



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2024**

ON THE FOLLOWING MEASURE:

H.B. NO. 2058, H.D. 1, RELATING TO DANGEROUS DOGS.

BEFORE THE:

HOUSE COMMITTEE ON FINANCE

DATE: Tuesday, February 27, 2024 **TIME:** 12:00 p.m.

LOCATION: State Capitol, Room 308 and Videoconference

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Kelcie K. Nagata or Bryan C. Yee, Deputy Attorneys General

Chair Yamashita and Members of the Committee:

The Department of the Attorney General provides the following comments.

The purposes of this bill are to: (1) define what constitutes a dangerous dog; and (2) establish requirements and penalties for owners of dangerous dogs. The bill proposes to add a new part to chapter 142, Hawaii Revised Statutes (HRS), to authorize officers to designate, seize, and impound dangerous dogs.

As written, the bill establishes a process by which officers can declare a dog to be a “dangerous dog.” However, there are a few inconsistencies in the wording of the bill that could cause confusion. These inconsistencies may be remedied as follows:

(1) The reference to section 143-2.6, on page 12, line 16, should be deleted because the seizure of the dog due to a violation of section 143-2.6 would not require an officer to get a search warrant. Section 142-F(a), page 12, line 16, should be amended as follows:

“142-C[;] or 142-E, [~~143-2.6 or as applicable,~~] a law enforcement”

(2) The bill appears to use both terms “law enforcement officer” and “officer.” If both terms are intended to have the same meaning, then one term should be used consistently throughout the bill. Further, the term “officer” is defined on page 3, line 7, as having the same meaning as in section 143-1. While there is no legal infirmity, we note that, because section 143-1 defines “officer” to include the police of counties less than 100,000 in population, this definition does not include the police officers of the City

and County of Honolulu, the County of Hawaii, and the County of Maui. If the intent is for police officers statewide to be able to enforce the provisions of this bill, the definition of “officer” in this part could be amended to read:

““Officer” ~~[has the same meaning as in section 143-1]~~ means any sheriff, deputy, and any member of a police force and animal control officers of the several counties of the State.”

Clarifications of these terms and their usage throughout the proposed new part of chapter 142 would add clarity and reduce the risk of confusion for everyone involved in the enforcement and court processes.

Thank you for the opportunity to provide comments.

JON N. IKENAGA
STATE PUBLIC DEFENDER

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February 26, 2024

Committee on Finance
Representative Kyle T. Yamashita, Chair
Representative Lisa Kitagawa, Vice Chair
Conference Room 308
State Capital
Honolulu, HI 96813
[via email: JDCtestimony@capitol.hawaii.gov](mailto:JDCtestimony@capitol.hawaii.gov)

Re: Testimony in Opposition of H.B. 2058
Hearing: February 27, 2024, 12:00 PM

Dear Chair Yamashita, Vice Chair Kitagawa and Committee Members:

This letter is in opposition of H.B. 2058 which, *inter alia*, increases the penalty for the offense of dangerous dog to a class C felony with a mandatory minimum term of imprisonment of no less than one year, permits an officer to make an unsupported probable cause determination categorizing a dog as dangerous and imposes extraordinary expenses upon the owner, including excessive liability insurance and/or bond to cover “potential future actions.”

The concerns raised in H.B. 2058 § 1, which articulates the purpose for the bill, are appositely addressed and penalized in each judicial circuit in the state under pre-existing county ordinances. See Hawaii Revised Ordinances, § 12-7; Maui Code of Ordinances § 6.04; Hawaii County Code, § 4-31; and Kauai County Code, Art. 17, § 22-17.3. S.B. 2692 is duplicative legislation that unreasonably increases the penalties that creates a fatal constitutional violation under the Hawaii Constitution, Article I, § 5. The Hawaii Supreme Court addressed this exact situation holding that, “[w]here the same act committed under the same circumstances is punishable either as a felony or as a misdemeanor, under either of two statutory provisions, and the elements of proof essential to either conviction are exactly the same, a conviction under the felony statute would constitute a violation of defendant’s right to due process and the equal protection of the law.” *State v. Modica*, 58 Haw. 249, 567 P.2d 420, 421 (1977). The fatal constitutional dilemma is but one of many reasons H.B. 2058 should be rejected.

H.B. 2058 presents additional problematic constitutional issues. Section 142-B, pages 4-5, lines 20-21 and lines 1-2, permits an officer to “find and declare a dog to be a dangerous dog if the officer has probable cause to believe that the dog falls within the definition of ‘dangerous dog.’” The officer is not the equivalent of

a court of law, and the officer should not be permitted to make a legally binding determination of law. An officer who is involved in the investigation can be improperly influenced based on personal bias, interactions with the witnesses or complainants or even the officer's employment as an "animal control officer" with the Hawaiian Humane Society or like organizations. These inherent subjective and external biases and influences constitutionally taint the officer's legal designation which is why a court or grand jury are called upon to make probable cause determinations. The officer's determination of probable cause would be susceptible to legal challenges based on these influences.

The legal dilemmas in H.B. 2058 persist despite the bill's requirement of a written statement from "a person who is willing to testify that the dog and its owner have acted in a manner that causes it to fall within the definition of 'dangerous dog[.]'" Section 142-B, page 5, lines 4-6. The requirement of a written statement does not ensure that there was an unbiased investigation or sufficient evidence to support a finding of probable cause. Rather, the bill permits an unfounded accusation to be made against an owner and a dog, without any evidence, and thereby triggering significant legal and financial consequences under the bill. Here, any person who is willing to write a statement triggers the probable cause determination. It is not unheard of that a spiteful neighbor lies to get an owner in trouble and causing the disposal of the dog which creates an unjust nightmare emotionally and financially for the owner of an innocent dog.

Another significant problem of the bill is that Section 142-B, page 5, lines 7-8, subsections (2) and (3) do nothing to ensure due process and equal protection for the accused owner. Section 142-B (a) (2) provides that the officer's determination is based upon the officer's observation of the dog's actions. For the vast majority of cases, an officer is not present at the time of the incident. Further, any post-incident conduct observed by the officer would not be relevant to the underlying incident.

Similarly, under Section 142-B (a)(3), the determination may be based on "[o]ther substantial evidence admissible in court." An officer responding to a report of a dog attack, whether law enforcement or an animal control officer, is not in a position to determine what, if any, evidence is admissible in court. The officer, unlike a judicial court, does not know what evidence is admissible in a court of law under the Hawaii Rules of Evidence, state law or case law. Additionally, the bill does not define what would constitute "substantial evidence," more less admissible evidence. Under H.B. 2058, section 142-B (a), permitting an officer to make the determination of dangerous dog creates fatal constitutional issues under article I, §5 of the Hawaii Constitution.

It is unjust and problematic for the probable cause determination to be based solely on a written statement by a single person who is willing to write that the owner and dog meet the definition of a dangerous dog. A dog attack is a highly emotional incident that is stressful and frenzied. A dog attack significantly impacts an individual's perception and memory. The victim of a dog attack, either as the owner of pet which has been attacked or having personally suffered an injury from a dog, is subjected to the stress and emotion of the moment and may not be thinking straight. Circumstances and details leading up to the attack, the attack, identification of the dog and the victim or the victim's pet's role(s) in the attack can be influenced and compromised based on emotions, stress and bias. It is unfair and unjust to permit the weight of the penalties to rise and fall based on a one-sided written statement.

