB 837 HD 1 Relating to the Conservation of Animals

Aloha, Chair Rhoads, Vice Chair San Buenaventura, and Members of the Committee. The Conservation Council for Hawai'i supports HB 837 HD 1, which prohibits ivory and rhinoceros horn sales and trade within the state, to be enforced by the department of land and natural resources, and establishes penalties.

Hunting and poaching of elephants and rhinoceroses for ivory must end before these species go extinct. The slaughter of these animals for ivory saddens me deeply. CCH cannot stand silent. Ivory is not a necessity. We can learn to live without it – we must. Hawai'i should not allow the sale or trade of ivory, nor should we contribute to the senseless loss of these magnificent animals a day longer. Let's keep the enforcement simple and ban all sales and trade in our state.



Please kokua these animals and keep them with us.  
Mahalo nui loa for the opportunity to testify.

Sincerely,

Marjorie Ziegler



*Conservation Council for Hawai'i is a nonprofit, environmental membership organization dedicated to protecting native Hawaiian plants, animals, and ecosystems for future generations. Established in 1950 and based in Honolulu, CCH is one of the largest and most effective wildlife organizations in Hawai'i with more than 5,000 members and supporters, including concerned citizens, educators, scientists, government agencies, and elected officials.*

*Through research, education, service, organizing, and legal advocacy, CCH works to stop the destruction of native wildlife and wild places in Hawai'i.*

*Since 1973, CCH has served as the Hawai'i state affiliate of the National Wildlife Federation.*

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Executive Director: Marjorie Ziegler | Administrator: Jonnetta Peters



March 3, 2015

TESTIMONY of RUSSELL TAKATA regarding HB837, HD1, RELATING TO THE CONSERVATION OF ANIMALS.

CHAIRMAN RHOADS AND MEMBERS OF THE COMMITTEE ON JUDICIARY,

I STRONGLY OPPOSE this measure. Essentially, this bill will make law-abiding citizens criminals! Collectors of antique firearms, sportsmen, and common residents fall in this group. Ivory has been around for a long time and found in antique firearms, pistol grips, knife handles, tool handles, jewelry, furniture, and even jewelry. The general prohibition and possession, the broad definitions of ivory and rhinoceros horn, and the presumption of "intent to sell" when in possession of such in a retail outfit, are too general and vague challenging the innocence of law-abiding citizens. I strongly suggest the addition of exemptions for ivory and ivory products acquired before the federal ban in 1990 and on lawful possession after 1990. Essentially, this bill will not reduce poaching, but rather, has the potential to be the source for more illicit trade and sales.

Thank you for the opportunity to testify on this measure.



**IFAW**  
International Fund  
for Animal Welfare

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United Kingdom  
United States

March 03, 2015

Hawaii House Committee on Judiciary  
Hawaii State Capitol  
Honolulu, Hawaii

Dear Chairman Rhoads, Vice Chairman San Buenaventura, and  
Committee Members,

On behalf of our more than 3,500 Hawaiian members and  
supporters, the International Fund for Animal Welfare (IFAW)  
submits this letter supporting passage of HB 837, soon to be  
considered by the House Judiciary Committee of the Legislature  
of the State of Hawaii.

As stated in Section 1 of this bill, elephants and rhinos are facing a  
crisis driven by consumer demand for their ivory and horn. IFAW  
has long been at the leading edge of this issue, including our  
groundbreaking investigations into Chinese ivory markets (2008),  
internet sales of illegal wildlife (2008 and 2012), the links between  
national security and poaching (2008 and 2013), and most recently  
an analysis of the United States' ivory markets and related  
regulatory systems (2014). In all of these we have found  
overwhelming evidence that the legal trade in ivory helps to  
obscure and propagate a parallel market in illicit products.  
Moreover, data point to Hawaii as one of the largest ivory markets  
in the United States.

We are currently working to support and strengthen the United  
States Fish & Wildlife Service's efforts to restrict domestic  
commerce in ivory (colloquially referred to as the "ivory ban")  
and welcome Hawaii's efforts to enact state-level restrictions  
through HB 837. However, we are concerned that certain trade  
exemptions in this legislation would enable illegal activity to  
continue: namely, the exemptions for guns, knives, and musical  
instruments with ivory parts; and ivory or rhinoceros horn jewelry  
marked as "Ming's jewelry." It is unclear what conservation  
benefit accrues to these amendments, and they could undermine  
consumers' understanding of the ban and make law enforcement  
more difficult. We also advise that mammoth ivory be added to  
the list of prohibited materials. Despite these reservations, even  
the bill as currently proposed would be an improvement on  
Hawaii's existing regulatory regime. It is important to note that  
this bill would not prohibit possession or bequests of ivory, nor  
would it prohibit use of ivory in Hawaiian cultural practices.



Hawaii is not alone in its determination to enact state conservation measures, but passing HB 837 would set a tremendous example to other states, as well as giving Hawaiians the distinction of helping to change the global conversation on this critical issue.

IFAW believes that ivory should belong to elephants. By banning the sale of ivory in your state, you can send the message to poachers, traffickers, and consumers that we value our world's wildlife more than needless trinkets and ornaments. Stopping this bloody trade will reap benefits for wildlife, international security, aid anti-corruption efforts, enable more effective use of our law enforcement funding here and abroad, and give our children the chance to share this planet with one of the planet's truly most majestic creatures.

Thank you for your attention to this matter.

A handwritten signature in black ink that reads "Jeff Flocken". The signature is written in a cursive style with a long horizontal line extending to the right.

Jeffrey Flocken  
Regional Director—North America



Testimony of The Nature Conservancy of Hawai'i  
Supporting H.B. 837 HD1 Relating to Conservation of Animals  
House Committee on Judiciary  
Tuesday, March 3, 2015, 1:00PM, Room 325

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*For more than 35 years, The Nature Conservancy of Hawai'i has been working closely with government agencies, local businesses, private landowners, non-profit partners, and interested communities across the state to preserve the lands and waters upon which all life in these islands depends. The Conservancy is a private non-profit conservation organization that has helped to protect nearly 200,000 acres of natural lands in Hawai'i. Today, we actively manage more than 35,000 acres in 11 nature preserves on Maui, Hawai'i, Moloka'i, Lāna'i, and Kaua'i, and support 19 coastal communities seeking to co-manage marine resources in partnership with the State of Hawai'i.*

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The Nature Conservancy supports H.B. 837 HD1.

According to a June 2014 CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora) study, more than 20,000 elephants were poached in Africa in 2013. Seizures of illegal ivory in both Africa and Asia are at their highest levels in years. The survival of elephants in Africa is threatened—as is the security and stability of the places (mostly southern and eastern Africa) where they range because of the organized crime involved.

Demand for ivory in countries like China, Thailand, the Philippines, and Vietnam continues to be high. While the U.S. ivory market may be relatively small in comparison, it contributes to the detrimental effect on elephant populations. With increased demand comes increased world prices making elephant poaching a sophisticated enterprise supported by organized crime. According to CITES, poaching levels remain alarmingly high and continue to far exceed the natural elephant population growth rates, resulting in a further decline in elephant populations across Africa.

Efforts are underway in Africa to better train and equip wildlife rangers to control poaching as well as in Asia to educate consumers, erode the prestige of ivory and clean up the marketplace. Here at home we can do our part by ensuring that we set an example by clearly prohibiting sales of ivory.

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

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# **Hawaii Rifle Association**

State Affiliate of the National Rifle Association  
Founded in 1857

**March 2, 2015**

**Testimony In OPPOSITION ON HB837,SD1  
Before JUD, Rm 325, 3/3/2015, 1:00pm**

**Hon. Chair, Co-Chair, and Members,**

**HRA opposes this draft.**

**Unless the SD1 is amended to protect the value of real antique art, heirloom items, and Hawaiian heritage items, both antique and new fabrication, it is theft, just as is poaching.**

**It is not going to affect the survival of elephant populations in Africa. Stable governments there with effective game management are doing so now. Elephant populations in Southern Africa and South Africa are increasing. Game biologists in South Africa are darting elephant cows with birth control from helicopters to prevent over-population.**

**Thank you for the opportunity to testify on behalf of HRA.**

**Dr. Maxwell Cooper  
HRA Legislative Liaison  
808 225-6944**

<http://www.uwyo.edu/uw/news/2013/06/wpr-journalist-reports-on-elephant-management-in-south-africa.html>

Dear Chair Rhoads, Vice-Chair San Buenaventura and House Judiciary Committee Members,

I understand that HB 837 has been scheduled for a hearing in Chair Karl Rhoads (the bill sponsor's) House Judiciary Committee for Tuesday, March 3rd at 1pm HST.

With much respect I wish to submit to the House Judiciary Committee on HB 837:

"Hawaii is a much loved international tourist destination - my husband and I are New Zealander's, but my husband has visited Hawaii in the past. Therefore, is saddening to learn that, as I understand it, Hawaii is the 3rd largest US retailer for ivory.

It is well established that a three pronged approach is required to stop the illegal ivory trade and to save elephants from extinction: stop the demand, stop the trafficking and stop the killing. It is essential that these three approaches occur together, in order to be most effective. It will be the actions of each and every nation with a legal ivory trade, no matter how big or small, that will make a difference. Demand reduction and reducing the opportunity for the laundering of illegal ivory through stricter regulation are responsible steps each and every nation can take. It is my hope that with time and with nations such as yours setting a leadership example, New Zealand will take also such measures.

I commend Hawaii on HB 837 - implementing stricter domestic measures to prohibit the sale of ivory and rhino horn items in Hawaii are responsible measures which will no doubt complement international collaborative efforts on this front, including the efforts of the USFWS. I urge the Committee to commit to those measures presented in Bill HB 837.

While I am not a citizen of Hawaii, as the 3rd largest retailer for ivory in the US Hawaii has the potential to make a material and positive difference to the survival of a globally iconic species, a species that is cherished in New Zealand. I trust that my submission will be given full consideration.

Thank you for your time."

Kindest regards,  
Fiona Gordon.

Environmental Policy Analyst  
NEW ZEALAND

**Fiona Gordon**  
Principal Consultant

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STATE & LOCAL AFFAIRS DIVISION  
DANIEL REID, HAWAII STATE LIAISON

March 2, 2015

The Honorable Karl Rhoads  
Chairman, House Committee on Judiciary

Re: House Bill 837 – OPPOSE

Dear Chairman Rhoads:

On behalf of the Hawaii members of the National Rifle Association, I oppose House Bill 837. This bill would do nothing to promote its purported goal of addressing poaching and the illegal ivory trade, while it would impose a heavy burden on law-abiding citizens.

Illegal trade in wildlife, as well as poaching for meat and products such as horns and tusks, takes its toll on the health and viability of wildlife populations. Further, it undermines the tremendous sustainability achievements made possible by hunters and other wildlife conservationists in the United States and other parts of the world. The NRA applauds serious efforts to stop poaching and the illegal ivory trade, but HB 837 would not materially contribute to that goal.

