

LINDA LINGLE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
LAURA H. THIELEN  
Chairperson**

**Before the House Committee on  
JUDICIARY**

**Tuesday, March 16, 2010  
2:15 PM  
State Capitol, Conference Room 325**

**In consideration of  
SENATE BILL 2441, SENATE DRAFT 2  
RELATING TO ENDANGERED SPECIES**

Senate Bill 2441, Senate Draft 2 would establish the knowing or intentional taking of a Hawaiian monk seal as a class C felony with a fine of up to \$50,000. The Department of Land and Natural Resources (Department) recognizes the need for better deterrence and stricter penalties for harassment or taking of Hawaiian monk seals, given recent incidents involving this endangered species. The Department supports this measure with a recommendation that the effective date be amended to "upon approval".

LAURA H. THIELEN  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI  
FIRST DEPUTY

KEN C. KAWAHARA  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS



**THE HUMANE SOCIETY  
OF THE UNITED STATES**

TO: Honorable Chair Karamatsu, Vice-Chair Ito

COMMITTEE ON JUDICIARY

DATE: Tuesday, March 16 2:15pm, Rm 325

**RE: Testimony in SUPPORT of SB 2441; Relating to Endangered Species**

Submitted by: Inga Gibson, Hawaii State Director, The Humane Society of the United States, P.O. Box 89131, Honolulu, HI 96830, [igibson@hsus.org](mailto:igibson@hsus.org), 808-922-9910

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Dear Chair Karamatsu, Vice-Chair Ito and Committee members.

On behalf of our more than 49,315 members and supporters in Hawaii, The Humane Society of the United States (HSUS) supports SB 2441 SD 2 HD 1; to increase penalties for the intentional or knowing taking of an endangered monk seal.

Given Hawaii's rich and unique resources, it is imperative that we have strong laws to protect endangered animals and to serve as adequate deterrents for abusing and exploiting these treasured species.

Two recent high profile monk seal killings have demonstrated that Hawaii lacks such protective laws. Monk seals are critically endangered, the most threatened of all seal species, and it is estimated that fewer than 1200 of these animals are left in Hawaii. In one Kauai case, a man wantonly killed a pregnant monk seal with a .22-caliber rifle. Despite this egregious crime, he ultimately received only a \$25 fine and a 90 day jail sentence. Another monk seal was found shot at Kauai's Kaunakani Beach, but the criminal responsible has yet to be found. With such low possibilities for pairing a significant fine with jail time, the state fails to deter the individuals who might kill a protected animal, not fearing harsh and appropriate consequences. This bill provides a much-needed update to the penalties for taking endangered monk seals in Hawaii and it sends a strong message that this is a serious crime that will not be tolerated.

We thank you for the opportunity to comment on this measure and urge your support of SB2441.



March 13, 2010

Rep. Jon Riki Karamatsu, Chair  
Rep. Ken Ito, Chair

RE: Support for SB2441, SD2

Aloha Judiciary Committee

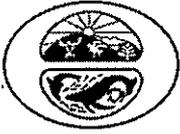
As a volunteer and supporter for the Hawaiian Monk Seal Response Team of Oahu I am writing to you on behalf of the Hawaiian Monk Seal. We are a 501c3 established response team. We are trained and respond in conjunction with NOAA, DAR, and DLNR. Our volunteers spend many hours of the day protecting and responding to haul outs and injuries to the Hawaiian Monk Seals here on the Main Hawaiian Islands.

Because of the recent shootings and killings of our most beloved mammals, it is imperative to saving the species that the SB2441 Bill is passed. Please do not let another year go by without stronger laws in force to deter the intentional harming of the world's most endangered marine mammal.

Losing just one animal adds to the decline and eventual extinction of this most important part of our history here in these beautiful Islands. The HMS is important to reef health and perhaps our future for fishing, life, and keeping the beauty of our islands safe. They offer so much to the environment and perhaps, like the Humpback Whales, can offer an added incentive to tourism and show the world how much Hawaii values and protects it's special environment and endangered species.