Another major legal issue with H.B. 2058 is that once the determination of a dangerous dog is made, restrictions and requirements are automatically activated and fall upon the owner and the dog. The owner is financially responsible for boarding, care and impoundment expenses. Additionally, the bill problematically

requires that the owner obtain liability insurance or post a bond in a “higher amount” to address “potential future actions” of the dog. The onerous financial requirement for possible future unknown conduct is inappropriate and violative of the owner’s due process rights. The owner will suffer irreversible financial obligations that will not be refunded even if the owner is not convicted of the criminal offense. There is no recourse for the owner to challenge the officer’s probable cause determination of dangerous dog or to present any evidence. The lack of any ability to appeal, present evidence or any way challenge a vindictive and/or baseless dangerous dog determination raises constitutional issues under the due process and equal protection clauses of Article I, section 5 of the Hawaii Constitution.

The considerable increase in penalties is disproportionate for the conduct and the state of mind. H.B. 2058 seeks to increase the penalty from a misdemeanor to a class C felony with a mandatory prison term and a mandatory minimum term of one year of imprisonment, based on the resulting injuries, similar to the categorization of assault-type charges. The escalation of the penalties for dangerous dog is unjustified because unlike charges which base the penalty on the severity of injury, those offenses are based on intentional and knowing conduct. Here, the offense is based on a negligent statement of mind that does not reflect the same level of intentional conduct.

In addition, mandatory prison sentencing is not appropriate. The sentence is significantly disproportionate to the severity of the offense and the requisite state of mind. The mandatory prison sentence removes discretion from the judge as well as the Hawaii Paroling Authority and inappropriately shifts the authority to the police and prosecution. The mandatory prison sentence and minimum term of imprisonment will lead to many cases being set for trial, increasing the work and caseload for defense attorneys and prosecutors and congest the court. There is no support that mandatory prison sentences and mandatory minimum terms of imprisonment will effectively curb the criminal conduct. Furthermore, there are less expensive and more effective alternatives to prison, including probation. The negligent failure to control a dangerous dog and the drastic increase of penalty with a mandatory prison term and a mandatory minimum term of one year of imprisonment cannot be supported.

Thank you for taking these comments into consideration.

Sincerely,
/s/ Taryn Tomasa
Deputy Public Defender

Jennifer Kagiwada
Council Member District 2 South Hilo



Office: (808) 961-8272
jennifer.kagiwada@hawaiicounty.gov

HAWAI'I COUNTY COUNCIL - DISTRICT 2

25 Aupuni Street • Hilo, Hawai'i 96720

DATE: February 25, 2024
TO: House Committee on Finance
FROM: Jennifer Kagiwada, Council Member
Council District 2
SUBJECT: HB 2058 HD1

Aloha Chair Yamashita, Vice Chair Kitagawa, and members of the Committee,

I am writing to you in strong support of HB 2058. This is a long overdue and very important bill to help protect the safety of our community. Our County passed Ordinance No. 36 in 2022 to establish fines, penalties, and other regulations for those who own dangerous dogs.

Dog attacks have continued to occur since the enactment of our County legislation, which has demonstrated the need for stronger laws and enforcement. We have been made aware through attempted prosecution of County laws that there are inconsistencies between the State and County laws and we therefore need this legislation to help with clarification and enforcement.

Our County Council office introduced Resolution 430, which just passed its final reading in Council this past week. Reso 430 is in support of the State passing legislation on this issue and I am attaching a copy to this testimony.

Thank you for the opportunity to testify in favor of HB 2058.

Mahalo,

A handwritten signature in black ink, appearing to read "Jenn Kagiwada".

Jenn Kagiwada

RESOLUTION NO. 430 24

(DRAFT 2)

A RESOLUTION URGING THE HAWAI'I STATE LEGISLATURE TO AMEND CHAPTER 142, HAWAI'I REVISED STATUTES, TO PROVIDE FOR GREATER PUBLIC SAFETY AGAINST THE RISK OF DAMAGE, INJURY, AND DEATH POSED BY DANGEROUS DOGS BY INCREASING ENFORCEMENT AND PENALTIES AGAINST OWNERS OF SUCH DOGS.

WHEREAS, the American Veterinary Medical Association considers dog attacks to be a serious health risk to our society that is almost entirely preventable through public education and properly enforced measures by owners to keep dogs humanely restrained and secured; and

WHEREAS, Hawai'i County residents and their animals have recently been subjected to a number of vicious attacks by dogs, causing severe injuries and ultimately resulting in the deaths of persons and animals that were attacked; and

WHEREAS, on April 6th, 2022, in response to these recurring attacks, the Council of the County of Hawai'i ("the Council") unanimously passed Bill No. 125, Draft 2, which was signed into law as Ordinance No. 22-36 by Mayor Mitchell Roth on April 21st, 2022; and

WHEREAS, Ordinance No. 22-36 provided additional provisions to regulate persons who own, harbor, or keep any dog that has bitten, injured, maimed, or killed a person or injured, maimed, or destroyed an animal belonging to another person; and

WHEREAS, dog attacks have continued to occur since the enactment of this legislation, demonstrating the need for stronger laws, penalties, and enforcement relating to dangerous dogs; and

WHEREAS, inconsistencies in State and County laws regarding dangerous dogs have made it unclear which laws are enforceable to hold dog owners accountable; and

WHEREAS, the problem of dangerous dogs is not unique to Hawai'i County, and the Hawai'i State Association of Counties recognized this issue as the number one legislative priority for its 2024 legislative package; and

WHEREAS, the Hawai'i State Legislature is currently considering multiple bills, such as S.B. 2692 and H.B. 2058, that would establish requirements and penalties for dog owners that allow their dogs to injure or kill other animals or people; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I that this body hereby urges the Hawai'i State Legislature to amend Chapter 142, Hawai'i Revised Statutes, to set and increase fines, penalties, and other regulations as prescribed in Ordinance No. 22-36, including providing that owners convicted under the law be found guilty of a class C

felony for a dog attack that results in substantial bodily injury to a person, or a class B felony if the attack results in death.

BE IT FURTHER RESOLVED that the Council supports the intent of S.B. 2692 and H.B. 2058 and urges the legislature to consider these bills and other similar measures as potential vehicles to bring about much-needed changes to State law in an effort to prevent any more injury, damage, or death caused by dangerous dogs.