This bill would, however, harm those who have no part in these activities. American collectors, sportsmen, hunters, and recreational shooters have legally purchased firearms that incorporate ivory features for decades. These include some of America's most historically-significant and collectible guns. While this bill contains some limited exceptions, it still unfairly targets individuals who acquired ivory in compliance with the law at the time. By randomly setting a limit on the volume of ivory incorporated in a gun, knife or musical instrument, it would impose arbitrary distinctions on people who had acted similarly under former interpretations of the law. For example, if a person had a shotgun with an ivory bead sight, he or she would be able to sell it because of the small size of the bead. However, if another person had a handgun with ivory grips, he or she may not be able to sell it—depending on the size of the handgun—because of the twenty percent limitation. This would be true even if both persons had obtained their guns from the same dealer, on the same day, with the same understanding of then-controlling law. Moreover, as a practical matter, accurately measuring the “volume” of a complex mechanical



object such as a firearm—or of small, non-removable ivory components such as inlaid decorations—would be a daunting task.

Historically, the U.S. Fish and Wildlife Service maintained the position that most ivory in the U.S. has been legally imported and that its sale in the U.S. did not materially contribute to the illegal ivory trade. Nevertheless, under HB 837 the import, sale, purchase, barter, and possession with intent to sell of any ivory (defined to include mammoth ivory), ivory product, rhinoceros horn, or rhinoceros horn product would be prohibited. The NRA is opposed to HB 837 because, if implemented, it would amount to the taking of property that had been acquired legally and in good faith. Needless to say, property that cannot be sold is radically diminished in value.

While the NRA stands in opposition to the illegal ivory trade and poaching, banning the trade and sale of legally owned, pre-ban ivory will not save one elephant (much less mammoths, ivory from which is covered in the bill, even though the creatures themselves are long extinct). The NRA is receptive to measures that directly target the illegal ivory trade and poaching. We do not, however, support symbolic measures that do little more than move the goalposts for law-abiding citizens and deprive them of the value of property that was originally obtained legally and in good faith.

Thank you for your consideration and I ask that you oppose this bill.

Cordially,

A handwritten signature in black ink, appearing to read "Dan Reid", written in a cursive style.

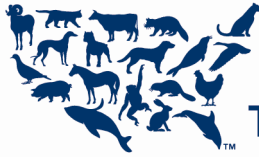
Daniel S. Reid  
State Liaison

This is a letter of support for HB837 which prohibits the sale of ivory and rhino horn. These animals desperately need our protection, or they will not survive for the next generation to see and enjoy.

Please support HB837!

Thank you,

Denise Edwardy Towle  
President/Advocats Hawaii



**THE HUMANE SOCIETY**  
OF THE UNITED STATES



**HUMANE SOCIETY**  
INTERNATIONAL

**TO: Honorable Chair Rhoads, Vice-Chair San Buenaventura and Committee Members  
House Judiciary Committee  
March 3, 2015, 1pm**

**FROM: Inga Gibson, Hawaii Director, The Humane Society of the United States-Humane  
Society International, [igibson@humanesociety.org](mailto:igibson@humanesociety.org) 808.354.3211**

**RE: STRONG SUPPORT of HB 837, Relating to the Conservation of Animals**

The Humane Society of the United States (HSUS)-Humane Society International urge the Committee's support for HB 837, which would prohibit any person from importing, selling, offering to sell, or possessing with intent to sell, ivory products from elephants, mammoth, narwhal, hippo or walrus and rhino horn, **NOT** to include teeth/tusks from whale or other species (such as boar) or any ivory products used for native Hawaiian cultural purposes.

This measure would **NOT** prohibit the continued lawful possession or passing down of any ivory items, appraisals of such items, guns, knives or musical instruments containing less than 20 percent ivory by volume, items uniquely identified as Ming's (in compliance with federal laws regarding the sale of such items) or the use of any ivory item for educational display in museums (eg Bishop Museum, Honolulu Museum of Art) or for research or other scientific purposes.

This measure is in response to *S.C.R. 149 that unanimously passed the Hawaii Legislature in 2013*. The Resolution asked Hawaii residents and businesses not to buy or sell ivory of unknown origin. Unfortunately, despite notice being provided to retailers, Hawaii continues to sell ivory of unknown and likely illegal origin, and without any documentation. Last August both New York and New Jersey enacted laws to prohibit the sale of ivory and rhino horn and 6 other states are currently considering similar measures this year.

Elephants are one of the most iconic and beloved wild animals. Yet today, these magnificent animals are being illegally gunned down and poisoned in unprecedented numbers—reaching nearly 100 killed per day— all for their ivory tusks. It is the demand for ivory that is driving this elephant massacre. Most of the demand for ivory is in China, where it is still legal to buy, carve and sell ivory. But, according to the results of the most recent, comprehensive ivory market survey published in 2008,<sup>1</sup> the United States is the second largest market for ivory and, within the United States, Hawaii is the third largest ivory market only behind New York, and California<sup>2</sup>. The same survey estimated that almost *90 percent of the ivory items for sale in Hawaii were likely imported illegally* or of unknown origins<sup>1</sup>. United States laws and regulations pertaining to ivory trade are confusing and riddled with loopholes that are exploited by those

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<sup>1</sup> Martin, E., and D. Stiles. 2008. Ivory Markets in the USA. Care for the Wild International and Save the Elephants. West Sussex, UK and London, UK.

<http://www.savetheelephants.org/files/pdf/publications/2008%20Martin%20&%20Stiles%20Ivory%20Markets%20in%20the%20USA.pdf>

involved in the international and domestic ivory trade. This also leads to consumer confusion about what is legal and what is not. The result is a flourishing, poorly regulated domestic ivory market in the United States.

As an example, ivory import into Hawaii is covered by two federal laws:

- The Endangered Species Act (ESA):
  - The United Nations Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which currently prohibits the international commercial trade in African<sup>2</sup> and Asian elephant ivory, is implemented through the ESA. However, there are exceptions to this rule. Generally, any ivory possessed prior to July 1, 1975 is “pre-Convention” and can be traded internationally for commercial purposes. Sport-hunted elephant trophies can be imported but not for commercial purposes. CITES does not address the domestic trade in ivory. The ESA also has its own rules governing international trade as well as domestic trade in ivory. Under the ESA, the Asian elephant was listed as “endangered” in 1975 and the African elephant as “threatened” in 1978. This means that, in general, it is illegal to import, export or sell Asian elephant ivory on the domestic United States market, although it is legal to sell Asian elephant ivory legally possessed prior to 1975. However, the threatened status of the African elephant meant that ivory from that species continued to be imported, exported and sold domestically until 20 January 1990 when the CITES ivory trade ban became effective. African elephant ivory legally possessed prior to that date may be sold on the domestic market. Furthermore, import, export and sale of ivory that is “antique” (more than 100 years old) are allowed provided that there is documentation showing the age of the ivory. The ESA does not regulate the import, export or domestic trade in ivory from species like mammoths or warthogs, which is difficult to distinguish from elephant ivory.
- The African Elephant Conservation Act banned the importation of raw and worked ivory from African elephants as of January 1, 1990. The ban does not include sport-hunted elephant trophies.

However, these laws do not provide comprehensive control of the ivory trade to ensure that ivory offered for sale in the United States is not coming from recently poached elephants. For example, the United States does not: register or license all importers, manufacturers, wholesalers and retailers dealing in raw, semi-worked or worked ivory products; have recording or inspection procedures to enable appropriate government agencies to monitor the flow of ivory within the United States; have compulsory trade controls over raw ivory; have a comprehensive and demonstrably effective reporting and enforcement system for sale of worked ivory.

To summarize, it is legal to import, export and sell on the United States domestic market certain types of elephant ivory depending on the age of the ivory, the date the ivory was acquired or imported, and whether the ivory is from an Asian or African elephant. These variables are difficult for the public to comprehend and difficult for United States Fish and Wildlife enforcement officers to implement given they only intercept approximately 10 percent of ivory brought into the state.

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<sup>2</sup> California has the second highest amount of ivory for sale; however, the state prohibits the sale of certain elephant ivory.

The difficulty of enforcing these laws cannot be overlooked. Ivory is a term that can refer to the tusks of Asian or African elephants, or the tusks of extinct mammoths (dug up from the frozen tundra of Siberia or Alaska), or the teeth of hippos, walrus, sperm whale or narwhal. Only experts, using special equipment, can tell the difference between Asian and African elephant tusks, between elephant and mammoth tusks, or between ivory tusks and the teeth of other species. Even then, it is not always possible to tell the difference between ivories of these closely related species. The fact that ivory carvings can be made from other mammals, including extinct ones that are not regulated by international or domestic law, offers an easy means for smugglers to get around legal requirements by simply claiming elephant ivory carvings to be those of another species.

Furthermore, a 2002 investigation by the HSUS of ivory markets in the United States<sup>3</sup> found ivory sellers who offered to provide fraudulent documents to investigators indicating that elephant ivory was mammoth ivory, that new ivory was old ivory, or that recently imported ivory was imported a long time ago.

This investigation also found:

- The United States has a large market for worked ivory; these markets are supplied, at least in part, by illegal imports from Hong Kong of ivory objects carved in China.
- Those in the ivory business offered tips about how best to smuggle ivory into the United States including placing small ivory items in their luggage in a certain manner to avoid detection by x-ray machines and importing ivory through United States ports, such as Alaska, where there are few United States Fish and Wildlife Service inspectors.
- There is no real disincentive to smuggling ivory into the United States. Although large-scale smugglers can be fined and imprisoned, small-scale ivory smugglers are usually only required to forfeit the ivory objects.

A 2008 study of ivory markets in the United States<sup>4</sup> found:

- 24,004 ivory items were found in 657 outlets in sixteen towns and cities visited in the United States. Hawaii is the third largest retail ivory retail market in the United States after California and New York. The United States has the second largest ivory retail market in the world after China/Hong Kong, as determined by numbers of items seen for sale.
- 7,400 ivory items, or nearly one-third of the total, appeared to have been crafted after 1989, making their importation illegal. Inspection of pieces (mainly of Chinese origin) in shops suggested that many figurines, netsukes and jewelry items were recently made. Some African items also looked recently made.

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<sup>3</sup> Humane Society of the United States. 2002. An Investigation of Ivory Markets in the United States. The Humane Society of the United States. Washington, DC, USA.  
[http://www.humanesociety.org/assets/pdfs/Ivory\\_Trade\\_Report.pdf](http://www.humanesociety.org/assets/pdfs/Ivory_Trade_Report.pdf)

<sup>4</sup> See footnote 1.

- The United States legally imported some 3,530 tusks and about 2,400 raw ivory pieces between 1990 and 2005 and some of this material was illegally sold into the commercial market.
- Over 40,000 worked ivory items, excluding personal effects, were legally imported to the United States from 1995-2007. Previous studies found that ivory workshops in Asia and Africa produce fake antiques. Thus, even the imported worked ivory into the United States that seems old could be recently made.
- Federal and state authorities rarely inspect shops or Internet sites for illegal raw or worked ivory.
- Some contraband gets past Customs and there are no effective internal ivory transport and retail market controls.

Specifically with regard to **ivory sales in the State of Hawaii**, the same 2008 report found:

- 23 outlets selling at least 1,867 ivory items. Eighteen outlets and 1,659 items for sale in Honolulu. Four outlets and 204 pieces in Kailua. One outlet with four items in Kaneohe.
- Types of outlets found were tourist market (conglomerations of stalls, kiosks or shops in a large open area or multi-story building) or individual antique shops. In Honolulu, 7 of the outlets were in three tourist markets (International Marketplace, Waikiki Shopping Plaza, and Mahalo Antique Mall) selling 1,454 items. 11 antique shops offered 205 items. Outlets in Kailua and Kaneohe were antique shops.
- The most common items for sale were jewelry (80%) followed by netsukes (12%).
- Of the 1,659 ivory items found on Oahu, only 191 (11%) could with any confidence be judged as made before 1989. The vast majority, some **1,478 pieces (89%), could have been made after 1989**. The ivory items seen at the three tourist markets mentioned above appeared to be mostly from China and recently made.
- Most shopkeepers selling ivory knew of the international ban on trading ivory. Some were confused about the year this came into effect and whether it applied to domestic sales. Some owners and managers of shops admitted having pieces made after 1989, despite the illegality of importing such items.