The seals are in such a precipitous decline that delays in their protection is crucial to saving the species. The Main Hawaiian Islands are the only hope for these special Hawaiians and we ask that you support and pass this most important bill.

Mahalo nui loa,  
Dana Jones  
Secretary/HMSRTO  
87-126 Helelua St.  
Waianae, HI 96792  
808-668-9074



## Conservation Council for Hawai'i

Testimony Submitted to the House Committee on Judiciary

SB 2441 SD 2 Relating to Endangered Species  
Hearing: Tuesday, March 16, 2010 2:15 pm am, Room 325

In support of SB 2441 SD 2

Aloha. Conservation Council for Hawai'i supports SB 2441 SD 2, which establishes the intentional or knowing taking of an endangered monk seal a class C felony. We are deeply saddened by the recent intentional killings of endangered Hawaiian monk seals on Kaua'i and Moloka'i. These actions clearly indicate that the existing penalty for taking an endangered species under state law is insufficient to deter similar actions in the future.

We support the increased penalty and any other provisions that make the state law more consistent with the federal Endangered Species Act. We believe that all of Hawai'i's threatened and endangered species deserve the highest level of protection, and we urge you to include all threatened and endangered species in this the bill.

We also urge you to provide a private right of action to enforce conservation of aquatic life, wildlife, and land plants laws. Such a private right of action will make it easier for concerned citizens and community groups to protect endangered species and help the State enforce the law. Such public-private efforts are necessary because endangered species and other natural resources belong to all the people, future generations included, and we all have a stake in making sure these resources are protected. Private action is also necessary at times because government cannot, or will not, do it all, especially in these tough economic times.

Mahalo nui loa for the opportunity to testify.

*Marjorie Ziegler*

Marjorie Ziegler



**Hawai'i's Voice for Wildlife – Ko Leo Hawai'i no na holoholona lohiu**

Telephone/Fax 808.593.0255 • email: [info@conservehi.org](mailto:info@conservehi.org) • web: [www.conservehi.org](http://www.conservehi.org)  
P.O. Box 2923 • Honolulu, HI 96802 • Office: 250 Ward Ave., Suite 212 • Honolulu, HI 96814  
President: Maura O'Connor \* Treasurer: Kim Ramos \* Secretary: Douglas Lamerson  
Directors: Madelyn D'Enbeau \* Maka'ala Ka'aumoana \* Hannah Springer  
Executive Director: Marjorie Ziegler



**Save Our Seal Campaign Organizations**

Marine Conservation Biology Institute \* The Snorkel Bob Foundation \* Firedoll Foundation \* Conservation Council for Hawaii \*  
KAHEA The Hawaiian-Environmental Alliance \* Maui Tomorrow \* Center for Biological Diversity \* Surfrider Foundation  
Sierra Club \* Hawaii Audubon Society \* Earthtrust Hawaii \* Lost Fish Coalition \* Malama O Puna \* Save Our Seas \* Life of the Land  
Greenpeace Foundation Hawaii \* Hanalei Watershed Hui \* Hui Ho'omalulu I ka Aina

**House Judiciary Committee  
Tuesday March 16, 2010 Conference Room 325**

Dear Chair Karamatsu, Vice Chair Ito, and Members of the Judiciary Committee:

Thank you very much for hearing SB2441.

My name is Keiko Bonk and I am here to ask you to approve SB2441. I am the coordinator of a consortium of conservation and cultural groups and individuals called the Save Our Seal Campaign. The Save Our Seal Campaign supports SB2441 that will up the penalty for harming or killing our Hawaiian monk seal. Passing SB2441 will send an urgently needed message to all Hawaii residents and visitors that it is a serious crime to intentionally kill our Hawaiian seal.

As you continue to work through this legislative session to determine what is essential to Hawaii, I urge you to think of Hawaii's wildlife as not only essential, but also irreplaceable treasures. Hawaii's unique location, our unique geography, unique flora and fauna drive our spirit and all Hawaii's economic engines. We must insure the best management practices of Hawaii's natural resources to secure a long-term quality life for Hawaii's people.