BE IT FINALLY RESOLVED that the County Clerk shall transmit a copy of this resolution to the Honorable Joshua Green, M.D., Governor of the State of Hawai'i; the Honorable Ronald D. Kouchi, President of the Hawai'i Senate; the Honorable Scott K. Saiki, Speaker of the Hawai'i House of Representatives; the Honorable members of the Hawai'i Island delegation to the Hawai'i State Legislature; the Honorable Mitchell D. Roth, Mayor of the County of Hawai'i; the Honorable Kelden Waltjen, Prosecuting Attorney of the County of Hawai'i; Benjamin Moszkowicz, Chief of Police of the County of Hawai'i; the Honorable Thomas Waters, Chair of the Council of the City and County of Honolulu; the Honorable Alice L. Lee, Chair of the Council of the County of Maui; the Honorable Melvin Rapozo, Chair of the Council of the County of Kaua'i; the Honorable Steven S. Alm, Prosecuting Attorney of the City and County of Honolulu; the Honorable Rebecca V. Like, Prosecuting Attorney of the County of Kaua'i; and Andrew H. Martin, Prosecuting Attorney of the County of Maui.

Dated at _____, Hawai'i, this _____ day of _____, 20____.

INTRODUCED BY:



 COUNCIL MEMBER, COUNTY OF HAWAI'I.

COUNTY COUNCIL
 County of Hawai'i
 Hilo, Hawai'i

I hereby certify that the foregoing RESOLUTION was by the vote indicated to the right hereof adopted by the COUNCIL of the County of Hawai'i on _____.

ATTEST:

COUNTY CLERK CHAIRPERSON & PRESIDING OFFICER

ROLL CALL VOTE

	AYES	NOES	ABS	EX
EVANS				
GALIMBA				
INABA				
KAGIWADA				
KĀNEALI'I-KLEINFELDER				
KIERKIEWICZ				
KIMBALL				
LEE LOY				
VILLEGAS				

Reference: _____ G-712.21/GOEAC-108

RESOLUTION NO. **430 24**

(DRAFT 2)

COUNTY COUNCIL

Mel Rapozo, Chair
KipuKai Kualii, Vice Chair
Addison Bulosan
Bernard P. Carvalho, Jr.
Felicia Cowden
Bill DeCosta
Ross Kagawa



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Lyndon M. Yoshioka, Deputy County Clerk

Telephone: (808) 241-4188
Facsimile: (808) 241-6349
Email: cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

February 26, 2024

**TESTIMONY OF FELICIA COWDEN
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON
HB 2058, HD 1, RELATING TO DANGEROUS DOGS
House Committee on Finance
Tuesday, February 27, 2024
12:00 p.m.
Conference Room 308
Via Videoconference**

Dear Chair Yamashita and Members of the Committee:

Thank you for this opportunity to provide testimony in SUPPORT of HB 2058, HD 1, Relating to Dangerous Dogs. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council.

I wholeheartedly support the intent of HB 2058, HD 1, which establishes requirements and penalties for owners of dangerous dogs and allows for impounding of dangerous dogs under certain conditions. Given that there is a significant number of attacks without much consequence, there is a need for accountability. Therefore, I would like to request that the Committee consider an amendment to strengthen the consequences in that penalty shall be a Class C felony rather than a misdemeanor (page 10, line 10 of HB 2058, HD 1).

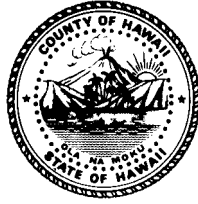
Thank you again for this opportunity to provide testimony in support of HB 2058, HD 1. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to cokcouncil@kauai.gov.

Sincerely,

FELICIA COWDEN
Councilmember, Kaua'i County Council

AAO:ss

Susan L.K. Lee Loy
Council Member
District 3



Office: (808) 961-8396
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HAWAI'I COUNTY COUNCIL

25 Aupuni Street, Hilo, Hawai'i 96720

February 23, 2024

The Honorable Representative Kyle Yamashita, Chair
The Honorable Representative Lisa Kitagawa, Vice Chair
Members of the House Committee on Finance

Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: Support for HB 2058, relating to Dangerous Dogs

Aloha Chair Yamashita and Vice Chair Kitagawa, and Members of the Committee on Finance,

Mahalo for the opportunity to express support for House Bill No. 2058. This bill is of utmost importance in addressing the longstanding challenges and growing concerns surrounding dangerous dog attacks and seeks to establish statewide requirements and penalties for dangerous dog owners.

Although our County has done great policy work to establish felony level offenses for dog attacks, existing state law preempts the enactment of felony offenses via county ordinance. As a result, these penalties are not enforceable and this situation continues to frustrate our County law enforcement, victims, and their families.

HB 2058 reflects the community's recognition of the urgency to address the dangerous conditions and is a positive step towards imposing appropriate penalties and protecting the public.

Sincerely,

Susan "Sue" L.K. Lee Loy
Council Member, County of Hawai'i

HB-2058-HD-1

Submitted on: 2/25/2024 12:40:31 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sylvia Dolena	Aloha Animal Advocates	Support	Written Testimony Only

Comments:

Aloha,

PLEASE Support HB2058.

The island of Hawaii is in a crisis situation with packs of vicious dogs killing small animals, livestock, and attacking human adults and children.

The Prosecutor's Office and the Hawaii Police Department cannot enforce the stricter penalties due to the inadequate State HRS.

IN MOST CASES THE NEGLIGENT OWNERS OF THE ATTACKING DOGS ARE KNOWN TO THE COMMUNITY BUT THE ENFORCEMENT AGENCIES CANNOT DOE ANYTHING ABOUT IT.

Mahalo for your consideration,

Sylvia Dolena

Co-founder Aloha Animal Advocates.



Hawaiian Humane Society
People for animals. Animals for people.

2700 Waiālae Avenue Honolulu, Hawaii 96826
808.356.2200 • HawaiianHumane.org

Date: Feb. 25, 2024

To: Chair Rep. Kyle Yamashita
Vice Chair Lisa Kitagawa
and Members of the Committee on Finance

Submitted By: Stephanie Kendrick, Director of Community Engagement
Hawaiian Humane Society, 808-356-2217

RE: Testimony in support of HB 2058, HD1: Relating to Dangerous Dogs
Tuesday, Feb. 27, 2024, 12:00 p.m., Room 308 and Via Videoconference

Aloha Chair Yamashita, Vice Chair Kitagawa and Committee Members,

On behalf of the Hawaiian Humane Society, thank you for considering our strong support for House Bill 2058, HD1, which establishes requirements and penalties for owners of dangerous dogs, allows for impounding of dangerous dogs under certain conditions, and takes effect 1/1/3000.

The current response to dangerous dog issues in Hawai'i is dictated by county ordinance. While local control makes sense for a lot of issues, it has its limitations when it comes to these offences. This bill takes the issue to the state level in order to address those limitations.

HB 2058, HD1, would improve law enforcement's response to the threat dogs may pose in the community, as well as to bite incidents, in the following ways:

- It allows pre-court dangerous dog designations in cases – such as frequent strays that menace the community without causing a bite injury – that are designed to preserve a pet owner's property rights while keeping the community safe. These same rules could be imposed in the case of minor bites when a victim does not want to press charges, preventing a more serious incident and/or helping to establish proof of negligence if the owner is noncompliant. These are the most common dangerous dog issues seen by law enforcement and the current tools are inadequate to compel better behavior, leading to frustration in the community.