More recently, The HSUS examined Hawaii's online ivory marketplace in June and July 2013. Seven major retail facets for ivory sales on the internet were identified that, combined, offered approximately 1,153 objects for sale. **Hawaii has arguably the largest online ivory marketplace in the country**. The most common types of ivory offered for sale were jewelry and small statues. Objects offered for sale ranged in price from USD 45.00 to USD 35,000.00. Hawaii's online marketplace is particularly troubling. For instance, the website that sold the largest number of ivory products found in Hawaii, even though it listed documentation from the USFWS online, the documents could not be matched to each of the over 800 items currently being sold on the website. Several of the other vendors made references to the legality of their ivory, though none of them provided any examples of documentation. **Therefore, none of the 1,153 ivory items for sale found online from The HSUS survey can be judged with confidence to be legal.**

Hawaii has long been a thriving hub of commerce and tourism between the Asia Pacific region and the United States mainland. Our close proximity to Asia also provides a convenient route for

illegal wildlife to be trafficked into our State. As the 2008 and 2013 surveys demonstrated, a staggering percentage of ivory items for sale in Hawaii came from illegal or unknown origins. HB 837 would end our state's participation in the brutal ivory trade and would establish Hawaii as a national and global leader in protecting these important keystone species from almost certain extinction.

Thank you very much for the opportunity to testify in strong support of HB837.

Testimony of  
Sara S. Marinello  
Executive Director, Government & Community Affairs  
Wildlife Conservation Society  
submitted to the  
House Judiciary Committee

March 3, 2015

Thank you for the opportunity to submit testimony regarding the plight of African elephants due to demand for ivory, and the important role of HB 837 to improve their conservation status in the wild.

My organization, the Wildlife Conservation Society (WCS), saves wildlife and wild places worldwide through science, conservation action, education, and inspiring people to value nature. To achieve our mission, we harness the power of our Global Conservation Program in nearly 60 countries and the world's oceans, and in our five New York City-based wildlife parks, including our Bronx Zoo headquarters. WCS combines its expertise in the field, zoos, and aquarium to achieve its conservation mission.

The African elephant (*Loxodonta africana*) is the largest land animal extant in the world today, and a critical part of our natural heritage. African elephants also act as ecosystem engineers, opening pathways through the landscape, maintaining mineral-rich clearings on which gorillas and many other species depend, and maintaining the diversity of the plant community by their browsing and seed dispersal activities. In addition, they are a major part of the tourist draw to many countries in Africa, so are important for local economies and jobs.

Yet African elephants are being killed illegally at an enormous rate for their ivory. All international commercial trade in ivory has been illegal since 1989, when the African elephant was transferred from Appendix II to Appendix I under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). African elephants are also protected in the U.S. under the Endangered Species Act and the African Elephant Conservation Act.

Following the 1989 CITES ban, illegal killing of elephants declined and populations started to recover. In recent years, however, illegal killing and ivory trade have increased dramatically. The rise in disposable income in East Asia, coupled with increasing economic and transportation links between Africa and Asia, have been implicated in the rapid recent increases in illegal elephant killing and smuggling of ivory, becoming especially pronounced from 2007 onwards. Illegal ivory trade and the weight of ivory being traded globally has more than doubled since 2007, and is more



than three times greater than it was in 1998. In 2012, some 35,000 African elephants were killed, an average of 96 elephants per day, representing the worst mass slaughter of elephants in any year since the 1989 international ban. African forest elephants (*L. a. cyclotis*) in particular have been devastated by poaching and have declined by about 65 percent since 2002. At this rate, African forest elephants could effectively be extinct over the next 10 to 15 years. Large populations of African savannah elephants (*L. a. africana*) formerly thought to be relatively secure are now also experiencing alarming declines. The elephant population in the Selous, Tanzania, numbered around 39,000 animals in 2009, and only 13,084 by 2013 – a loss of 66% in four years.

As one of the world's most lucrative criminal activities, the illegal wildlife trade ranks fourth globally in terms of value, behind the trafficking in drugs, people, and arms. Increasing consumer demand for and markets in carved or worked ivory, particularly in Asia, but also in other parts of the world including the U.S., are causing the price of ivory to skyrocket, thereby driving the illegal trade in elephant ivory and the mass killings of elephants in Africa. Today's ivory traffickers are primarily well-organized syndicates that operate as transnational criminal networks and often participate in other illegal activities, including trafficking in narcotics and weapons, and some have links with terrorist networks.

A major challenge to halting the ivory trade and thereby the slaughter of elephants is the lack of effective law enforcement controls along the trade chain from Africa, through the transit countries, and to the end consumer markets. This challenge is compounded by the high levels of corruption at many points in the trade chain. Given the involvement of criminal enterprises along the whole commodity chain, from elephant range countries to the main ivory consumer countries, corruption enables the laundering of illegal ivory into legal or potentially legal markets. Furthermore, only 10% of illegal ivory is seized at a country's borders and once it is inside those borders, it becomes nearly impossible to distinguish from legal ivory, especially worked ivory such as jewelry and trinkets which comprise a significant portion of the illegal ivory trade. In addition, it is extremely difficult for consumers, sellers and often law enforcement officials to visually distinguish elephant ivory from other species of ivory such as mammoth. CITES only regulates international trade – it is up to individual countries to control their domestic markets in protected species.

Among many others, Africa's leaders recognize this, and several have appealed to the world's ivory consuming nations to work together with them to help save their elephants. As part of a Clinton Global Initiative commitment to save Africa's elephants, since September 2013, the leaders of 14 countries – Botswana, Burkina Faso, Côte D'Ivoire, Gabon, Kenya, Liberia, Malawi, South Sudan, Sri Lanka, Tanzania, Uganda, U.S., Vietnam, and Zambia – have come together to call upon governments around the world to join them in halting the ivory trade by implementing domestic moratoria on all

imports, exports and domestic sales and purchases of all elephant ivory and ivory products.

Within the U.S., research has shown that New York, California and Hawaii have the three largest markets, where the legal domestic trade serves as a cover for the laundering of illegal ivory. While the new U.S. federal ivory ban makes it illegal to import, export and trade ivory between states with only a few exceptions, the need for state level bans remains to stop the trade at the point of retail sale within states. Last year, New York and New Jersey passed strong ivory bans and several other states including California are pursuing similar bans this year.

Through HB 837, Hawaii has the opportunity to help shut down this illegal trade locally and lead the way during this critical time for elephants. Other key consumer countries are watching closely. Action needs to be taken now if we hope to save elephants for future generations.

Aloha Judiciary Committee and Rep. Rhoads, please support this HB837 and help save the Elephants and Rhinos from utter devastation and destruction. Please, i ask you to pass this bill. The choice you make today, will reverberate through all time and lead to a better world for our children, animal kingdom, environment and planet.

I live here and I care.

Thank you very much for your time, Sincerely, Bobby Grimes

--

**Bobby Grimes**  
**Plays with Bamboo**  
**Living Soils Organics LLC**  
**Farm as School- Food as Medicine**  
**P.O. Box 107**  
**Paauilo, HI**  
**96776**  
**808.443.9232**

HB 837 oppose

FEBRUARY 20, 2015

WE THE UNDERSIGNED OPPOSE HB 837 IVORY, RHINOCEROS HORN, CONSERVATION. REGARDING "IVORY". TRADE IN ELEPHANT IVORY THREATENS OTHER SPECIES WITH IVORY TEETH OR TUSKS, SUCH AS HIPPOPOTAMUSES, NARWHALE, WALRUS, AND WHALES, AND RHINOCEROS.

HB837 WILL NOT SAVE A SINGLE ELEPHANT OR RHINOCEROS IN AFRICA.

Ivory and Rhinoceros. It shall be unlawful for any one person to import with intent to sell, cause to be imported with intent to sell, sell, offer for sale, purchase, cause to be purchased, barter, or possess with intent to sell any ivory or rhinoceros horn. Possession of any ivory or rhinoceros horn in a retail or wholesale outlet, including an auction or swap meet, internet, shall be presumptive evidence of possession with intent to sell.

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Linda Cunningham	miles honda @ gmail.com
Joy Kobayashi	miles honda @ gmail.com
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\* Wed. thru

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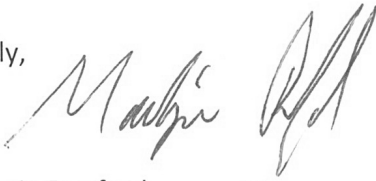
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\* Wed. thru

ALOHA,

I fully support the protection of elephants; however I **strongly oppose HB 837** because it seeks to ban all trade in every type of ivory. I carve primarily fossil walrus tusk ivory and support other ivory carvers and a number of scrimshaw artists. I sell these items on Kauai, Maui, Oahu and the Big Island. If this bill passes it will be devastating to my lifestyle and many others that I care about. Quilting and Scrimshaw are the uniquely American art forms. Scrimshaw was developed in the Pacific Northwest by the whalers and Lahaina was a huge whaling town. Scrimshaw is too important to American and Hawaiian history. I educate and promote legal ivory products in an effort to keep this art form alive. I am 36 years old and support a wife and two children ages 2 and 6. HB 837 violates law abiding Americans who own and sell legal ivory.

Sincerely,

A handwritten signature in black ink, appearing to read "Mackenzie Dunford". The signature is written in a cursive style with a large, stylized initial "M".

Mackenzie Dunford



Hawaii State Legislature  
State House of Representatives  
Committee on Judiciary

State Representative Karl Rhoads, Chair  
State Representative Joy A. San Buenaventura, Vice Chair  
Committee on Judiciary

Tuesday, March 3, 2015, 1 p.m., Room 325  
House Bill 837 HD 1 Relating to the Conservation of Animals

Honorable Chair Karl Rhoads, Vice Chair Joy A. San Buenaventura and  
members of the House Committee on Judiciary,

My name is Russel Yamashita and appreciate the opportunity to testify in opposition to House Bill 837 HD 1 Relating to the Conservation of Animals. As well intentioned as the purpose of this legislation may be, the remedy sought by this bill is draconian, heavy handed and ill conceived. Not only does this legislation in reality does nothing to stop the slaughter of wildlife in Africa, it is culturally repulsive and insensitive to the people of Hawaii whose families have works of art that have or contain ivory.

Speaking as an American of Japanese Ancestry, my family and many of our friends own Japanese art pieces called Netsuke. Many of these sculptures are hundreds of years old and are valued culturally as part of our Japanese heritage. The Netsuke was originated in the 17<sup>th</sup> century to be attached to pouches which served as pockets on kimono. Collectors of Netsuke value not the ivory content of the piece, but rather the artistic skill and craftsmanship which each piece represents.

