



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

S.B. NO. 1022, S.D. 1, RELATING TO ANIMAL ENDANGERMENT.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY

DATE: Friday, February 21, 2025 **TIME:** 10:20 a.m.

LOCATION: State Capitol, Room 016 and Videoconference

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**
(For more information, contact Mark S. Tom,
Deputy Attorney General, at (808) 586-1500)

Chair Rhoads and Members of the Committee:

The Department of the Attorney General (Department) provides the following comments on this bill.

This bill adds a new section to chapter 708, Hawaii Revised Statutes (HRS), to provide immunity from criminal liability to public officials and individuals seeking to retrieve pet animals from unattended vehicles. The bill also adds a new section to chapter 711, HRS, to prohibit individuals from leaving pet animals in unattended vehicles under certain circumstances. The proposed offense would be a misdemeanor.

While the focus of the bill is the health, safety, and well-being of pet animals left unattended in vehicles under unsafe conditions, we note that the current offense of cruelty to animals in the second degree under section 711-1109(1)(e), HRS, could already be used in these types of circumstances to prosecute the vehicle's owner or operator. Section 711-1109(1)(e), HRS, provides:

(1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

* * *

(e) Carries or causes to be carried, in or upon any vehicle or other conveyance, any animal in a cruel or inhumane manner

Section 711-1109(1)(e), HRS, contains broader wording to address a variety of circumstances that may result in harm to an animal. It also includes the states of mind of "intentionally, knowingly, or recklessly," whereas the proposed new section in chapter

711 would be limited to “intentionally,” as stated on page 3, line 6. Additionally, section 711-1109(1)(e) is not limited to the protection of “pet animals,” but rather aims to protect “every living creature, except a human being.” See section 711-1100, HRS (defining “animal.”) The offense under section 711-1109(1)(e), HRS, is a misdemeanor (and a Class C felony if the offense involved ten or more pet animals in any one instance).

For the above reasons, we recommend the following amendments:

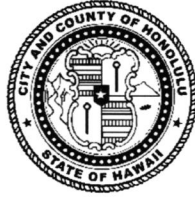
- (1) In section 3, delete the proposed section 711- (a), HRS, on page 3, lines 6-11, and the corresponding penalty provision, section 711- (h), on page 6, lines 10-11.
- (2) Move the remaining subsections of the proposed section 711- out of section 3 (page 3, line 12, through page 6, line 9, and page 6, line 12, through page 7, line 2) and incorporate them as new subsections in the proposed new section 708- , HRS (section 2, beginning at page 2, line 6).

Additionally, as a technical matter, we note that in the Penal Code in the Hawaii Revised Statutes, including chapters 708 and 711, subsections are designated with numerals (1), (2), (3), etc., while paragraphs are designated with letters (a), (b), (c), etc.

Thank you for the opportunity to provide comments.

HONOLULU POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU

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OUR REFERENCE MC-PA

February 21, 2025

The Honorable Karl Rhoads, Chair
and Members
Committee on Judiciary
State Senate
415 South Beretania Street, Room 016
Honolulu, Hawai'i 96813

Dear Chair Rhoads and Members:

SUBJECT: Senate Bill No. 1022, S.D. 1, Relating to Animal Endangerment

I am Major Randall Platt of District 4 (Kailua/Kāne'ohe/Kahuku) of the Honolulu Police Department (HPD), City and County of Honolulu.


The HPD respectfully opposes Senate Bill No. 1022, S.D. 1, Relating to Animal Endangerment, as it is written and offers the following concerns.

The introduction of an animal endangerment law will affect our ability to enforce laws and ordinances relating to property damage. A private citizen rescuing an unattended animal not under duress would not be held accountable under the current bill's language. Amending the act to permit only first responders as assessors and investigators for animal endangerment cases will help prevent the potential for malicious damage of another person's property.

The HPD urges you to oppose Senate Bill No. 1022, S.D. 1 Relating to Animal Endangerment.