- The bill also creates a process for reversing a dangerous dog designation under certain conditions. This has precedent in other jurisdictions and is a step toward more progressive animal law enforcement.
- For cases serious enough to warrant prosecution, particularly those that cause the serious injury or death of a human being, this measure allows for a felony penalty, which is not possible under county ordinance. Our communities are angry that these cases, especially the truly egregious ones, are not taken more seriously.

This measure is intended to have the double benefit of reducing the number of cases that will need to go to court at all, while imposing more appropriate penalties for those that do.

While public safety is the primary goal of this measure, its provisions also take a strong stand for animal welfare.

- It has clear guidelines for what constitutes provocation.
- It does not discriminate based on arbitrary factors such as breed.
- It standardizes the rules across the state, allowing for more consistent training and enforcement at the county level.
- It requires pre-paid boarding or surrender of impounded dogs. Pre-paid boarding is common in other jurisdictions, and it reduces the number of animals who suffer the devastating mental and physical deterioration that occurs in dogs who spend a year or more in a shelter environment while cases resolve.

We urge you to pass HB 2058, HD1, with a good effective date so that law enforcement can better respond to community concerns, prevent dog bites from taking place, and increase penalties in the case of the worst attacks.

Mahalo for your consideration.



Date: Feb. 25, 2024

To: Chair Rep. Kyle Yamashita
Vice Chair Lisa Kitagawa
and Members of the Committee on Finance

Submitted By: Stephanie Kendrick, Director of Community Engagement
Hawaiian Humane Society, 808-356-2217

RE: Testimony in support of HB 2058, HD1: Relating to Dangerous Dogs
Tuesday, Feb. 27, 2024, 12:00 p.m., Room 308 and Via Videoconference

Aloha Chair Yamashita, Vice Chair Kitagawa and Committee Members,

On behalf of the Hawai'i Animal Welfare Association, thank you for considering our support for House Bill 2058, HD1, which establishes requirements and penalties for owners of dangerous dogs, allows for impounding of dangerous dogs under certain conditions, and takes effect 1/1/3000.

HAWA represents the largest animal welfare nonprofits in each county and the animal law enforcement contractors on Kauai, O'ahu and Maui. Our members are in strong support of this measure.

Fatal attacks on Hawai'i Island have fueled anger in the community and created a sense of powerlessness among law enforcement agencies. Hawai'i County attempted to address the lack of an appropriate penalty for serious dog bites in 2022 but learned it could not codify a felony penalty in county ordinance.

Better tools are needed statewide to encourage dog owners to keep their animals contained and their neighborhoods safe, to prevent attacks, and to impose adequate punishment when they occur. This bill would help to provide those tools.

We urge the committee to pass HB 2058, HD1, with the original effective date of January 1, 2025, to keep people and animals safe from harm. Mahalo for your consideration.

HB-2058-HD-1

Submitted on: 2/26/2024 6:14:53 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

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

Comments:

Animal Rights Hawai'i strongly supports HB2058 HD1. Mahalo

HB-2058-HD-1

Submitted on: 2/24/2024 9:09:21 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
john matson	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing in support of Bill HB2058. Currently, there is no consequences for dog owners when their dogs seriously injure or kill another person. This bill would be a great first step in holding dog owners accountable, and changing our dog culture on the islands. I also believe that it should be a felony with up to 10 years in prison, and a at least a \$10-\$15,000 fine for anyone whose dog Kills another person. Thank you for trying to solve this problem and your leadership.

John Matson

puna resident

HB-2058-HD-1

Submitted on: 2/24/2024 10:14:23 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Abby Simmons	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and esteemed Members of the Committee,

My name is Abby Simmons from Hawai'i Island and I am testifying in strong support of this measure (HB2058), with request for amendment.

There are no guilty animals. The responsibility of the proper care and securing of dangerous dogs falls solely on the animals' owner.

Sadly, as we have seen, the negligence of some owners has resulted in serious injuries and death to humans and other animals alike. This is a serious problem that should result in serious penalties for negligence.

Therefore, I would humbly ask the committee to support this bill and amend the bill to increase the potential criminal penalties, to compare to similar crimes, such as vehicular manslaughter.

A person whose dog causes serious bodily injury or death should be exposed to a potential penalty of 10 years imprisonment, which is the potential punishment for vehicular manslaughter.

Mahalo nui loa for your consideration.

Abby Simmons

HB-2058-HD-1

Submitted on: 2/24/2024 12:24:45 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jessie L Gonsalves	Individual	Support	Written Testimony Only

Comments:

There has been too many deaths due to loose aggressive dogs. This needs to change! The owner NEEDS to be MADE RESPONSIBLE for these deaths not the dogs. I fully support this bill!

HB-2058-HD-1

Submitted on: 2/24/2024 4:30:41 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shannon Rudolph	Individual	Support	Written Testimony Only

Comments:

STRONGLY SUPPORT!!!

HB-2058-HD-1

Submitted on: 2/24/2024 5:07:39 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephanie Northrop	Individual	Support	Written Testimony Only

Comments:

Please support my daughters and myself by passing this bill. Their father was killed by dogs while walking down a street. It has been over 6 months now and even writing that sentence seems unreal. We are still waiting for justice. Yes the dogs were killed. Dogs are not the problem. I hold the owners responsible and our state for allowing this to be acceptable behavior. I hope none of you ever have to experience this. Make Hawaii a safer place. Lets not become the state where it is ok for animals to kill and there be no consequences. .

HB-2058-HD-1

Submitted on: 2/24/2024 5:18:47 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anna Schamber	Individual	Support	Written Testimony Only

Comments:

I, Anna Schamber of Kailua Kona am in support of HB2058. I need to see that dog owners are actually held accountable when a dog kills a human. I can't believe my father was mauled to death by a pack of dogs and the owners have had zero consequences. The dog owners have been able to go on with their lives while me and my family have been grieving for months. There will be more attacks if we don't start making the dog owners take responsibility of their pets. My father was walking to a friends house through his neighborhood when he was ripped apart. That's a horrific and painful way to die, it should t have happened. Since my fathers death there have been two more horrible attacks in our state. One that left an 8year old boy with a broken leg, broken upper eye bone and stitches to his scalp. The other attack was on a 10 year old boy playing outside in Ewa beach who's arm was severely damaged and face had claw lacerations. These dog attacks happen to our most vulnerable, our keiki and our kupuna. Please let's make it safe to walk outside and play in our yards. Let's make this law make sense.

HB-2058-HD-1

Submitted on: 2/24/2024 5:56:04 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patti Cook	Individual	Support	Written Testimony Only

Comments:

I strongly support HB2058 relating to dangerous dogs. Recent horrifying events here on Hawai'i Island confirm the urgent need to pass this bill. Thank you.

Patti Cook (D8 - Waimea, Island of Hawai'i)

HB-2058-HD-1

Submitted on: 2/24/2024 7:00:55 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Leimomi Khan	Individual	Support	Written Testimony Only

Comments:

Approximately two years ago, my best friend's brother did his daily walk with his dog in his neighborhood in Palolo. They were attacked by a dangerous dog, resulting in the death of the little dog and injury to its owner. It was a traumatic experience to say the least. This bill would help such dog owners to seek rightful justice and public safety, while at the same time take a strong stand for animal welfare. Thus, urge your support of this measure.