Even the Honolulu Academy of Arts maintains a small collection of Netsuke as part of its Asian art collection. The International Netsuke Society lists 217 museums worldwide that have Netsuke collections, which include 82 museums in the United States. In fact, the Society on its homepage has a statement which states:

“The International Netsuke Society is vehemently opposed to the poaching of elephant ivory, rhinoceros horn and any other material taken from endangered species. Opposes trafficking, trade or commerce of illegal ivory, horn or any other illegal material. Supports and complies with all international laws and regulations, including but not limited to the Convention on International Trade in Endangered Species (CITES), the Endangered Species Act, and the African Elephant Conservation Act.”

This legislation renders worthless any family heirlooms and collections and would be the equivalent to ban the sale of any type of artwork. What action can the Hawaii resident look forward to the next time, banning the artistic works of another culture because of their promotion of terrorism? Maybe the Doris Duke Foundation for Islamic Arts should be the next target of this legislature. It is a slippery slope when laws banning things start popping up in a state that suppose to be the “melting pot of the pacific”. Are we to be seen as the legal venue for the artistic version of the Scopes Trial?

Additionally, this legislation probably is in violation of the Fifth Amendment by taking property without just compensation. Normally, this came up in situations of government condemnation cases for public purposes, but has be expanded in recent situations where government actions have diminished property values. In this case, the legislature’s action will render any Netsuke artwork worthless.

The authority to execute searches by the DLNR for any violation of this bill also appears to be abhorrent to those of us who look to the Fourth Amendment to protect the public from unwarranted search and seizure. I am very surprised that this legislature would be willing to give up our constitutional rights so easily, when other laws go unenforced at this time.

In conclusion, the advocates of this legislation cannot point to any actual effect of this bill will have to save even one elephant or rhinoceros. Ill conceived and culturally insensitive legislation of this type are best left to more homogenous jurisdictions. I respectfully request that this legislation be killed by your committees.

On 3rd March you will hear...

[HB 837, HD1](#)  
[\(HSCR250\)](#)  
[Status](#)

RELATING TO THE CONSERVATION OF ANIMALS.

Prohibits ivory and rhinoceros horn sales and trade within the State, to be enforced by the Department of Land and Natural Resources. Establishes penalties. (HB837 HD1)

As Hawaii is the 3rd largest US retailer, this measure would complement USFWS' efforts due to their limited ability to regulate in-state sales, the need for mammoth to be included, and that this would NOT prohibit private possession of such items (sales only) nor the use of any such items for native Hawaiian cultural practices.

We have emailed all our contacts in Hawaii about the hearing above

We strongly support all ivory trade to STOP for all animals ...

Fiona Birnie

I was very excited to hear that Hawaii is considering a ban on ivory trade. Although there are many tragic situations in the world these days, both human and animal, the plight of the elephants is one that touches me deeply.

I have never been to Hawaii and...finally...have started planning a trip there. It is one of the places on my "bucket list" and I have wanted to go there for most of my life. The fact that you were considering a ban on the ivory trade made this trip that much more special. As the third largest retailer in the U.S. this ban would be crucial in that it would complement the USFWS' limited ability to regulate in-state sales.

I sincerely hope that all parties will keep in mind the fact that such a ban would NOT prohibit private possession of ivory items, nor would it interfere with the use of any such items for native Hawaiian cultural practices. The ban should also include mammoth ivory.

I am looking forward to visiting your beautiful state—but I, like many, many others all over the world, I feel very strongly about protecting the beautiful elephants who are under siege now because of the ivory demand. Hawaii could make a huge difference in tipping the scales in their favor. If you choose not to put this ban in place I will make other plans for my trip and I will encourage others not to travel there until you do.

Thank you for considering my remarks.

Dr. Lisa Jablow  
Vermont  
U.S.A.

Aloha

You must ban the sale of Ivory and Rhino horns in our state. These are also black market items that raise money for ISIS. Yes, there is lots of proof. Why would Hawaii as a State have a problem with this? Is it the old boy Hawaii Asian look the other way policy? You must pass this bill to sleep at night. Michael A. Gilbert  
Hawaii resident

Dear Sirs

as elephants are only approx. 10 years before extinction due to heavy poaching in Africa, ivory markets have to be closed worldwide to help this wonderful animal species to survive. Therefore I ask you, as US's 3rd largest retailer to pass bill HB837 urgently.

Thank you for the elephants and the rhinos.

Best regards,  
Birgit Hampl  
80333 Munich, Germany

Dear Madam, dear Sir,

I am asking you to please support HB 837 to prohibit the sale of ivory and rhino horn of unknown origin in Hawaii.

Hawaii is the 3rd largest retailer of ivory in the U.S. and - also apparently has the largest illegal online ivory market in the U.S. Investigations revealed that 89% of ivory items for sale in Hawaii were of unknown or likely illegal origin.

Elephant populations in Africa have reached a tipping point; there are now more elephants dying and being killed, than are being born; extinction looms within a generation and in localized regions within a decade.

An estimated 35,000 to 50,000 elephants are poached every year. An average of 96 elephants are slaughtered daily. More than 103,000 elephants have been killed since January 2012. More than 1,000 rhinos are killed each year in South Africa alone and some rhino populations could become extinct in the wild in as little as 12 years.

It is also well established that poaching and wildlife trafficking (literally) sponsors international terror and is plunging the African continent into geo political chaos.

Cruel ivory trade breeds corruption, undermines the rule of law and threatens the economic livelihood of the local communities.

Illegal ivory trafficking is exploited by transnational criminal networks that enable terrorism, weapons, and human trafficking, feeding devastating violence and instability in Africa. Poaching today is intertwined with violent militias, organized crime, and government corruption in central Africa, including such high-profile terrorist groups as Janjaweed and the Lord's Resistance Army.

If this does not change, these animals will continue seeing their families ripped apart for trinkets, grieving each loss with heartfelt pain. The matriarchal elephant herds with grandmothers, daughters, granddaughters, aunts, cousins all living together for decades are quickly becoming a thing of the past.

The repercussions of Hawaii's decision on ivory will be heard and felt around the world. Much like Hawaii's highly-heralded shark fin prohibition, it is the authority of the state to regulate in-state sales.

Federal laws pertaining to elephants authorize federal authorities to regulate import, export and interstate sales only.

Limiting the in-state sale of ivory, as was the case with shark fin products, is needed to stop the poaching and ultimate extinction of these species.

State efforts to regulate in-state sales complement recent federal efforts to crack down on the import, export and inter-state smuggling of ivory products. As a key consumer state, Hawaii

would set a national model for other states to follow.

Supporting this bill would also be consistent with residents' and travelers' perceptions of Hawaii as an ecologically friendly and environmentally responsible state.

Sincerely,

Chantal Buslot  
Belgium



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Sincerely,

Andrea Sreiber  
Serbia

Chair Rhoads, Vice-Chair San Buenaventura and House Judiciary Committee Members:

I am a very frequent visitor to Hawaii and love the Aloha State.

I respectfully urge you to pass HB 837 to ban the trade of ivory.

Elephant and rhino populations are being drastically decimated by poachers. They are quickly disappearing.

Hawaii is the 3rd largest US retailer,1 HB 837 would complement the US Fish and Wildlife's efforts to save these species. They have limited ability to regulate in-state sales.

Please do the right thing and pass HB 837.

Thank you, Aloha!

---

Don Dudan  
Walnut Creek, CA

Sirs:

Who will represent persons-other-than-human, namely persons like elephants who mourn, who have a sense of history, whose powers of personal recall outrank those of human persons, if not us?

there is no longer any planetary need for ivory, other than for senselessly luxurious items. There are non-biodegradable plastic facsimiles that are just as useful, keep their color much longer, although unfortunately, not biodegradable.

for an informative link to elephant culture, please go to this link by Katy Paine who has worked with elephants for many years:

“On Being,” Kirsta Tippett interviews Katy Payne.

<http://www.onbeing.org/program/whale-songs-and-elephant-loves/particulars/346>

Thank you,

Cecile Pineda

Dear Sirs/Madams,

The only solution left to bring an end to the elephant and rhino slaughter in Africa, is to shut down global domestic markets and end ALL ivory trade.

Besides our moral responsibility, to stop the extinction of the two largest animals on earth, it is of utmost importance to end all ivory trade for the sake of the economies of poor African nations, many of whom rely heavily on income from tourism.

I ask Hawaii to do the right thing and ensure the uneventful passage of Bill HB837.

While bringing an end to ALL ivory trade should include mammoth ivory, private possession of items should be allowed.

Thank you.

*Sajidha Bagha*

Dear Madam, dear Sir,

I am asking you to please support HB 837 to prohibit the sale of ivory and rhino horn of unknown origin in Hawaii.

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would set a national model for other states to follow.

Supporting this bill would also be consistent with residents' and travelers' perceptions of Hawaii as an ecologically friendly and environmentally responsible state.

Sincerely,  
Dr. Elisabeth Bechmann  
Austria

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tom Markson	Individual	Oppose	No

Comments: I oppose this bill because it does not protect antique and heirloom ivory.



Submitted By	Organization	Testifier Position	Present at Hearing
Victoria Juvrud	Individual	Oppose	No

Comments: To all persons interested in HB 837, banning the sale of ALL ivories in the state of Hawaii, This bill has good intentions, but it is seriously flawed. 1. Would you be willing to ban the sale of diamonds in the state of Hawaii? It is a fact that the Kimberly Process Certification Scheme is "easily evaded by smugglers". Blood (conflict) diamonds are not about killing animals. They are about killing human beings. 2. What is the source of the data claiming that Hawaii is the "third highest retailer" of elephant ivory? 3. It is not difficult to distinguish the difference between various ivories. If you want to ban the sale of ELEPHANT IVORY, do so, but there is no reason to include other ivories (see further notes). In banning the sale of elephant ivory in this state, you will render worthless many Hawaiian family treasures, specifically the pikake jewelry creating by Ming Jewelers and others 60 or 70 years ago. 4. Mammoth ivory is the product of an extinct specie. Banning the sale of this ivory will do nothing to stop the killing of elephants in Africa and Asia. 5. Walrus are not an endangered specie. The IUCN lists them as "least concern". 6. Your legislation lists the many federal and international agencies that are already in place to save the elephants: the Endangered Species Act, the African Elephant Conservation Act, and the bulldog of the world, CITES. Even on a national level, the National Strategy on Combating Wildlife Trafficking is now working to save the elephants. Banning the sale of all ivories in Hawaii would be nothing more than a show of one-up-man-ship, saying to the world that Hawaii can change what the international and federal agencies cannot. 7. When you refer to "inadequate preventive measures", you are insinuating that numerous federal agencies, including Customs and Border Patrol and Fish and Wildlife Services, are failing to perform their jobs. Perhaps the focus should be on making them more effective. Victoria Juvrud

Dear Chair Rhoads and House Judiciary Committee Members:

Please support the passage of HB837 related to the prohibition of sale in Hawaii of ivory and rhino horn. This measure is our only hope to prevent the accelerating progression toward extinction of cherished animals.

Within our own lifetimes, Hawaii's children will ask us, "what did you do when you had a chance to do something about this?" Let's not bring them to dismay.

Thank you.

Aloha,

Alice Saul

Honolulu, Hawaii

Res: (808) 395-0121

Off: (808) 949-2511

Please support this bill to help to outlaw the merciless and needless killing of Elephant and Rhino for their tusks / horns.

Sincerely,  
Miriam Gochin  
San Francisco CA

A frequent visitor to your delightful state.

I would like to let you know of my support for this bill.

