

MAR 11 2022

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# SENATE RESOLUTION

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

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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

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

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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

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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  
29 any person attempting to prevent or disengage the attacking  
30 animal from causing harm; and  
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1           WHEREAS, all counties require by ordinance or  
2 administrative rule that, with the exception of a limited number  
3 of enclosed public off-leash dog parks, all dogs must be on a  
4 leash in public areas, including on all public sidewalks and  
5 roadsides; and

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

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

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

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33           WHEREAS, increased education of the public concerning leash  
34 laws, sanctions for violations of prohibitions on animals in  
35 certain parks and recreation areas, possible civil and criminal  
36 penalties in the event of dog-on-animal or dog-on-human attacks,  
37 and the actual roles of county or state law enforcement  
38 authorities and humane society or other animal welfare  
39 organization control officers would increase public confidence  
40 in enforcement and make public areas safer; now, therefore,

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1 BE IT RESOLVED by the Senate of the Thirty-first  
2 Legislature of the State of Hawaii, Regular Session of 2022,  
3 that the City and County of Honolulu, County of Maui, County of  
4 Hawaii, and County of Kauai are strongly urged to strengthen  
5 their efforts to meaningfully enforce all laws, ordinances, and  
6 administrative rules regarding off-leash animals in public  
7 spaces so as to better protect the public and pet animals; and  
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9 BE IT FURTHER RESOLVED that the City and County of  
10 Honolulu, County of Maui, County of Hawaii, and County of Kauai  
11 are strongly urged, with respect to state parks within their  
12 jurisdictions, to pro-actively coordinate their county police  
13 department efforts with the enforcement officers of the Division  
14 of State Parks of the Department of Land and Natural Resources;  
15 and  
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17 BE IT FURTHER RESOLVED that the county police departments  
18 of each of the counties are urged to strengthen their efforts to  
19 coordinate animal control services with each of the authorized  
20 humane societies or animal welfare organizations within their  
21 jurisdiction and, in the case of a dog attack on a human or dog  
22 attack on another animal, that all complainants requesting  
23 assistance receive an immediate and clear explanation of the  
24 delineation of roles among all enforcement authorities and  
25 entities, including explanation of any lawful impoundment or  
26 destruction procedures and potential civil or criminal remedies  
27 under state or county law; and  
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29 BE IT FURTHER RESOLVED that the City and County of  
30 Honolulu, County of Maui, County of Hawaii, and County of Kauai,  
31 together with any humane societies or animal welfare  
32 organizations authorized within their jurisdictions for purposes  
33 of animal control, are strongly urged to undertake public  
34 awareness activities bringing attention to the dangers posed by  
35 unleashed dogs to humans and other animals; and  
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37 BE IT FURTHER RESOLVED that certified copies of this  
38 Resolution be transmitted to the Chairperson of the Board of  
39 Land and Natural Resources, Director of the Department of Parks  
40 and Recreation of the City and County of Honolulu, Director of  
41 the Department of Parks and Recreation of the County of Maui,  
42 Director of the Department of Parks and Recreation of the County



1 of Kauai, Director of the Department of Parks and Recreation of  
2 the County of Hawaii, Chief of the Honolulu Police Department,  
3 Chief of the Maui Police Department, Chief of the Hawaii Police  
4 Department, Chief of the Kauai Police Department, President and  
5 Chief Executive Officer of the Hawaiian Humane Society, Chief  
6 Executive Officer of the Maui Humane Society, President of the  
7 Hawaii Island Humane Society, and Executive Director of the  
8 Kauai Humane Society.

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OFFERED BY: ~~DAVID~~ D.C. Fitch-Adams