HB-2058-HD-1

Submitted on: 2/24/2024 11:13:10 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Amy Fine	Individual	Support	Written Testimony Only

Comments:

Please pass this bill. Everyone deserves to be safe from dog attacks, and people who own vicious dogs need to be held accountable.

HB-2058-HD-1

Submitted on: 2/25/2024 8:24:35 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sue Felt	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am a senior with a neurologic disease. I have had a service dog for over nine years. A member of my neighborhood recently got a pit bull type of dog that occasionally gets loose. It has attacked or menacingly threatened dogs and people walking in the area. I am terrified that this close-by neighbor's dog will attack me and my service dog when we need to go out for a walk. The police have been called, animal regulation has been notified, and the dog remains. The owner cannot manage the dog. I would not be able to defend myself or my dog if threatened or attacked.

PLEASE pass some legislation to protect innocent people from loose dogs. The current situation is not tolerable and complaints to law enforcement and humane society or animal regulation have not resulted in the owner properly managing the dog. Four neighbors (including me) have had to buy pepper spray, which can be a hazard to use, but we live in fear of attack.

Cordially,

Sue Felt

HB-2058-HD-1

Submitted on: 2/25/2024 8:59:22 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Thomas Bottrell	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill.

HB-2058-HD-1

Submitted on: 2/25/2024 9:29:54 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tane Datta	Individual	Support	Written Testimony Only

Comments:

Aloha,

Neighbor's dogs have attacked our families dog, cats, sheep and 11 yr old daughter on our own property. Attempts to reason with the neighbors, even with support of local police have been met with contempt and no action to restrain the pit bulls. The police do not have sufficient legal support to do more about the situation but would like too. Offhand comments are to poison the dogs, which is both horrible and would lead to people to people violence. I don't want the dogs dead just restrained. Without legislation, that seems to be the only option to protect both animals and children.

HB-2058-HD-1

Submitted on: 2/25/2024 9:39:21 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Heidi Betcher	Individual	Support	Written Testimony Only

Comments:

I am a daughter of a mother who was attacked by dangerous dog when I was eight-years-old. As a direct result of this incident, I have spent decades of my life feeling afraid of dogs. This has impacted many of my relationships with people who own dogs. The trauma of my experience spanned all level of dog ownership, regardless of whether a dog was ill behaved. The imprint left by the violent attack that I witnessed at age eight, left my mom calling out in pain as a dog bit her thigh. She protected me and my sisters at the time, by putting us behind her as she received the blow of the attack. This experience has been long lasting for me & my two sisters. I therefore strongly support this bill in its efforts to create more safety concerning the impact that a violent dog leaves on society.

HB-2058-HD-1

Submitted on: 2/25/2024 10:36:28 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Josephine Bonaparte	Individual	Support	Written Testimony Only

Comments:

Aloha

I wanted to submit testimony in support of HB2058.

I feel that people that have reble dogs that have attacked and killed people, there should be some stiff penalties for their inability to secure their dogs, and for that horrible outcome, a Class B Felony should be appropriate along with euthanizing the guilty dogs holding the owner responsible is the right thing to do and for dog owners, whose dogs kill other dogs A Class C Felony is an appropriate punishment, along with euthanizing the dangerous dogs that did the killing.

Dog ownership is a large responsibility and if you're not being responsible and your dogs do the unthinkable, the owners of the dogs really need to be held accountable.

Thank you for taking the time to hear my testimony

Josephine Bonaparte,

Kilauea Kauai

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HB-2058-HD-1

Submitted on: 2/25/2024 11:49:22 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Doug Brown	Individual	Support	Written Testimony Only

Comments:

This law needs to make sure that dogs who kill people, or other dogs, or cats that are people's pets, are euthanized and that dog owners are held accountable with Class B felonies if people are killed and Class C felony if a dog or cat is killed. Dangerous dogs tend to attack more than once and they should be euthanized if they do attack and kill people, dogs, or cats. They should be euthanized and owners fined and penalized or jailed if a human is killed.

HB-2058-HD-1

Submitted on: 2/25/2024 12:11:29 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul Wallrabenstein	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support HB2058. Please pass this bill & help hold dog owners accountable. I believe if a dog kills someone they would be charged with a felony & face 10-yrs in prison. Mahalo!

Paul

Honolulu resident

HB-2058-HD-1

Submitted on: 2/25/2024 2:20:13 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Aria Marina Drummer	Individual	Support	Written Testimony Only

Comments:

I am submitting this testimony as an animal lover, daughter of a veterinarian and concerned community member. I have no special expertise but I cannot understand how vicious animals are not euthanized and owners not penalized in any way in Hawaii. There are too many dogs trained to hunt and kill on the island with not enough parameters to control what they can do to other animals and humans. I think a bill that will insist on consequences is long overdue and I support it 100%. I've spoken to my neighbors and co-workers and they are all in agreement, even the pig hunters. There is no room for vicious dogs in our communities and it's about time to do something to curtail the further possibility of more animal/human carnage.

Sincerely,

Marina Drummer

HB-2058-HD-1

Submitted on: 2/25/2024 2:24:38 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jack H Nunberg	Individual	Support	Written Testimony Only

Comments:

Re: HB2058 and SB2692

There are too many incidents in which humans are attacked by dogs. One incident is too many. In some area, folks fear going outside where wild packs roam. Often, the dogs are not spayed or neutered, and come from households with multiple “outside” dogs that interact little with people. These dogs are often unfenced and free to roam as a wild pack. Pack mentality is...pack mentality. Too many puppies are unwanted and sold along roadsides with little regard for the welfare of the animal. If the State put half as much effort on requiring and enforcing spay/neuter for all owners not designated as dog breeders as they wisely do on animal import rules, we’d have fewer dogs and fewer incidents. If the State would enforce limits on the number of dogs at any one home, we’d have fewer dogs and fewer incidents. If the State took measures to ensure the welfare of its animals in the puppy mills and multiple dog households, we’d have fewer mistreated animals and fewer wild dogs roaming in packs. If the State would hold owners responsible for violations of animal laws, we’d have fewer incidents. Dogs are man’s best friend, and these irresponsible owners are spoiling it for the rest of us who love their pets, who train and socialize their animals, and who spay/neuter their dogs. Like children, dogs should be wanted and socialized to be good citizens.

This is not rocket science – many States and communities have and enforce one form or another of these laws. Between enforcing licensure, encouraging spay/neuter through higher licensing fees, enforcing animal welfare laws, and holding owners responsible for violations, we can prevent dog attacks, remove the blight of roaming wild packs, and ensure that all animals (people and dogs) are treated with respect.

The measures before the Legislature go part of the way there in holding owners responsible for their dangerous dogs – dogs made dangerous by neglect on the part of the owner. More should be considered to ensure that all animals on the islands – people and dogs – are treated with respect. The State needs to get with the program.

HB-2058-HD-1

Submitted on: 2/25/2024 2:47:00 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lovia Publico	Individual	Support	Written Testimony Only

Comments:

I support this bill.

