

DAVID Y. IGE
GOVERNOR OF
HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committee on
WATER, LAND, AND AGRICULTURE**

**Monday, February 01, 2016
2:45 PM
State Capitol, Conference Room 224**

**In consideration of
SENATE BILL 2156
RELATING TO WILDLIFE**

Senate Bill 2156 proposes to authorize the Department of Land and Natural Resources (Department) to enter into the interstate wildlife violator compact or similar agreement for mutual assistance in the enforcement of wildlife laws. Compacts are voluntary formal interstate agreements among states and are not federally initiated. **The Department appreciates the intent of this bill and offers the following comments.**

The majority of the other 49 states have enacted legislation for this compact, whereby lawbreakers who have lost their hunting, fishing, or trapping licenses in one state (e.g. due to poaching) would also lose their ability to hunt, fish, or trap in other member states within the Compact agreement for the same duration.

Implementation of the Interstate Wildlife Violator Compact in Hawaii would involve the co-operation and coordination of three divisions within the Department: Division of Conservation and Resources Enforcement, Division of Aquatic Resources, and Division of Forestry and Wildlife, as well as input from other stakeholders. A small amount of funding is necessary to establish and maintain the system, but member states have reported that the costs are minimal.

If implemented, local law enforcement data could be input by a single entity, yet many departments and divisions could derive data from this national database.

The Department appreciates the opportunity to provide these comments.

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
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



IN SUPPORT OF MASSACHUSETTS JOINING THE INTERSTATE WILDLIFE VIOLATOR COMPACT

January 2015

As Chairman of the Board of Wildlife Violator Compact Administrators, I am joined by Col. Overturf, president of the North East Conservation Law Enforcement Chiefs Association and director of the Connecticut State Environmental Conservation Police, and Lt. O'Hara, compact administrator for the New York State Department of Environmental Conservation, in respectfully urging your support of legislation that would enter Massachusetts into the Interstate Wildlife Violator Compact, a nationwide law enforcement network developed to address the problem of interstate wildlife violator movement.

The Compact is an agreement between states to gain further compliance with hunting, fishing and other wildlife laws, ordinances, and regulations of participating states, while providing for the fair and impartial treatment of wildlife violators. Membership in the Compact allows a state to revoke a person's hunting or fishing privileges based upon wildlife convictions and license revocations in another member state. This prevents a wildlife lawbreaker from leaving Massachusetts to evade punishment. Revocations have been shown to be a great deterrent to potential wildlife law violators.

Massachusetts, Hawaii, Nebraska, and New Jersey are the only states not a member of the Compact, though Hawaii and New Jersey are considering legislation. All neighboring states of Massachusetts have joined—leaving the state at risk for becoming a safe haven for wildlife violators.

The Interstate Wildlife Violator Compact is modeled after the equally successful Driver's License Compact. If a non-resident commits a violation in a Compact member state and that non-resident is from a Compact member state, they may be issued a citation and sent on their way, in most instances, instead of being required to pay immediately or be jailed. If the person refuses to comply with the terms of the citation, the charging state will notify the violator's home state. The home state will then begin suspension procedures provided that the violation is a suspendable offense in the home state and due process procedures are satisfied. Once the non-resident complies with the citation, privileges are restored.

The Compact allows non-resident violators to be released with a citation, in the same manner that a resident violator would be, but does not allow them to cross state lines to escape their responsibility of paying fines or other penalties. It also frees up the charging officer to return to patrol duties sooner because they do not have to jail the person or handle collection of fines.

Membership in the Compact requires no additional funding, nor does it require hiring additional agency staff. Entering violators into the Compact and ratifying other states' suspensions requires a minor time commitment and this responsibility is typically carried out by existing state wildlife agency personnel.



Joining the Compact is a two-step process. First, the state must pass legislation to enter into the Compact. Next, the agency will adopt regulations to implement compact membership.

Hopefully the information provided will be a catalyst for your state's participation in this nationwide effort. We trust that Massachusetts will consider joining the Interstate Wildlife Violator Compact and respectfully ask you to support this legislation. If you have questions, please contact me or any member state for additional information.

Sincerely,

A blue ink signature of David Deckard.

Captain David Deckard
Chairman, IWVC Board of Compact Administrators
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A black ink signature of Kyle Overturf.

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A black ink signature of Michael R. O'Hara.