Thank you for the opportunity to testify.

APPROVED:


Arthur J. Logan
Chief of Police

Sincerely,


Randall Platt, Major
District 4

SB-1022-SD-1

Submitted on: 2/18/2025 5:15:36 PM

Testimony for JDC on 2/21/2025 10:20:00 AM

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

Comments:

Strong support! Mahalo



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February 21st, 2025

RE: Memorandum of Support on SB 1022 SD1
Relating to animal endangerment

Dear Chair Rhoads, Vice Chair Gabbard, and Honorable Members of the Senate Committee on Judiciary,

The Animal Legal Defense Fund, the nation's preeminent legal advocacy organization for animals, and its hundreds of members in Hawai'i, strongly support the enactment of SB 1022. This bill aims to make leaving an animal unattended in a vehicle in dangerous conditions a misdemeanor and limits civil and criminal liability to Good Samaritans who rescue domestic animals in distress from motor vehicles after taking reasonable steps.

The Animal Legal Defense Fund strongly supports "Good Samaritan" laws across the country. Although public awareness has been on the rise about the dangers of leaving children or animals in hot cars as a result of media coverage and outreach campaigns by many groups, including the Animal Legal Defense Fund, too many people remain unaware of the potential risk. Parked cars quickly trap the sun's heat. Even on a day when it's 70 degrees outside, the temperature inside a car with all the windows closed can hit 89 degrees in just 10 minutes, according to the American Veterinary Medical Association. On a hot day, the temperature inside a closed car can shoot as high as 114 degrees in the same amount of time. Leaving the windows open a crack does nothing to eliminate the danger of heatstroke or death.

Dogs and other companion animals are particularly vulnerable to heatstroke because they cannot cool themselves like humans and have a harder time maintaining a comfortable body temperature. And Hawai'i is a state that experiences hotter temperatures than most year-round. Having laws in place to protect citizens from liability in these cases is an important step toward empowering people to act when they see an animal or child in distress. In addition, in order to avoid liability, the Good Samaritan will have had to act in accordance with the commonsense steps outlined in the bill to ensure they have tried all other measures before breaking the window.

Further, there has been no evidence that the passage of these kinds of bills would result in a rash of car window smashing across the state. This bill protects the average constituent who wants to do the right thing and probably would not stand idly by while a dog is in distress anyway despite the current absence of this law. This bill would simply protect them under the outlined limited circumstances. By passing this bill, Hawai'i would join 14 other states with "Good Samaritan" laws in helping save animals from unnecessary deaths.

For these reasons, the Animal Legal Defense Fund strongly supports the enactment of SB 1022 SD1 and respectfully requests that it be passed by your committee. Mahalo for your time and consideration.

Sincerely,

Lindsay Vierheilig
Legislative Affairs Manager
Animal Legal Defense Fund
lvierheilig@aldf.org

SB-1022-SD-1

Submitted on: 2/18/2025 5:13:29 PM

Testimony for JDC on 2/21/2025 10:20:00 AM

Submitted By	Organization	Testifier Position	Testify
Caroline Azelski	Individual	Support	Written Testimony Only

Comments:

Strong support. Thank you.

SB-1022-SD-1

Submitted on: 2/18/2025 7:13:50 PM

Testimony for JDC on 2/21/2025 10:20:00 AM

Submitted By	Organization	Testifier Position	Testify
Dr. Joel Fischer	Individual	Support	Written Testimony Only

Comments:

Aloha JDC:

I am writing to urge you to pass SB1022, SD1. This bill goes a lo g way to help our animal friends. If this bill were to fail, it could lead to the death of many of our pets. I really appreciate your vote to pass SB1022.