HB-2058-HD-1

Submitted on: 2/25/2024 3:50:27 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shelley Mack	Individual	Support	Written Testimony Only

Comments:

Dear Committee Members: There are no laws on the books with the state to hold dog owners accountable for their animals attacking humans, livestock, or other pets. This bill needs to say that if a dangerous dog (of any breed) attacks and kills or mauls a human, it will be listed as a Class B felony. If a dangerous dog is loose in public and kills another dog, that should be listed as a Class C felony. Right now the bill reads that if a dog kills a human, it is a Class C (the lowest level) and if a dog kills another dog, it would be just a misdemeanor. The problem is that a misdemeanor does not elicit enough response from the police or the humane society. Class C Felonies are the least serious felony crimes. This felonie should actually be bumped up to a Class B Felonie. Please give serious consideration to this very serious problem and respond with approving HB2058. Mahalo, Shelley Mack

HB-2058-HD-1

Submitted on: 2/25/2024 3:53:18 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michaëlle Edwards	Individual	Support	In Person

Comments:

The bill for dangerous dogs should make the killing of a human by a dangerous dog at least a Class B felony. If a dangerous dog kills another dog or livestock, this should be written as a Class C felony. Also anytime a dangerous dog causes wounds that need medical treatment for another dog or a human, the owner should be held liable with a Class C felony and the dog should be put down. I was attacked on Kauai in public on Dec 6 by a large pitbull dangerous dog. I had to go to the hospital for a wound on my hand and my small 11 pound twelve year old dog was brutally killed. The owner abandoned me at the scene and I had to hire a private investigator to locate them. I implored the police and humane society on Kauai to press charges. My dog was brutally killed and the law should be amended to make that a Class C felony if a dog or livestock is killed.

HB-2058-HD-1

Submitted on: 2/25/2024 3:59:44 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

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

Comments:

This bill recognizes the terrible damage that can be done when one or more dogs attack without provocation. Dangerous dog violations are currently enforced by the counties and the penalties are an insufficient response to the worst attacks.

Current ordinances also fail to provide law enforcement with adequate tools to keep dogs safe and prevent harm to the community, and they result in dogs being impounded for long periods.

This bill addresses those shortcomings in a variety of ways:

- It creates a statewide dangerous dog law, enabling a felony penalty for bites that maim or kill a person.
- It standardizes rules statewide.
- It improves law enforcement tools with the goal of preventing bites.

Please move this bill forward.

HB-2058-HD-1

Submitted on: 2/25/2024 5:10:53 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Linda Grazier	Individual	Support	Written Testimony Only

Comments:

I support the bill but think the penalty for a dog killing another dog should be euthanasia for the dog and a class C felony for the owner. If the dog kills a person the penalty should be euthanasia for the dog and a class B felony for the owner. On the mainland, I was bitten by a dog 25 years ago, and even now I become upset when a dog runs at me. The same dog bit another 2 people including my husband before it was euthanized. I know that dogs can be very loving to their owners yet very vicious to others when not controlled by or in the presence of their owners.

HB-2058-HD-1

Submitted on: 2/25/2024 6:05:28 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Briana Rodrique	Individual	Support	Written Testimony Only

Comments:

Aloha mai kākou,

We've all been hearing the stories of our neighbors, friends, or family members getting attacked and killed or seriously injured by loose dogs for far too long without doing anything to actually try and stop it. How many of us fear for our lives or those we are in charge of keeping safe while going for a walk - anywhere? If we become victims, who will be our champion? Who will make sure the same people responsible for neglecting their dangerous dogs won't be allowed to do the same exact thing again? Right now, the answer is no one. Today, please help us all feel safer and take the step to start holding the people neglecting these dogs accountable.

Mahalo piha,

Briana Rodrique, resident of Pana'ewa

February 25, 2024

Catherine Spina
HC3 BOX 4652,
Kea'au, HI 96749

Hawai'i State Capitol
Room 10
415 South Beretania St
Honolulu, HI 96813

Subject: Testimony in Support of HB20582 - Management of Aggressive Dogs

Dear Honorable Members of the House Committee,

I am writing to respectfully advocate for the passage of House Bill 2058, a legislative initiative aimed at addressing the pressing issue of managing aggressive dogs in Hawaii.

As a concerned resident and advocate for public safety, I assert that this bill is paramount in safeguarding our communities and ensuring the welfare of both human and animal populations. The proliferation of instances where irresponsible pet owners permit their aggressive dogs to roam unchecked has engendered a pervasive atmosphere of apprehension and vulnerability across Hawaii. Everyday activities such as walking, jogging, or cycling now necessitate preemptive measures such as carrying pepper spray, not only to guard against human threats but mainly to protect oneself from aggressive dog encounters.

Hawaii confronts a significant challenge posed by unrestrained dogs exhibiting aggressive behavior, posing a grave hazard to public safety. These dogs emanate from diverse backgrounds – some are feral, others are under the ownership of individuals who have failed to exercise adequate control or training, and regrettably, some have been entirely abandoned. The ramifications of these circumstances have been profound, with numerous incidents of injuries and even fatalities among our kupuna and keiki attributable to the negligence of dog owners. I personally know someone who was walking their cherished medium-sized dog (50lb) in Hawaiian Paradise Park a few years ago whose neighbor's aggressive dog escaped and promptly attacked my friend's dog, resulting in his dog's immediate death, right before his eyes. Despite being restrained thereafter, the aggressive dog continued to menace the community.

It is imperative that pet owners be held liable for the actions of their animals, particularly when their dereliction of responsibility leads to harm to others. House Bill 2058 endeavors to establish punitive measures aimed at ensuring that irresponsible pet owners are held accountable for their pets' behavior. By enacting this legislation, we can cultivate a safer environment for all residents and alleviate the perils associated with aggressive dogs.

Moreover, the absence of legislation to address this issue not only imperils public safety but also perpetuates a culture of negligence. The failure to enforce responsible behavior on the part of both pet owners and governmental bodies establishes a hazardous precedent and contributes to a cycle of substandard practices and behaviors. With our population steadily increasing, conflicts involving feral and aggressive dogs will inevitably escalate if proactive measures are not implemented.

In conclusion, I implore you to lend your support to House Bill 2058 as a pivotal measure in managing aggressive dogs and upholding the safety of our communities. By holding pet owners accountable for their animals' actions and instituting punitive measures for negligent conduct, we can foster a safer and more conscientious environment for all Hawaii residents.

Thank you for considering my testimony in support of this vital legislation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Catherine Spina', with a stylized, cursive script.

Catherine Spina,

HB-2058-HD-1

Submitted on: 2/25/2024 7:51:16 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Janice Keihanaikukauakahihuliheekahaunaele- Keanaai	Individual	Support	Written Testimony Only

Comments:

I am writing I am in support of HB2058. Me and several other victims changed our Hawaii County Law to stricter penalties for the owners of Dangerous Dogs after a mauling of our dog and injuring our other dog. We created Bill 125 so others would be able to get justice and help clean up our streets after 3 deaths from dog maulings of innocent people. THis Bill was put to the test with our neighbor's death and his daughter Shannon Matson could not receive justice from her father being mauled to death because the State does not have the same level of strict laws. THis harms us all. THe people who choose to have dangerous dogs get to continue to be carefree about their dangerous dogs without strict penalties when they kill pets and humans and farm animals. HB2058 helps make our law enforceble which send a message to people with dangerous dogs to be more responsible so our streets are less dangerous. TThank you

HB-2058-HD-1

Submitted on: 2/25/2024 9:12:45 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Culbertson	Individual	Support	Written Testimony Only

Comments:

Aloha Representatives!