If we don't get tough and impose regulations on the sale of 'new' ivory I fear greatly that a great and magnificent animal will no longer grace our beautiful earth. Unfortunately, there are people who are unscrupulous and do not care about the harm that their greed entails. It has always been up to fair and just people to implement laws in order to serve the best interest of all.

Hawaii is special and unique, like the Elephant and the Rhino. We would not tolerate the indiscriminate plundering of our island state, we should also not tolerate the killing of innocent wild animals for part of their body, that is not a human need, but a want.

The pleasure of nature is what all of us can enjoy, and the learning from the diversity of life, can never be replaced, once a species is lost.

THank you.

Please support HB837

Sincerely

Lori K. Peterson  
Tucson, Arizona

(visitor to Hawaii since 1975)

To Chair Rhoads, Vice-Chair San Buenaventura and House Judiciary Committee Members,

Hawaii is the 3rd largest US retailer of ivory. This measure would complement USFWS' efforts due to their limited ability to regulate in-state sales. This should apply not only to the sale of elephant ivory, but also the sale of mammoth tusks and products made from mammoth tusk.

Thank you,

Sarah Soward  
Wildlife artist and part-timer on the Big Island

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elizabeth Kellam	Individual	Oppose	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Mac Dunford	Individual	Oppose	No

Comments: Aloha and sincere thanks for taking the time to read this, My name is Mac Dunford and I am a carver, enthusiast, collector and dealer of fossil ivory materials, hooks and scrimshaw in Hawaii. I'm a Hawaii resident and I employ and support at least a dozen carvers and Scrimshands. Everything I deal in is legal, and primarily fossilized or mineralized. I have been following these proceedings and would like to point out a few issues with the current ivory ban/bans being considered. The largest problem here is that the wording of the bill/bills proposed is way too broad and again will not accomplish the goal of preserving elephants or reducing poaching. If passed, they would instead put me and thousands of other people nationwide out of work since materials sold in Hawaii are sourced from Alaska and other places legally as well. In Hawaii, artists would become criminals and our collections rendered worthless while absolutely nothing would be done to address the issue of poaching in the countries where animals are being killed for their ivory. Essentially, the passage of this bill and any similar ones will not save a single solitary elephant. According to Brendan Moyle of the Ivory Education Institute, "The increase in poaching has bypassed the US market completely. The exports are heading mostly to East Asia and not to America" The FWS stated in September 2012 "We do not believe that there is a significant illegal ivory trade into this country" The claim that "89% of the ivory sold in Hawaii is likely illegal or of unknown origin" is a completely false statement. Anyone with the most rudimentary eye for color and texture can be trained within just a few moments to tell the difference between fresh elephant ivory, and fossil materials. There is simply no need for DNA analysis to determine origin or difference between elephant, fossil walrus and mammoth or mastodon. It is very easy to see with the naked eye as these materials are all incredibly different in color, texture and aesthetic. If my 6 year old daughter can be taught the difference, it is reasonable to presume that an adult could be taught the difference just as easily. A blanket ivory ban would drive black market prices up, increase demand for ivory and put out of work people like myself with families to support who choose to follow the law. Instead of protecting animals, this will only hurt Americans, native people who collect and work with these materials, and Hawaiian citizens. Effectively, the only benefit these bans will provide is to criminals giving them a monopoly. It won't reduce poaching of elephants. Law abiding citizens, artisans and cultural ambassadors of the trade and it's unique history in Hawaii will be persecuted on the basis of an ineffective ideal. I beg you as a resident of Hawaii to consider the negative impact this will have on our state, it's artisans and it's economy. I further ask to see proposed legislation that addresses poaching where it is happening and ideas as to how we, as Americans can help. You will see overwhelming support from the entire community of Ivory workers, dealers and collectors should that ever become part of the state or the nation's agenda. Thank you kindly for your time and consideration, Mac Dunford

Aloha. Please support this bill to prohibit the sale of elephant ivory and rhino horn. As humans we do not have the right to kill these animals to make money- or for any other reason. We all must coexist on this planet together - we are all in the same canoe. Mahalo and aloha, Judy Mick, Kailua, Oahu



To Chair Rhoads, Vice-Chair San Buenaventura and House Judiciary Committee Members,

Two years ago I had the pleasure of visiting Hawaii with my family to celebrate my 40th birthday. It was the best and most memorable vacation of my life! One of the things that impressed me most about the people of Hawaii is their deep connection with the earth and the ocean. I have always been an avid animal lover, whether land or water animal, and I believe that the people of Hawaii would certainly want to protect all the earth's creatures.

You may or may not be aware that we currently are facing the extinction of the elephant and rhino due to poaching for their ivory and horns. Approximately 35,000 elephants and over 1,500 rhinos were killed last year alone. Those are astounding numbers! Another astounding number is the number 10, which is the amount of years left before wild elephants could be extinct. I can not imagine (and certainly do not want to realize) a world without elephants. They are nature's gentle giant, such sentient beings that feel the same emotions that we humans experience.

**I ask you to support HB837.** The United States has the 2nd largest market for ivory products, and Hawaii is the 3rd largest US retailer. This measure would complement USFWS' efforts due to their limited ability to regulate in-state sales and this would NOT prohibit private possession of such items (sales only) nor the use of any such items for native Hawaiian cultural practices.

I hope that one day I will be able to take a family vacation to Africa, and that me and my children (and some day my grandchildren) will be able to see elephants, rhinos and other wildlife still thriving in Africa.

It is our duty to stand up for our earth's animals and to let the world know that we will not allow the extinction of our wildlife. There are simply some things that money should not be able to buy.

I appreciate your consideration.

Best regards,  
Cindy Gregory  
North Carolina

Dear Chair Rhoades,

I am writing to implore you to support the ban on ivory and rhino horn in Hawaii. As the 3rd largest US retailer, Hawaii's adoption of this measure would have an enormous impact and it would complement USFWS' efforts due to their limited ability to regulate in-state sales. It would NOT prohibit private possession of such items (sales only) nor the use of any such items for native Hawaiian cultural practices.

I love Hawaii. In fact, I recently moved to the West Coast to be closer to the islands. Please do not let the state's constituents and supporters down by allowing the sale of trinkets that are so heinously and barbarically procured.

Thank you for your attention to this matter,

Angel Reed

Sent from my iPhone

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tom Galli	Individual	Oppose	No

Comments:

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kory Ohly	Individual	Oppose	No

Comments:

Dear Chair Rhoads, Vice-Chair San Buenaventura and House Judiciary Committee Members,

Aloha and I hope this note finds you well.

I am a long time resident of Hawaii (currently in California). I have economic and familial interests on the islands and visit paradise frequently, returning to my home in Honokaa on the Big Island.

I am saddened to know that Hawaii has been qualified as the 3rd largest illegal ivory market in the USA. Elephant populations in Africa have reached a tipping point; there are now more elephants dying and being killed, than are being born; extinction looms within a generation and in localized regions within a decade. It is also well established that poaching and wildlife trafficking literally sponsors international terror and is plunging the African continent into geo political chaos.

I urge you to support HB837 and encourage your colleagues to do so as well. The land of Aloha should play no part in the "business" of supporting the extinction of a sentient species and contributing to global terror.

Mahalo nui.

Warmly,  
rosemary.  
Software Engineer  
NASA/Sofia Mission

PO Box 1430  
Kamuela  
HI 96743

Organizer  
#GMFER core  
[www.MarchForElephants.org](http://www.MarchForElephants.org) (locally)  
<http://www.march4elephantsandrhinosaurs.org>

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eric Kaneshiro	Individual	Oppose	No

Comments:

Dear Chair Rhoads, Vice-Chair San Buenaventura and House Judiciary Committee Members,

Aloha and I hope this note finds you well.

I am a long time resident of Hawaii the Big Island (temporarily working in Virginia). I intend to return home this summer.

I was VERY upset to learn that Hawaii has been qualified as the 3rd largest illegal ivory market in the USA. Elephant populations in Africa have reached a tipping point; there are now more elephants dying and being killed, than are being born; extinction looms within a generation and in localized regions within a decade. It is also well established that poaching and wildlife trafficking literally sponsors international terror and is plunging the African continent into geo political chaos.

I strongly urge you to support HB837 and encourage your colleagues to do so as well. The land of Aloha should play no part in the "business" of supporting the extinction of a sentient species and contributing to global terror.

What would the world be like with no more African elephants?

Mahalo nui loa.

Much Aloha,  
Joan Maute

PO Box 1987  
[Kamuela](#)  
[HI 96743](#)  
434-962-4108

Sent from my iPhone

Dear Madam, dear Sir,

I am asking you to please support HB 837 to prohibit the sale of ivory and rhino horn of unknown origin in Hawaii.

Hawaii is the 3rd largest retailer of ivory in the U.S. and - also apparently has the largest illegal online ivory market in the U.S. Investigations revealed that 89% of ivory items for sale in Hawaii were of unknown or likely illegal origin.

Elephant populations in Africa have reached a tipping point; there are now more elephants dying and being killed, than are being born; extinction looms within a generation and in localized regions within a decade.

An estimated 35,000 to 50,000 elephants are poached every year. An average of 96 elephants are slaughtered daily. More than 103,000 elephants have been killed since January 2012. More than 1,000 rhinos are killed each year in South Africa alone and some rhino populations could become extinct in the wild in as little as 12 years.

It is also well established that poaching and wildlife trafficking (literally) sponsors international terror and is plunging the African continent into geo political chaos.

Cruel ivory trade breeds corruption, undermines the rule of law and threatens the economic livelihood of the local communities.

Illegal ivory trafficking is exploited by transnational criminal networks that enable terrorism, weapons, and human trafficking, feeding devastating violence and instability in Africa. Poaching today is intertwined with violent militias, organized crime, and government corruption in central Africa, including such high-profile terrorist groups as Janjaweed and the Lord's Resistance Army.

If this does not change, these animals will continue seeing their families ripped apart for trinkets, grieving each loss with heartfelt pain. The matriarchal elephant herds with grandmothers, daughters, granddaughters, aunts, cousins all living together for decades are quickly becoming a thing of the past.

The repercussions of Hawaii's decision on ivory will be heard and felt around the world. Much like Hawaii's highly-heralded shark fin prohibition, it is the authority of the state to regulate in-state sales.

Federal laws pertaining to elephants authorize federal authorities to regulate import, export and interstate sales only.

Limiting the in-state sale of ivory, as was the case with shark fin products, is needed to stop the poaching and ultimate extinction of these species.

State efforts to regulate in-state sales complement recent federal efforts to crack down on the



import, export and inter-state smuggling of ivory products. As a key consumer state, Hawaii would set a national model for other states to follow.

Supporting this bill would also be consistent with residents' and travelers' perceptions of Hawaii as an ecologically friendly and environmentally responsible state.

Sincerely: Anneke Andries, the Netherlands,  
Hennie Oosterman; David Weisman; Susan van Ockelen; Jeanet Verweij; Miranda van  
Ittersum; Netherlands.

Jean S.; Armand Beaufort; Lisette G.; Aurelie B.; Cheryl Minottes; France.

Yvonne Suters; Inge Schroeder; Wolfgang Beckingen; Mireille Dautz; Germany.

Tina Bartels; John Summers; Henry T.; Vickey Osborn; Teddy Miller; Great Britain.

Amanda Fields; Jurgen Sorens; Rita Suffolk; Mary Dalton; Joseph Pritchard; Kimberley  
Fields; USA.

Simon Sears; Beverly Woods; Anita Brewer; Daniel Russel; Petra Stafford; Australia.