MAHALO, joel

SB-1022-SD-1

Submitted on: 2/18/2025 8:33:19 PM

Testimony for JDC on 2/21/2025 10:20:00 AM

Submitted By	Organization	Testifier Position	Testify
Michiyo SatoYoung	Individual	Support	Written Testimony Only

Comments:

Support

SB-1022-SD-1

Submitted on: 2/18/2025 9:58:24 PM

Testimony for JDC on 2/21/2025 10:20:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacoby Young	Individual	Support	Written Testimony Only

Comments:

Chair and Members of the Committee:

I am writing in strong support of SB1022 SD1, relating to animal endangerment. This critical legislation addresses the serious issue of pets being left in unattended vehicles, where they face severe risk of injury or death due to extreme temperatures.

The scientific evidence presented in this bill is compelling - a vehicle's internal temperature can reach 89 degrees in just 10 minutes, even on a mild day, and can soar to 114 degrees on hot days. Unlike humans, animals have limited ability to cool themselves, making them especially vulnerable to heat stroke and death when trapped in vehicles.

This bill takes a comprehensive approach by:

1. Explicitly prohibiting the dangerous practice of leaving pets in unattended vehicles under hazardous conditions
2. Empowering first responders to take immediate action to rescue endangered animals
3. Providing legal protection for good Samaritans who intervene to save an animal's life when following the specified safety protocols
4. Establishing clear guidelines for rescue procedures while protecting vehicle owners' property rights

The carefully crafted provisions for civilian intervention - requiring attempts to locate the owner, contacting authorities first, using only necessary force, and remaining with the animal until authorities arrive - create a balanced approach that prioritizes saving animals' lives while preventing misuse.

Importantly, this bill also recognizes that many pet owners may be unaware of how quickly vehicles can become deadly traps for animals. By codifying these protections into law, we send a clear message about the serious risks of this practice while providing legal frameworks for intervention.

Hawai'i has long been a leader in protecting animal welfare. This legislation continues that tradition by taking decisive action to prevent needless deaths of beloved pets through education, deterrence, and emergency intervention protocols.

I strongly urge the committee to pass SB1022 SD1. Thank you for the opportunity to testify on this important measure.

Me ke aloha pumehana,

Jacoby Young

SB-1022-SD-1

Submitted on: 2/19/2025 8:28:34 AM

Testimony for JDC on 2/21/2025 10:20:00 AM

Submitted By	Organization	Testifier Position	Testify
Ryuko Miura	Individual	Support	Written Testimony Only

Comments:

We should treat animals better. I support this.

SB-1022-SD-1

Submitted on: 2/19/2025 1:11:24 PM

Testimony for JDC on 2/21/2025 10:20:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrea Quinn	Individual	Support	Written Testimony Only

Comments:

Dear Honorable Committee Members:

Please support SB1022.

Thank you for your time and the opportunity to present my testimony.

Sincerely,

Andrea Quinn

Kihei, Maui

SB-1022-SD-1

Submitted on: 2/19/2025 10:14:36 PM

Testimony for JDC on 2/21/2025 10:20:00 AM

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

Comments:

I am in full support of this bill. All too often we hear of hurt or murdered pets which have been left unattended in vehicles. This will enable the public to help and save their lives.

SB-1022-SD-1

Submitted on: 2/20/2025 12:22:33 AM

Testimony for JDC on 2/21/2025 10:20:00 AM

Submitted By	Organization	Testifier Position	Testify
Ruth Love	Individual	Support	Written Testimony Only

Comments:

Appreciate the effort that went into this bill. I feel that cold and heat are subjective and a bit fuzzy. Do we need numbers? For example, "if the temperature outside is above 80 degrees Fahrenheit, no animal should be locked in an enclosed vehicle." Or above 85 or another number?

Also, if law enforcement, animal control or a fire fighter are not currently available, then a good Samaritan may obtain entrance into the vehicle while online with dispatch to provide aid to the animal without incurring liability.

Also would this scenario need an additional protocol for dispatchers to follow?

Thank you very much for this bill.

Mrs Ruth Love