We NEED this legislation.

Please pass HB 2058 HD1!

R A Culbertson

Honokaa

Aloha Chair, Vice Chair, and Committee Members,

I am testifying in strong support of HB2058 HD1. My father was killed in August of 2023 by 4 loose dogs that I believe attacked another individual months prior. As I have continued to advocate for stricter laws, better enforcement of our current laws, and any sort of accountability for the dog owners I discovered that there is no State legislation regarding dog owners if a dog injures or kills another animal or human. This bill would fix that oversight.

I wanted to be sure to mention that I agree with the small changes made in HB2058 after its hearing in the House Committee on Judiciary and Hawaiian Affairs and would support all of those being incorporated into the final bill.

Lastly, while I agree overall with this bill, I think that the potential criminal penalties are too low when compared to similar crimes, such as vehicular manslaughter. I believe that the bill should state that a person whose dog causes serious bodily injury or death should be exposed to a potential penalty of up to 10 years imprisonment, which is the potential punishment for vehicular manslaughter. This would also bring this bill into alignment with the comprehensive and widely supported Hawai'i County Ordinance that was passed on this topic in 2022. While of course a more severe punishment would only be used in the most severe of cases, it seems wrong to not allow for a potential Class B felony if an attack results in death, especially if those dogs have been declared dangerous in the past. Please make this amendment to pass a bill that will truly allow future victims and their families to seek the justice they deserve and make our communities safer for all.

Below I am attaching the original letter I emailed to many legislators at the start of this legislative session. I would like to include it again for your review or if I missed sending it to you at the onset of this session.

Mahalo,
Shannon Matson
Hawai'i Island Resident

Date:

January 10, 2024

Subject:

Urgent Appeal for Dangerous Dog Legislation

From:

Shannon Matson
Hawai'i Island Resident
shann.matson@gmail.com
(808)937-3037



Aloha members of the 2024 Hawai'i State Legislature,

My father, Robert Northrop, a longtime Hawai'i resident, lost his life in a tragic dog attack while walking in Hawaiian Ocean View Estates on August 1, 2023. He was mauled and bled to death before emergency personnel were able to transport him to the hospital. It has been over five months, and the owners of the dogs responsible have faced no consequences or accountability.

The existing County law, passed in 2022 in response to other kūpuna who have been attacked or killed in similar situations, lacks enforceability due to inconsistencies between State and County regulations. Unfortunately, as comprehensive as the Hawai'i County dangerous dog ordinance is, our family has found no relief from the County Prosecuting Attorney's office. They informed us that until the State Legislature passes a law, allowing for dog related deaths to be prosecuted as felonies, our county law is unenforceable.

This issue extends beyond just the Big Island, affecting those throughout Hawai'i. Almost all dog attacks are preventable. Keiki and kūpuna suffer severe injuries and deaths at a much higher rate than the general population, we need our leaders to protect our most vulnerable community members. The immediate implementation of comprehensive legislation will send a powerful message to negligent owners and help prevent further tragedies.

Urgent action is needed at the State level to allow for the prosecution of dog-related deaths as felonies. While a new law will not bring back our father, we want his death to not be completely in vain. Stricter legislation will keep our community safer, our dogs safer, and other animals safer as well. My father was an animal lover, and despite his tragic end, our family will receive some peace in knowing that something has been done to help avoid the needless injury or death of even one more innocent animal or human. As an animal lover and pet mama myself, I believe it is important to add that ultimately this legislation is less about dangerous dogs and more about irresponsible and negligent humans.

In memory of my father and others lost to preventable dog attacks, I implore you to please pass dangerous dog legislation this session. Your swift action will make our neighborhoods safer and honor the legacy of those who have suffered.

HB-2058-HD-1

Submitted on: 2/25/2024 9:45:27 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew Marshall	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support HB2058 for the protection of people in our communities against dangerous dogs, and neglectful dog owners.

Thank you,

Andrew Marshall

HB-2058-HD-1

Submitted on: 2/25/2024 9:56:39 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gillian Wysock	Individual	Support	Written Testimony Only

Comments:

I support HB2058, please do so as well.

Gillian Wysock (Puna/Pahoa resident)

HB-2058-HD-1

Submitted on: 2/25/2024 11:56:45 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maki Morinoue	Individual	Support	Written Testimony Only

Comments:

Aloha

I am in urgent support for HB2058.

Since I was a kid in Hawai'i, now middle-aged, we had kids, adults, and kupunas severely injured and traumatized by vicious dogs. In August 2023, a pack of four dogs killed a man named Bob Northrop. He was the father of a respected community member on Hawai'i Island.

What is most angering is that for generations our leaders let the dogs go back to the owner with no charges. This sends a message that the system does not care about the people and the community's safety. Many return home terrified to walk in their neighborhood after an incident like this, and they have to change their routes and routines to avoid the dog(s) that attacked them. Bob Northrop, wasn't even given that chance.

This bill creates responsibility and consequences we have been waiting for. Now is the time to pass this into law.

We need leaders that look out for our people, this is one way to do just that.

Mahalo
Maki Morinoue
Hōlualoa
96725

HB-2058-HD-1

Submitted on: 2/26/2024 5:42:58 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
meredith murphy	Individual	Support	Written Testimony Only

Comments:

I have been attacked 3 times by dogs on my property. 7 acres with livestock. The worst attack left me scarred on the hand and leg yet the owner of the dogs walked away with no penalties. as the court could not prove that the owners were lax in containing the dogs. They ripped a screen and escaped. Another incidence involved dogs off leash coming through my wire fence and attacking two donkeys, leaving one scarred for life. That person got off because court could not prove who woned the dog, since the handler was walking the dogs for someone else..Makes no sense to me but the court didn't wqnt to pursue the matter. Pity nothing is on the books to deter this behaviour.

HB-2058-HD-1

Submitted on: 2/26/2024 7:18:23 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kay Patrizio	Individual	Support	Written Testimony Only

Comments:

Hold dog owners accountable for their dogs!

Injururies and deaths have occurred because of loose dogs on the islands

update your laws to protect other animals and people from irresponsible dog owners who let their dogs loose and own vicious dogs

HB-2058-HD-1

Submitted on: 2/26/2024 8:23:52 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Kaaumoana	Individual	Support	Written Testimony Only

Comments:

Aloha, we have experienced several vicious dog attacks on Kauai recently. Our humane society does not respond nor offer any solutions.

We need this legislation to protect our keiki from these attacks as stiffer penalties get attention. These dogs are owned and let run free on our beaches and in our public spaces. Free to attack.

Please move this legislation forward and include the penalties proposed in SB2692.