Dear Chair Rhoads, Vice-Chair San Buenaventura and House Judiciary Committee Members:

I'm asking for your support for HB 837, for your compassion and bravery in support of HB 837, prohibiting the sale of ivory in your progressive state.

The beauty of Aloha, the beauty of the islands is tarnished by the suffering and violence of the animals whose horns are for sale in the land of Aloha.

Please consider paving the way for intelligence and compassion for Hawaii and its residents.

Thank you for your consideration.

Best regards.

Sincerely,

Patrice Roarty

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dean Shimabukuro	Individual	Oppose	No

Comments: I oppose passage of HB837

This is the message that I sent, if you want to just copy and paste and tailor it to you or just pull a few sentences from it.

To Chair Rhoads, Vice-Chair San Buenaventura and House Judiciary Committee Members,

Two years ago I had the pleasure of visiting Hawaii with my family to celebrate my 40th birthday. It was the best and most memorable vacation of my life! One of the things that impressed me most about the people of Hawaii is their deep connection with the earth and the ocean. I have always been an avid animal lover, whether land or water animal, and I believe that the people of Hawaii would certainly want to protect all the earth's creatures.

You may or may not be aware that we currently are facing the extinction of the elephant and rhino due to poaching for their ivory and horns. Approximately 35,000 elephants and over 1,500 rhinos were killed last year alone. Those are astounding numbers! Another astounding number is the number 10, which is the amount of years left before wild elephants could be extinct. I can not imagine (and certainly do not want to realize) a world without elephants. They are nature's gentle giant, such sentient beings that feel the same emotions that we humans experience.

**I ask you to support HB837.** The United States has the 2nd largest market for ivory products, and Hawaii is the 3rd largest US retailer. This measure would complement USFWS' efforts due to their limited ability to regulate in-state sales and this would NOT prohibit private possession of such items (sales only) nor the use of any such items for native Hawaiian cultural practices.

I hope that one day I will be able to take a family vacation to Africa, and that me and my children (and some day my grandchildren) will be able to see elephants, rhinos and other wildlife still thriving in Africa.

It is our duty to stand up for our earth's animals and to let the world know that we will not allow the extinction of our wildlife. There are simply some things that money should not be able to buy.

I appreciate your consideration.

Best regards,

Joe Gregory  
North Carolina

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Savard	Individual	Oppose	No

Comments:

Aloha Chair Rhoads, Vice-Chair San Buenaventura and House Judiciary Committee Members,

I am a concerned citizen writing to request your support of HB837, which would ban ivory and rhinoceros horn sales within Hawaii. Please note this bill would NOT prohibit private possession of such items (it prohibits sales only), nor the use of any such items for native Hawaiian cultural practices. Hawaii is the 3rd largest US retailer of ivory so the issue is pressing.

I am trained as a physician and have a deep respect for life and a commitment to minimizing suffering, and, I am deeply concerned about the legacy we are leaving future generations. I grew up in California and have visited Hawaii annually for approximately the last 10 years (and on several occasions throughout my childhood), be it for vacation, medical conference attendance, or for business (I am a medical director at a medical device company, GI Solutions Medtronic; our devices treat pre-cancerous conditions in the esophagus).

The toll the ivory and rhino horn trades (both cruel, inhumane and utterly unnecessary) have taken is far too great. Elephants are on a 10-year timeline to extinction. Rhinos are on an even faster track to this end. And all this in the name of ivory trinkets and quack medical rituals void of supporting evidence (note that rhino horns are made of keratin, the same type of protein that makes up our human fingernails and hair). It is an embarrassing and shameful reflection of our species that we've allowed it to get to this point.

Elephants are extremely intelligent with complex social structures. They are known to mourn their dead, with documentation of annual multi-mile pilgrimages back to the death sites of perished herd members in remembrance and honor. They are excellent and devoted parents, and form lifelong friendships demonstrating commitment and loyalty. Elephants and rhinos are key contributors to healthy ecosystems in their native habitats. Finally, the funds from the ivory and rhino horn trade have repeatedly been linked back to funding criminal operations; individuals involved in this trade are not upstanding, well-intentioned people. Or even just people trying to survive. They are unscrupulous thugs and murderers whose maleficence extends far beyond killing animals.

Please also note that HB837 would complement USFWS' efforts due to their limited ability to regulate in-state sales. I'd also like to request that the measure include mammoth tusk as well.

Hawaii is a magical place with stunning scenery, a thriving economy, leadership in environmental stewardship and wonderful, warm people. I've traveled extensively and it remains one of my favorite places in the world. The current ivory and rhino horn policy does not align with the wonderful landscape, people and life approach that embodies Hawaii; instead it directly contributes to the march towards extinction of these magnificent and important species and enables criminals to profit and advance their agendas. Please put an end to this.

Please support HB837.

Mahalo nui loa,  
Jennifer Marler, MD

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brendon Heal	Individual	Oppose	No

Comments: There are already laws for this. No need to waste valuable state resources on this, as it will have no significant impact on the conservation of wildlife. Thank you for your consideration.



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
steven a kumasaka	Individual	Oppose	No

Comments:

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rene Umberger	Individual	Support	Yes

Comments:

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mike Moran	Individual	Support	No

Comments: Aloha Chair & Committee Members, Respectfully I ask for your SUPPORT of this bill to move forward and stop participating in the killing of elephants and other creatures for their body parts merely used for decorations. Hi is third largest seller of ivory out of 50 states, a disgraceful position for our population. Please vote YES> Mahalo, Mike Moran Maui

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Richard Frey	Individual	Oppose	No

Comments:

We are writing on behalf of HB 837.

As birders and visitors to your beautiful state, we know that you recognize the loss of your endemic species there. When birding in Hawaii, we found that many of the species were listed as threatened, endangered or extinct. These losses are extremely painful not only to the sense of the Hawaiian Islands, but to your visitors and your economy as well. It will not be long before birders cease to visit.

The same losses are occurring today in Africa. Our particular focus here is the extraordinary decline of the world's beloved and iconic elephants by poaching. These animals are being slaughtered at such an alarming rate that there is a danger of their extinction in the wild within the decade.

Hawaii is the third largest retailer of ivory goods in the U.S. Frankly, this is lamentable, but can be corrected by quick and sure legislative action.

As parents and grandparents, we ask you to please vote to ban the sale of ivory products in the State of Hawaii. The day will come when our youngsters will look back and question our decisions and our actions.

Let Hawaii stand proud in its decision to save the African Elephant.

Thank you.

Lois and Donald Olmstead  
3343 Las Huertas Rd.  
Lafayette, CA 94549

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gordon Kitsuya	Individual	Oppose	No

Comments: I strongly oppose the HB 837 ban on ivory. Here in Hawaii, ivory includes elephant and boar tusks, and shark, whale, and human teeth. This ban will hurt the music industry (piano keys) and collectors like the Bishop Museum. It will deprive local families of their heirlooms and hurt the local jewelry-making industry. It will encourage smuggling and poaching. Finally it's unsustainable because an ivory ban will make us throw away valuable renewable resources.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Normand A Cote	Individual	Oppose	No

Comments: PLEASE write into Hawaii Statute a reasonable qualification process that fulfills the intent of this 12 year old Federal Act.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
daniel oshima	Individual	Oppose	No

Comments:



Dear Chair Rhoads, Vice-Chair San Buenaventura and House Judiciary Committee Members:

It is so simple to an elephant advocate that current poaching rates make the continued ivory markets an unsustainable practice--yet, I know there is always fear of change and the opposition's use of exaggerated outcomes (such as confiscation of personally-held ivory, legislation against use of ivory in traditional/cultural ritual--anything, however untrue, to agitate for ivory ban opposition.)

Please ignore all this and realize that elephants are in the unenviable position of having their lives depend on both people's ration and their ability to restrain greed for humane treatment's sake. The fewer the elephants, the more their tusks are worth, the greater the impulse to capitalize on their demise. This results in still fewer elephants, with tusks then worth even more, until extinction of elephants in the wild robs the world of this wondrous, environmentally essential creature!

Please step in and step up to prevent this!

You are placed in a position of power to improve Hawaii and, by extension, the outer world. Hawaii will not look back on its contribution to the extinction of the elephant with pride and dignity--help prevent complicity in this very important challenge facing the world today! Simply put, the elephant does not owe us their very lives and continued existence as a species! We are supposed to tend God's Garden and the creatures therein--not exploit them and erase them from the world--all for non-essential carving, statuary, etc.

I love Hawaii and the people I know and visit there.

I will love it the more when HB837 is passed as I will love California the more when our own AB96 is passed!

Thank you for your help!

Cea T. Hearth, Founding Member,  
Save Endangered Elephants.Org  
301 Clipper St. #4  
San Francisco, CA 94114  
[\(1-415-572-8204\)](tel:1-415-572-8204)

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brian Isaacson	Individual	Oppose	No

Comments: We don't need and elephants and rhinos don't need another knee jerk ivory and horn ban. This is a very difficult problem given the economics of the countries that have the subject species and countries who trade as well as the agencies who try to limit illegal trade and associated poaching. Legitimate sales fund anti-poaching efforts, and ivory and horn have been traded for centuries, leaving innocents liable for prosecution with a stroke of the pen. Much better solutions exist in lieu of bans.

Dear Chair Rhoads, Vice-Chair San Buenaventura and House Judiciary Committee Members,

I am a regular visitor to Hawaii (timeshare in Kailua-Kona) and am writing to urge you to pass HB 837, which would ban the sale of elephant ivory and rhino horn in the State of Hawaii.

Hawaii is the 3rd largest US retailer of ivory and rhino horn, and HB 837 would complement the regulation efforts of U.S. Fish and Wildlife Service, due to their limited ability to regulate in-state sales.

Mammoth ivory must be included, as ivory from recently killed elephants is often sold as mammoth ivory, since it is possible to make newer ivory appear old.

The bill would NOT prohibit private possession of such items, as it applies to the sale of ivory and rhino horn only, nor would it prohibit the use of any such items for native Hawaiian cultural practices.

Please pass HB 837 out of committee and on to a full vote in the Hawaii legislature. These majestic animals are being wiped off the face of the Earth forever, and we need to do all we can to try and stop their extinction in the wild.

Thank you.

Sincerely,  
Michelle Waters

I am writing from Maui to urge the support of SB837. The ivory trade and the demise of the species they harm will never stop if there are no laws to prohibit it. It is time for Hawaii to join the other "civilized and humane communities" that have made it illegal.

SUPPORT HB837

Thank you

Terri Shishido

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eric Ako DVM	Individual	Oppose	No

Comments:

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brandon Leong	Individual	Oppose	No

Comments:

Dear Chair Rhoads, Vice-Chair San Buenaventura, and House Judiciary Committee Members,

Aloha,

I have been a long time resident of the island of Hawai'i living on both the Hilo and Waimea sides although my work now places me in Los Angeles. I maintain professional and personal ties with the islands.

I am saddened to know that Hawaii has been qualified as the 3rd largest illegal ivory market in the USA. Elephant populations in Africa have reached a tipping point; there are now more elephants dying and being killed, than are being born; extinction looms within a generation and in localized regions within a decade. It is also well established that poaching and wildlife trafficking literally sponsors international terror and is plunging the African continent into geo-political chaos.

I urge you to support HB837 and encourage your colleagues to do so as well. The land of Aloha should play no part in the "business" of supporting the extinction of a sentient species and contributing to global terror.

