

MAR 11 2022

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# SENATE CONCURRENT RESOLUTION

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URGING THE COUNTIES TO MORE EFFECTIVELY AND MEANINGFULLY  
COORDINATE THEIR POLICE ENFORCEMENT AND PUBLIC AWARENESS  
EFFORTS WITH THE STATE AND WITH HUMANE SOCIETIES AND OTHER  
ANIMAL WELFARE ORGANIZATIONS CONCERNING THE DANGERS POSED  
BY UNLEASHED DOGS TO HUMANS AND TO OTHER ANIMALS IN PUBLIC  
AREAS.

1           WHEREAS, in Act 30, Session Laws of Hawaii 2021, the  
2 Legislature found that dog bites are among the top reasons for  
3 emergency room visits, ranking higher than injuries occurring on  
4 motorcycles, to pedestrians, and from gunshots; and

5  
6           WHEREAS, section 142-74, Hawaii Revised Statutes, creates a  
7 civil action for an incident when a dog attacks another animal,  
8 and also allows for counties to promulgate their own ordinances  
9 for enforcement of county animal control policy, whether in park  
10 areas or on other public lands; and

11  
12           WHEREAS, section 142-75 Hawaii Revised Statutes, creates a  
13 civil action for a dog attack on humans, and also allows for  
14 counties to promulgate their own ordinances for enforcement of  
15 county animal control policy, whether in park areas or on other  
16 public lands; and

17  
18           WHEREAS, unleashed dogs potentially pose a serious danger  
19 not only to humans but also to other pet animals; and

20  
21           WHEREAS, serious bodily injury to a person such as by  
22 laceration would constitute felony assault if performed by a  
23 person but only constitutes a misdemeanor for the dog owner if  
24 the result of a dog bite; and

25  
26           WHEREAS, an attack by an unleashed dog on a leashed dog can  
27 easily result in serious injury or death to the leashed animal,  
28 as well as potentially serious injury and emotional distress to



1 any person attempting to prevent or disengage the attacking  
2 animal from causing harm; and

3  
4 WHEREAS, all counties require by ordinance or  
5 administrative rule that, with the exception of a limited number  
6 of enclosed public off-leash dog parks, all dogs must be on a  
7 leash in public areas, including on all public sidewalks and  
8 roadsides; and

9  
10 WHEREAS, a substantial majority of all state parks and  
11 recreation areas, as well as a majority of all county parks and  
12 recreation areas, prohibit all pet animals generally, including  
13 both leashed and unleashed dogs, and despite clearly posted  
14 signs prohibiting animals, many persons bring dogs to such  
15 areas, creating a potentially dangerous situation for park users  
16 who have a reasonable expectation that lawful prohibitions on  
17 animals will be enforced; and

18  
19 WHEREAS, humane societies or other animal welfare  
20 organizations in each county are authorized to provide animal  
21 control, impoundment, and destruction services under certain  
22 circumstances in coordination with county police departments for  
23 incidents involving dog-on-animal and dog-on-human attacks; and

24  
25 WHEREAS, for a person who has been bitten by a dog or whose  
26 animal has been bitten by a dog, and who chooses to contact  
27 authorities to seek criminal or civil remedies, the delineation  
28 of roles and enforcement authority among county police  
29 departments, state park enforcement authorities in the case of  
30 state parks, and the humane societies or any other animal  
31 welfare organization can be unclear and confusing, and often  
32 results in the appearance of one enforcement authority assigning  
33 responsibility or blame to a different authority without  
34 providing meaningful assistance to the affected person; and

35  
36 WHEREAS, increased education of the public concerning leash  
37 laws, sanctions for violations of prohibitions on animals in  
38 certain parks and recreation areas, possible civil and criminal  
39 penalties in the event of dog-on-animal or dog-on-human attacks,  
40 and the actual roles of county or state law enforcement  
41 authorities and humane society or other animal welfare



1 organization control officers would increase public confidence  
2 in enforcement and make public areas safer; now, therefore,  
3

4 BE IT RESOLVED by the Senate of the Thirty-first  
5 Legislature of the State of Hawaii, Regular Session of 2022, the  
6 House of Representatives concurring, that the City and County of  
7 Honolulu, County of Maui, County of Hawaii, and County of Kauai  
8 are strongly urged to strengthen their efforts to meaningfully  
9 enforce all laws, ordinances, and administrative rules regarding  
10 off-leash animals in public spaces so as to better protect the  
11 public and pet animals; and  
12

13 BE IT FURTHER RESOLVED that the City and County of  
14 Honolulu, County of Maui, County of Hawaii, and County of Kauai  
15 are strongly urged, with respect to state parks within their  
16 jurisdictions, to pro-actively coordinate their county police  
17 department efforts with the enforcement officers of the Division  
18 of State Parks of the Department of Land and Natural Resources;  
19 and  
20

21 BE IT FURTHER RESOLVED that the county police departments  
22 of each of the counties are urged to strengthen their efforts to  
23 coordinate animal control services with each of the authorized  
24 humane societies or animal welfare organizations within their  
25 jurisdiction and, in the case of a dog attack on a human or dog  
26 attack on another animal, that all complainants requesting  
27 assistance receive an immediate and clear explanation of the  
28 delineation of roles among all enforcement authorities and  
29 entities, including explanation of any lawful impoundment or  
30 destruction procedures and potential civil or criminal remedies  
31 under state or county law; and  
32

33 BE IT FURTHER RESOLVED that the City and County of  
34 Honolulu, County of Maui, County of Hawaii, and County of Kauai,  
35 together with any humane societies or animal welfare  
36 organizations authorized within their jurisdictions for purposes  
37 of animal control, are strongly urged to undertake public  
38 awareness activities bringing attention to the dangers posed by  
39 unleashed dogs to humans and other animals; and  
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41 BE IT FURTHER RESOLVED that certified copies of this  
42 Concurrent Resolution be transmitted to the Chairperson of the



# S.C.R. NO. 196

1 Board of Land and Natural Resources, Director of the Department  
2 of Parks and Recreation of the City and County of Honolulu,  
3 Director of the Department of Parks and Recreation of the County  
4 of Maui, Director of the Department of Parks and Recreation of  
5 the County of Kauai, Director of the Department of Parks and  
6 Recreation of the County of Hawaii, Chief of the Honolulu Police  
7 Department, Chief of the Maui Police Department, Chief of the  
8 Hawaii Police Department, Chief of the Kauai Police Department,  
9 President and Chief Executive Officer of the Hawaiian Humane  
10 Society, Chief Executive Officer of the Maui Humane Society,  
11 President of the Hawaii Island Humane Society, and Executive  
12 Director of the Kauai Humane Society.

13  
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15

OFFERED BY:

A handwritten signature in black ink, appearing to read "AC Fick-Agnew", is written over a horizontal line.