Mahalo

HB-2058-HD-1

Submitted on: 2/26/2024 8:26:38 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tracey Schavone	Individual	Support	Written Testimony Only

Comments:

Dear Representatives,

I am asking that you please support HB2058 and also amend it as follows:

If a dog kills a human, this should be a class B felony, and if a dog kills another dog, cat or kills livestock that should be a class C felony.

Twenty years ago my friends 17 month old son was viciously killed by a dog.

Just a few months ago another friend was badly injured and her small dog was killed by a pitbull.

Dog attacks have become so frequent that this year my Homewoners Insurance Policy included a Canine Liabilty Exclusion Endorsement.

Mahalo for your time and consideration,

Tracey Schavone

██████████

Anahola, HI 96703

HB-2058-HD-1

Submitted on: 2/26/2024 8:34:26 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Denise Light	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill. I have been attacked by a vicious dog on the street where I live. Some dog breeders are raising vicious dogs on purpose. Please pass this so we can start to control this hazardous practice,

Mahalo

HB-2058-HD-1

Submitted on: 2/26/2024 8:56:02 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Renee Rabb	Individual	Support	Written Testimony Only

Comments:

I strongly support HB2058 by Rep. Ilagan. We have a serious problem on Big Island with loose dangerous dogs attacking people and other pet animals. I know that other islands face the same problems. We have had two deaths from dog attacks and at least one near death recently. Dog owners who let aggressive dogs run loose are risking the health and safety of their neighbors. This has to stop. Kapuna are afraid to walk in their own neighborhoods. Children can't play outside safely.

The requirement of liability insurance for a dangerous dogs is particularly important. I am also impressed with the thoughtful listing of provocations that protect the dog from harassment by people intent on causing trouble.

This legislation will be a big help for all people on the islands and will encourage responsible dog ownership. Please pass this bill out of committee .

Mahalo on behalf of responsible dog owners.

Renee Rabb


Keaau, HI 96749

HB-2058-HD-1

Submitted on: 2/26/2024 8:57:43 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alisen Celestyne	Individual	Support	Written Testimony Only

Comments:

I support this HB2058 to hold the owner of a dog responsible for attacks by the dog on people, if the dog killed a human being it should be Class B felony and if killed another dog Class C felony.

Dogs do not naturally attack people. It is the pet owners responsibility to train and leash the dog appropriately and attacks on other beings should have severe penalties.

HB-2058-HD-1

Submitted on: 2/26/2024 9:02:34 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
clifford labounty	Individual	Support	Written Testimony Only

Comments:

Aloha friends,

I know there are lots of calls for testimony right now, but I hope you can take a minute to submit two more and forward this on to your networks. It's been 7 months and there are no charges for the dog owners responsible for my dad's death. This bill won't help us get justice, but it will help in the healing process and knowing that if this happens again the next 'ohana will be able to find some closure and hold irresponsible dog owners accountable. Please join us in writing a sentence or two about your experiences with dangerous dog owners and how you want to see a safer community for all of our beloved fur babies and somewhere keiki and kupuna can safely walk in their neighborhoods without fear of attacks.

Below is my dad's dog "Buddy" that he rescued from a bad situation and we adopted after my dad was killed by dogs. Both the House and Senate bills to help address irresponsible/negligent dog ownership will be heard this Tuesday.

Testify in support of HB2058 and SB2692 (you can copy and paste the same testimony) at Capitol.hawaii.gov by Monday morning at 9am to be sure your testimony is counted.

Mahalo to Rep. Ilagan and his staff for introducing the original bill and to all for all the support in getting this through the State Legislative process.

Mahalo,

Shannon Matson

HB-2058-HD-1

Submitted on: 2/26/2024 9:32:59 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Deborah Ward	Individual	Support	Written Testimony Only

Comments:

ALOHA, LEGISLATORS,

Thank you for your work. My name is Deborah Ward, and I am a 60 year resident of Hawaii nei.

This bill needs your SUPPORT. We have sadly experienced several Hawaii County residents whose lives have been tragically and violently cut short by vicious dogs, whose owners fail to secure their animals. Other residents, such as a nine year old girl walking home from school, have lost an eye, a limb, and experienced severe trauma. My dear friend has just lost her father to a pack of four dogs in a local subdivision. I met a woman recently, who is now paralyzed and wheelchair bound due to an injury caused by a neighbor's dog that leapt over her fence.

I also have a personal reason for asking for your support on this matter.

I have a farm growing ulu, kalo, bananas, cacao, and citrus. In 2014 I was working on my farm, when two pitbulls owned by guests of my neighbor entered my farm unleashed and knocked me to the ground. One bit my legs, and created a gaping hole in my calf and thigh. The other went for my face, but I fended him off with my arm, and that dog broke open my arm, shook his head violently, and broke the bones in my hand and finger. Nine years later, I am still unable to use the fingers in that hand. Because there was the possibility that I would be suing, therefore putting payment in jeopardy, Queens hospital refused to take me, already prepped in the helicopter. For the same concern, Hale Anuenue refused to allow me to receive occupational therapy there. So I had less than optimal repair surgery and expensive self-pay therapy, none of which was reimbursed by the neighbors or dog owners. The dog owners experienced zero penalties!

I am glad that you added a measure of required monetary compensation to the victim or family for these injury and "manslaughter" events, and remember that victims that are not killed still have painful, lifechanging and expensive outcomes.

As to amendments, I do not believe that a fine of \$1000 would be sufficient to be a deterrent, however, and urge a larger fine.

Thank you for supporting this bill.

HB-2058-HD-1

Submitted on: 2/26/2024 1:00:32 PM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Arnold Serota	Individual	Support	Written Testimony Only

Comments:

I am a Hawai'i surgeon who has lived here for over 20 years. I have taken care of many pediatric and adult dog attack victims. The wounds are typically very severe, potentially leading to death. These attacks are typically associated with a great degree of lifelong, psychological trauma, especially for children.

The motivations for owning aggressive canines are akin to owning firearms. They are often obtained for self and property protection. It is not unusual for owners of aggressive dogs to own firearms. With ownership comes a great degree of responsibility, particularly where other members of the public are concerned. Public safety is as important in dog ownership as it is in owning a firearm.

For this reason, I believe that the penalties for irresponsible dog ownership should be elevated to a Class A felony. An inadequately restrained, aggressive dog can be as deadly as an improperly stored firearm.

Arnold Serota, MD

HB-2058-HD-1

Submitted on: 2/27/2024 6:50:07 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jessie McCree	Individual	Support	Written Testimony Only

Comments:

Aloha,

As a child I was bitten badly by a neighborhood dog that frequently was allowed to roam. It was a traumatic experience for me that left a lasting impression on my ability to feel safe while walking on the streets of my neighborhood. Fast forward to today, and so many people here allow their dogs to roam free despite the danger of their breed and especially their lack of proper training. Coupled with their inherent instincts this a recipe for disaster for anyone whom they decide to attack. The sheer horror that must have been experienced by the man who died following an attack in Oceanview last year is unfathomable. We must do better and hold people accountable for their actions. We know that "soft on crime" policies don't work, and this bill doesn't even go far enough to prevent incidents from happening, but it is a step in a better direction. Please support harsh punishments for owners who's dogs attack others. Thank you