Thank you,

Peregrine M. McGehee

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nathan Stickel	Individual	Oppose	No

Comments:



Dear Madam, dear Sir,

I am asking you to please support HB 837 to prohibit the sale of ivory and rhino horn of unknown origin in Hawaii.

Hawaii is the 3rd largest retailer of ivory in the U.S. and - also apparently has the largest illegal online ivory market in the U.S. Investigations revealed that 89% of ivory items for sale in Hawaii were of unknown or likely illegal origin.

Elephant populations in Africa have reached a tipping point; there are now more elephants dying and being killed, than are being born; extinction looms within a generation and in localized regions within a decade.

An estimated 35,000 to 50,000 elephants are poached every year. An average of 96 elephants are slaughtered daily. More than 103,000 elephants have been killed since January 2012.

More than 1,000 rhinos are killed each year in South Africa alone and some rhino populations could become extinct in the wild in as little as 12 years.

It is also well established that poaching and wildlife trafficking (literally) sponsors international terror and is plunging the African continent into geo political chaos.

Cruel ivory trade breeds corruption, undermines the rule of law and threatens the economic livelihood of the local communities.

Illegal ivory trafficking is exploited by transnational criminal networks that enable terrorism, weapons, and human trafficking, feeding devastating violence and instability in Africa. Poaching today is intertwined with violent militias, organized crime, and government corruption in central Africa, including such high-profile terrorist groups as Janjaweed and the Lord's Resistance Army.

If this does not change, these animals will continue seeing their families ripped apart for trinkets, grieving each loss with heartfelt pain. The matriarchal elephant herds with grandmothers, daughters, granddaughters, aunts, cousins all living together for decades are quickly becoming a thing of the past.

The repercussions of Hawaii's decision on ivory will be heard and felt around the world.

Much like Hawaii's highly-heralded shark fin prohibition, it is the authority of

the state to regulate in-state sales.

Federal laws pertaining to elephants authorize federal authorities to regulate import, export and interstate sales only.

Limiting the in-state sale of ivory, as was the case with shark fin products, is needed to stop the poaching and ultimate extinction of these species.

State efforts to regulate in-state sales complement recent federal efforts to crack down on the import, export and inter-state smuggling of ivory products. As a key consumer state, Hawaii would set a national model for other states to follow.

Supporting this bill would also be consistent with residents' and travelers' perceptions of Hawaii as an ecologically friendly and environmentally responsible state.

Sincerely,

Nina Ceccarelli  
Lyon  
France

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Susan Shaheen Mulkern	Individual	Oppose	No

Comments:

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kevin Mulkern	Individual	Oppose	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Hartman	Individual	Oppose	Yes

Comments: NO on HB837 HD1 I believe that every person in this room would jump at the chance to save an elephant. The first sentence of this bill states “African Elephants are near extinction”, and most people would take that to be accurate. In fact, African Elephants are not “near extinction”, nor is their conservation status “Critically Endangered”, or “Endangered”, but rather are listed as “Vulnerable (WWF)” much like the Bigeye Tuna in the international fishery that folks here in Hawaii enjoy so much during the holidays , and consider this...the Bluefin tuna that fuels the local sashimi and sushi market IS listed as “Endangered” (WWF). Text in this bill is not accurate, and makes assumptions that have little or no relationship to real world events. The US and Hawaii is such a minor part of the illegal ivory trade that it defies logic that a bill such as this would even be considered. This legislative body has been duped by a “warm fuzzy cause” with the heading of “RELATING TO THE CONSERVATION OF ANIMALS”. I can not say what the intent of this legislation is, nor can I say what is in the minds or hearts of the author(s), but it certainly has nothing to do with wildlife protection. Difficulty distinguishing different types of ivory without complex forensics.. That , was a flawed excuse given as to why so many types of ivory were lumped together in the proposed ban. This bill will effectively end one of the few truly indigenous American art forms.. Scrimshaw was touted by Forbs Magazine as one of the “hottest and most stable long term investments”. Thousands of collectors, investors, and businesses LEGAL portfolios would soon be worthless. This bill is a business and job killer that will cost Americans. It is not a small deal. There are far reaching consequences both cultural and social. John F. Kennedy was buried with a pair of gold cufflinks, a silver rosary, a PT-109 tie clip and a Scrimshaw with the seal of the president of The United States of America that Jacqueline placed in his coffin, It was a pivotal moment in American History and the publicity generated about his passion for collecting Scrimshaw and Americana sparked a revitalization of ivory related collecting that continues in many form nationwide today. The U.S. Supreme court has said for over 100 years that “if you bought it, you can sell it”. “It’s the American way”..That is why we CAN have garage sales, and swap meets. Please VOTE NO on HB837 HD1 and any related legislation



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

2700 Waiālae Avenue Honolulu, Hawaii 96826  
808.946.2187 • hawaiianhumane.org

March 3, 2015

Representative Karl Rhoads, Chair  
Representative Joy A. San Buenaventura, Vice Chair  
Committee on Judiciary  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

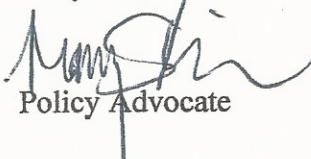
RE: Testimony in support of HB 837, HD1 Relating to the Conservation of Animals

Thank you for accepting this testimony on behalf of the Hawaiian Humane Society in support of HB 837 HD1. This bill prohibits ivory and rhinoceros horn sales and trade within the State. Our organization cares about the suffering of all animals and we support its prevention.

The needless and inhumane killing of the animals in order to obtain the ivory and rhinoceros horn is both an important animal welfare issue and one of conservation.

We urge you to pass this bill.

Mary Steiner



Policy Advocate

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**CARTY S. CHANG**  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**DANIEL S. QUINN**  
INTERIM FIRST DEPUTY

**W. ROY HARDY**  
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**Testimony of**  
**CARTY S. CHANG**  
**Interim Chairperson**

**Before the House Committee on**  
**JUDICIARY**

**Tuesday, March 3, 2015**  
**1:00 pm**  
**State Capitol, Conference Room 325**

**In consideration of**  
**HOUSE BILL 837, HOUSE DRAFT 1**  
**RELATING TO THE CONSERVATION OF ANIMALS**

House Bill 837, House Draft 1 proposes to amend the Hawaii Revised Statutes by adding a new Chapter entitled "Conservation of Elephants and Other Animals with Ivory Teeth and Tusks and the Rhinoceros", whereby the trade and sale of ivory and rhinoceros horn within the state is prohibited. Exemptions would be provided for guns, knives, and musical instruments containing less than 20% ivory or rhinoceros horn, and for certain types of jewelry. **The Department of Land and Natural Resources (Department) supports the original intent of the bill, but has the following comments and concerns on House Draft 1.**

African elephants are spiraling toward extinction as illegal poaching and ivory trade continue to decimate their numbers. Similarly, rhinoceros numbers continue to plummet as poaching for their horn increases. Hawaii is the third highest retailer of elephant ivory in the United State behind California and New York. Tusks are traded internationally and sold world-wide, often after being carved into trinkets and then being identified as some other animal tusk, or claimed as a "pre-act" tusk, meaning that it had been harvested before the 1990 international treaty (CITES) which made ivory trade illegal in many countries.

While the Department believes that restricting the trade in these products is a positive step for the conservation of these species, the implementation of this bill is problematic. The capacity and training within the Department is currently lacking and would necessitate significant funding, which would adversely affect the Department's priorities as indicated in our Executive Budget request.

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Hartman	Individual	Oppose	Yes

Comments: NO on HB837 HD1 I believe that every person in this room would jump at the chance to save an elephant. The first sentence of this bill states “African Elephants are near extinction”, and most people would take that to be accurate. In fact, African Elephants are not “near extinction”, nor is their conservation status “Critically Endangered”, or “Endangered”, but rather are listed as “Vulnerable (WWF)” much like the Bigeye Tuna in the international fishery that folks here in Hawaii enjoy so much during the holidays , and consider this...the Bluefin tuna that fuels the local sashimi and sushi market IS listed as “Endangered” (WWF). Text in this bill is not accurate, and makes assumptions that have little or no relationship to real world events. The US and Hawaii is such a minor part of the illegal ivory trade that it defies logic that a bill such as this would even be considered. This legislative body has been duped by a “warm fuzzy cause” with the heading of “RELATING TO THE CONSERVATION OF ANIMALS”. I can not say what the intent of this legislation is, nor can I say what is in the minds or hearts of the author(s), but it certainly has nothing to do with wildlife protection. Difficulty distinguishing different types of ivory without complex forensics.. That , was a flawed excuse given as to why so many types of ivory were lumped together in the proposed ban. This bill will effectively end one of the few truly indigenous American art forms.. Scrimshaw was touted by Forbs Magazine as one of the “hottest and most stable long term investments”. Thousands of collectors, investors, and businesses LEGAL portfolios would soon be worthless. This bill is a business and job killer that will cost Americans. It is not a small deal. There are far reaching consequences both cultural and social. John F. Kennedy was buried with a pair of gold cufflinks, a silver rosary, a PT-109 tie clip and a Scrimshaw with the seal of the president of The United States of America that Jacqueline placed in his coffin, It was a pivotal moment in American History and the publicity generated about his passion for collecting Scrimshaw and Americana sparked a revitalization of ivory related collecting that continues in many form nationwide today. The U.S. Supreme court has said for over 100 years that “if you bought it, you can sell it”. “It’s the American way”..That is why we CAN have garage sales, and swap meets. Please VOTE NO on HB837 HD1 and any related legislation



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marvin Dryden	Individual	Oppose	No

Comments: I STRONGLY OPPOSE HB 837. Unless the House version of this bill is amended similarly as SB674, to protect the value of real antique art and heirloom items, it's theft, just as is poaching. Marvin Dryden STRONGLY OPPOSES HB 837.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Janelle Dryden	Individual	Oppose	No

Comments: I OPPOSE HB 837. The House version of this bill needs to be amended similarly as SB674, to protect the value of real antique art and heirloom items. Otherwise, just like poaching, it's theft. Janelle Dryden OPPOSES HB 837.

Dear Chair Rhoads, Vice-Chair San Buenaventura, and Reps Belatti, Brower, Creagen, Hashem, Kawakami, Lee, Morikawa, Nakashima, Takayama, Woodson, McDermott, and Thielen,

Aloha mai kākou, and thank you for all you do on behalf of Hawai`i's people and Hawai`i nei.

Please support HB 837 in the strongest terms!

I am dismayed that Hawaii plays such a huge role in the illegal trafficking of wildlife. We are the THIRD largest retailer of illegal ivory in the nation; possibly FIRST in internet sales! As you have by now become aware:

--An estimated 89% of the ivory sold in Hawaii is of illegal origin.

--Poachers bring down one elephant every 15 minutes, cut his or her tusks out of her face, and leave her to die. In the 2 years since February 2013, when [SCR149/SR108](#) was introduced in the HI State legislature, 70,080 elephants have died this way. It is well past time to pass and quickly enforce this law.

--Page 1, line 12 of HB 837 states that elephants may become extinct in fewer than 20 years. Frankly, many wildlife and conservation organizations (e.g. the Sheldrick Wildlife Trust, [iworry.org](#)) put that date at 10 years or fewer!

--Every 9 hours a rhino is killed for his or her horn; an almost 8000% increase in rhino poaching over the last five years puts all five remaining rhino species on the brink of extinction.