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Compact Administrator for New York
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**THE HUMANE SOCIETY
OF THE UNITED STATES**

**Testimony in SUPPORT of SB2156: Wildlife Violators Compact
Senate Water, Land and Agriculture Committee**

February 1, 2016, 245pm

Submitted by Inga Gibson, Hawaii Senior State Director

The Humane Society of the United States-Hawaii

igibson@humanesociety.org or 808.922.9910

Dear Honorable Chair Gabbard, Vice Chair Nishihara and Committee Members:

We respectfully urge your SUPPORT of SB2156. This bill would allow DLNR, who supports this measure, to become a member of the national law enforcement network known as the Interstate Wildlife Violator Compact. 47 states are currently members of this Compact.

The Compact is an agreement between states to gain further compliance with wildlife related laws, ordinances, and regulations of participating states, while providing for the fair and impartial treatment of wildlife violators. Membership in the Compact is free to member states and, according to existing member states, has little to no fiscal impact (estimated 10 hours per month of existing staff time entering information into the national database).

Wildlife officials estimate that nationally tens of millions of animals are poached each year. Poaching is a serious problem and far more often than not, poaching activity remains undetected and poachers go unpunished for their crimes. In fact, it is estimated that despite the tireless efforts of wildlife protection officers, a mere one to five percent of poachers are ever apprehended by law enforcement. Crimes that may be recorded and accessed via the IWVC database include but are not limited to the following: Illegal take or possession of big game, Illegal take or possession of threatened or endangered species, Felony wildlife violations, License violations, fraud, false statement, Waste of wildlife, Accumulated wildlife violations, Violations while on revocation, Sale/purchase of prohibited wildlife, Illegal take or possession of small game or migratory birds and Federal Wildlife Violations.

Modeled after the equally successful Driver's License Compact, the Interstate Wildlife Violator Compact was first developed back in the early 1990s. If enacted in Hawaii, it would prevent wildlife violators who have lost their wildlife related privileges in member states from coming to Hawaii to circumvent those license revocations. Enacting the compact would also ensure that those who have been punished with license revocations for illegal wildlife acts in Hawaii can't avoid their punishment by engaging in those activities in another member state.

Thank you very much for your time and consideration. Please see below Resolution #2011 of support from the International Association of Fish and Wildlife Agencies and subsequent letters of support from the IWVC Chair.

RESOLUTION #2011
**LAW ENFORCEMENT COMMITTEE SUPPORT FOR
WILDLIFE VIOLATOR COMPACT**

WHEREAS, the National Association of Conservation Law enforcement Chiefs recognizes the Wildlife Violator Compact as a significant tool to be utilized by fish and wildlife agencies to discourage the unlawful taking of our States' fish and wildlife resources; and

WHEREAS, the Wildlife Violator Compact is instrumental in assisting in the protection of every State's fish and wildlife resources, by discouraging interstate violator movement; and

WHEREAS, the Wildlife Violator Compact enhances the efficiency of wildlife enforcement officers by allowing for the issuance of citations to non-residents, rather than arrest; and

WHEREAS, the Wildlife Violator Compact has been joined by the states of Alabama, Alaska, Arizona, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, West Virginia, Wisconsin and Wyoming; and

WHEREAS, the greatest success of this fish and wildlife protection tool is predicated on full participation in all aspects of the Wildlife Violator Compact by all fifty states.

NOW, THEREFORE, BE IT RESOLVED that the *International Association of Fish and Wildlife Agencies* supports and encourages membership and participation in the Wildlife Violator Compact by all fifty states.

International Association of Fish and Wildlife Agencies
at its
101th Annual Convention
Omaha, Nebraska
September 13, 2011

From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: ilojerry@gmail.com
Subject: Submitted testimony for SB2156 on Feb 1, 2016 14:45PM
Date: Saturday, January 30, 2016 7:25:54 PM

SB2156

Submitted on: 1/30/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Jerry Ilo	Babooze Bowstrings	Support	No

Comments: I very strongly support this bill. Its is high time Hawaii joins the rest of the 49 states and fully punish game law violations. If we as a State truly value our wildlife and natural resources we need to enact laws that work with and like our mainland States.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Subject: *Submitted testimony for SB2156 on Feb 1, 2016 14:45PM*
Date: Saturday, January 30, 2016 9:36:52 AM

SB2156

Submitted on: 1/30/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Rene Umberger	Individual	Support	No

Comments:

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Subject: *Submitted testimony for SB2156 on Feb 1, 2016 14:45PM*
Date: Sunday, January 31, 2016 10:35:11 AM

SB2156

Submitted on: 1/31/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Springer Kaye	Individual	Support	No

Comments:

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