--Wildlife poaching supports terrorist activities and is contributing to the destabilization of Africa - killing humans and animals.

--Our only hope for the survival of these highly intelligent, sentient, deeply emotional and compassionate fellow creatures lies in an immediate end to this massacre.

I know that many of you share my deep love, admiration, and concern for elephants and rhinos. Please do all you can to help. And ask all your fellow legislators to help.

Aloha,

Victoria Anderson

We don't have to engage in grand, heroic actions to participate in the process of change. Small acts, when multiplied by millions of people, can transform the world.”

— [Howard Zinn](#)

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Victoria B. Anderson  
Associate Professor of Linguistics  
University of Hawai`i at Manoa

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bowen Dickinson	Individual	Oppose	No

Comments: Comments: I am in opposition to this needless legislation that duplicates already existing laws and will only serve to complicate already difficult to enforce penalties, a waste of the meager funds already provided for the control of illegal poaching --in addition to raising the high cost of enforcement it will only serve to raise ivory prices, causing an increase in poaching.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gary Smith	Individual	Oppose	No

Comments: The Senate companion bill SB674 has been deferred indefinitely on this same subject. This bill will affect anyone who currently owns any Ivory which was obtained when it was legal or grandfathered. This is not fair to current owners of Ivory products. Real antique art, heirloom items, and many other products currently owned will be affected.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
RL Thomson	Individual	Oppose	No

Comments: Criminalizing possession as "intent to sell" is wrong. Singling out Ming's Jewelry gives them a pass, but no one else ? Sounds like great lobbying on a badly written bill. We already have rules on importation, so fund the Inspectors properly rather than make another law (in this case a badly written law).

Elephants DC  
PO Box 21  
Landenberg PA 19350



**LATE**

March 2, 2015

Hawaii House Judiciary Committee  
Hawaii State Capitol  
415 S Beretania Street  
Honolulu, HI 96813

Dear Hawaii House Judiciary Committee:

To save elephants from extinction, we must take action to ban ivory sales.

There is a bipartisan movement gaining traction across the United States of America – a movement Hawaii sparked last year by introducing legislation to ban ivory sales. Although ivory lovers were able to defeat efforts in 2014, the seed planted in the Aloha state blossomed in New York and New Jersey with both governors signing legislation last August to stop the blood ivory trade once and for all. It is only fitting for Hawaii to come full circle and end its domestic ivory and rhino horn trades.

Saving elephants from extinction preserves ecosystems; benefits future generations; and advances our national security by cutting off the illicit funding received by terrorists and transnational criminals who slaughter elephants at a rate of 96 per day.

Children learn “E” is for “Elephant” – not “Extinction.” We must act now to save elephants without pause. We must recognize the unspoken truth that every ivory trinket represents a dead elephant. We must honor our humanity by doing what is just, moral, and ethical. We must, we can, and we shall ban ivory sales. Your leadership in Hawaii, as one of the epicenters of illegal ivory traffic in the world, is paramount.

Throughout human history people are tasked with choices to make the world a better place. You are tasked with acting to save elephants and rhinoceroses for the good of all. Let us cut off the demand for ivory trinkets to save elephants from extinction. Hawaii, America, and the world will be left a better place.

To save elephants and rhinos from extinction, it is logical to take action to end Hawaii’s domestic trade in their body parts.

Thank you.

Sincerely,

Jen Samuel

*Elephants DC, president*

484-868-8405

[www.elephantsdc.org](http://www.elephantsdc.org)

[@ElephantsDC](https://twitter.com/ElephantsDC)

[www.facebook.com/ElephantsDC](https://www.facebook.com/ElephantsDC)

*Elephants DC is dedicated to ending the ivory trade and advancing elephant well-being.*



**LATE**

Submitted By	Organization	Testifier Position	Present at Hearing
Cathy Goeggel	Animal Rights Hawai'i	Support	No

Comments: I am Cathy Goeggel, President of Animal Rights Hawai'i. We have advocated for animals in Hawaii for the past 38 years. We ask for your support for HB837, a measure that would end Hawai'i's participation in the trafficking of elephant and marine mammal ivory and rhinoceros horn. According to scientists, African elephants may go extinct within 10 years, if the current rate of poaching continues. Hawaii is one of the major consumers of ivory, and the US Fish & Wildlife Service has confirmed that there is a thriving illegal trade in our state. Whilst education is a very important factor in convincing consumers to NOT buy ivory, it is obvious that greed often trumps conscience and the elephants need your action to codify their protection. Please pass HB837

**LATE**

Hawai'i Chapter P.O. Box 2577 Honolulu, HI 96803

Chair Knoods, Vice-Chair San Buenaventura and House Judiciary Committee Members,

The Hawaii Chapter of the Sierra Club offers testimony in favor of HB837.

Last year our Atlantic Chapter helped New York establish a moratorium on the sale of elephant ivory products to eliminate the significant enforcement challenge posed by the legal ivory trade. Hawaii in this bill can also raise consumer awareness, reduce the poaching pressures on elephants and set an example for other states to follow. In order to save the elephant population for our future generations, we need to take action now. At its recent meeting, the local Sierra Club Chapter moved to ask your support of this bill.

A piece in 11 Oct 2013 Wall St. Journal by the president of Kenya, Uhuru Kenyatta: (This is in the aftermath of the terrorist attack at the Nairobi mall) He says that al-Shabbab has a major source of funding in illegal ivory trade which many opposed the US agreeing to resume ivory sales 15 years ago.

Poaching in Africa by Paul Rauber, July 2013 Sierra: "Now China is seeking 220 tons of raw ivory for their ivory carving factories every year—which requires the slaughter of 20,000 elephants each year. The ivory trade has become a billion dollar enterprise. The scale of poaching has become a horror with smuggling operations run by an international cartel. Terrorists make up a significant portion of the international criminal cartel, notably Al Qaeda. As poachers continue to operate, they decimate and pillage local villages, tearing apart the social fabric. The Central African Republic, where a prominent elephant preserve is located, has been taken over by rebels funded, in part, by the sale of poached ivory.

Former Secretary of State Hillary Clinton urges world leaders to work toward shutting down the ivory trade. Secretary of State John Kerry has embraced this effort along with a pledge by President Obama to establish an emergency task force to address the crisis.

Poachers are rapidly killing off Africa's most iconic megafauna to make keychains and impotence cures. The economy of the Far East is booming," Princeton University ecology professor Andrew Dobson says. "If you want to rise today in the Chinese military, you give your supervising officer something made out of ivory." Wildlife poaching today is highly militarized. The Convention on International Trade in Endangered Species seems inadequate to deal with the crisis. Its decision in 2008 to allow African nations to legally sell more than 100 tons of stockpiled ivory to "accredited traders" in Japan and China revived what had been a moribund carving industry. And even while elephants are being exterminated in Africa, ivory is still legally sold in Chinese markets."

submitted by Steven Lee Montgomery, Ph.D.

*Founded in 1968, the Hawai'i Chapter of the Sierra Club is the state's largest and most active grassroots environmental organization. The Club actively promotes reducing the impacts of global climate change by encouraging the development of clean renewable energy, promoting sustainable practices, and ensuring our fragile native habitat is protected from harm.*

[www.sierraclubhawaii.com](http://www.sierraclubhawaii.com)

March 3, 2015

H  
H  
**LATE**

March 3, 2015



**Re: Letter in Support of HB 837**

Dear Chair Rhoads and Honorable Committee Members:

On behalf of the Animal Legal Defense Fund (ALDF), a national organization of attorneys working to protect the lives and advance the interests of animals through the legal system, and its more than 200,000 members and supporters, I am writing in support of HB 837, which would ban the trade and sale of elephant ivory and rhino horns in Hawaii. This issue is personal to me as my family home is in Hawaii, where I spend a significant portion of every year.

Illegal poaching is estimated to account for sixty-five percent of the deaths of African elephants, a critically threatened species whose population has been decimated by over seventy-five percent in the past few decades due to wildlife trafficking and a growing demand for ivory. It is estimated that an average of ninety-six elephants are killed everyday for ivory and that African elephants could become extinct in the next ten years. The United States is second only to China in the sale of ivory products, and Hawaii is the third largest retailer of ivory products in the U.S. behind New York and California. In recognition of the fact that domestic trade in ivory serves as a loophole for the illegal trade, the Obama administration issued an executive order in July 2013, declaring wildlife trafficking to be an “international crisis” and directing federal agencies to undertake rulemaking to eliminate import and export of ivory for commercial purposes.

Last October, more than 130 cities worldwide—including Honolulu—participated in the Global March for Elephants and Rhinos. Just last year, New York and New Jersey banned the sale of ivory. And this year, ivory bans have been introduced in several states, including California, Washington, Iowa, Oklahoma, Virginia, Connecticut, and Massachusetts.

We urge your support for HB 837 to help ensure that Hawaii becomes part of the growing list of states that are taking proactive measures to help halt the rapid decline of elephant and rhinoceros populations who are being slaughtered at an alarming rate for their parts.

Sincerely,

Davi Lang  
Legislative Coordinator

170 East Cotati Avenue  
Cotati, California 94931

T 707.795.2533  
F 707.795.7280

info@aldf.org  
aldf.org

**LATE**

	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jason Schick	Individual	Oppose	No

Comments: I would hope and urge all the purposed members associated with this bill vote no. It is not fare to impose restrictions on items containing ivory now or in the past and criminalizing those whom do own any firearms, jewelry, and/or any items in current circulation. Please oppose HB837.

**LATE**

	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sharron Cushman	Individual	Support	No

Comments: I support the prohibition of sales of ivory and rhino horn. It encourages the harm and cruelty of the animals it is obtained from. In Hawaii existing ivory for sale encourages the practice of collection of ivory and horns to continue.

**LATE**

By	Organization	Testifier Position	Present at Hearing
Jamie Louis	Individual	Support	No

Comments: I am writing you today to ask that our State please protect elephants and rhinos by prohibiting the sale of ivory in Hawaii. It is estimated that elephants could go extinct in the wild in the next decade unless we take urgent action to end the demand for ivory. As the third-largest retailer of ivory in the United States, with 89 percent of its ivory products coming from illegal or unknown origins, Hawaii has a duty and moral imperative to stop this sale and close loopholes the illegal market is exploiting. New York and New Jersey have already passed bans. I believe our State should follow their lead on this issue. No one needs ivory but an elephant. Sincerely, Jamie Louis

**LATE**

oads, Vice-Chair San Buenaventura and House Judiciary Committee Members,

Aloha and I hope this note finds you well.

I am a resident of Hawaii. I have economic and familial interests on the islands and visit paradise frequently.

I am saddened to know that Hawaii has been qualified as the 3rd largest illegal ivory market in the USA. Elephant populations in Africa have reached a tipping point; there are now more elephants dying and being killed, than are being born; extinction looms within a generation and in localized regions within a decade. It is also well established that poaching and wildlife trafficking literally sponsors international terror and is plunging the African continent into geo political chaos.

I urge you to support HB837 and encourage your colleagues to do so as well. The land of Aloha should play no part in the "business" of supporting the extinction of a sentient species and contributing to global terror.

Mahalo nui.

Warmly,

Ellen Jacobs  
Teacher, Big Island

Peace

**LATE**

Submitted By	Organization	Testifier Position	Present at Hearing
Dwayne Lim	Individual	Oppose	No

Comments: I oppose this bill.