As elected leaders, you are stewards of our natural assets. We trust you will care for all of our wildlife and their habitat. Please become an advocate for the recovery of the Hawaiian monk seal and ask Hawaii's residents and visitors to be an integral part of saving our seal. Everyone who frequents the shorelines and ocean of Hawaii are responsible for this 13 million year old mammal, found nowhere else on earth.

Building a responsible culture is a first step towards caring for Hawaii's species. Bill 2441 will help to develop a culture that will better manage our natural resources and ecosystems. SB2441 is a good start to acknowledge the serious and complex environmental challenges we face ahead.

It is important to learn to pursue our long-term interests based on facts. For us in Hawaii, one of those unpleasant facts is that Hawaii has the dubious distinction of being "The Endangered Species Capital of the World." Hawaii's terrestrial and marine environment is still breath-takenly beautiful, but it is not healthy. In fact it is very, very sick. Pretending otherwise, and delaying dramatic and systematic intervention, will only insure that our environmental illness progresses from critical to terminal.

We know the world can probably survive without Hawaii's many unique species, but I am here to remind you that what threatens Hawaii's endemic species, threatens the very health and survival of the human species. For this reason we have chosen to focus on a campaign to assist in the recovery of the critically endangered Hawaiian Monk Seal, a species that shares many of our best characteristics and none of our worst. Perhaps if we can save the seal, it will inspire us to believe we can save ourselves.

The Hawaiian Monk Seal represents Hawaii's struggle to survive the challenges of a rapidly degrading global environment, a process of degradation that is of our own making. The Hawaiian Monk Seal is like Hawaii itself, unique and threatened. It is the only endemic marine mammal in Hawaii and one of the most critically endangered marine mammals in the world. It, like much of what makes Hawaii, Hawaii, is on the verge of extinction. Many of these threats are beyond our ability to control locally. The primary threats to the Hawaiian Monk Seal are climate change, overfishing, pollution, disease, human encroachment and marine debris. And yet, we in Hawaii are determined to show that the accelerating trend toward extinction of the Hawaiian Monk Seal can not just be slowed down, and it can be reversed.

Besides its intrinsic value, and its important role in the marine ecosystem of the Hawaiian archipelago, the Hawaiian Monk Seal has spiritual value as a reflection of Hawaii's soul. The Monk Seal's current endangered status is a reflection of who we have been, but its potential rescue is a reflection of who we can become; who we wish to become. We in Hawaii, at least most of us, are ready to go beyond blaming outsiders for our plight, and admit that we are part of the problem. We are also ready to change and sacrifice for a better future. But at the same time we are also cognizant of the fact that we cannot save our seal, anymore than we can save ourselves, without a lot of help from others. Locally, we have overfished, polluted our waters, and failed to implement policies that protect our shared environment from the more selfish side of our own human nature. We sat back and allowed hundreds of unique endemic species to go extinct on our watch. There is no excuse for what we have done, but I believe there is a genuine desire among most of us to reverse this trend and demonstrate our better nature.

To be blunt, it is time to stop talking about "sustainability" and whatever the latest buzzword is, and get down to living with the facts. We are doing a lousy job taking care of the environment that we need to survive, because we spend too much time catering to the short-term, reactive and selfish side of our own human nature. Fortunately, for the Monk Seal, us, and the rest of the planet, human nature is not one-dimensional. As a species, we have evolved the capacity to engage in complex, long-term reasoning based on facts and driven by compassion.

It is our hope that this kind of real fact-based reasoning, sustained by compassion for the Hawaiian Monk Seal, can act as a model not just for better marine policy, but also as a model for how to save ourselves from ourselves. Please uphold our endangered species protection laws and make it a high priority to protect our official state mammal, our *ilio-holo-i-kauaua*, dog running in rough waters.

Mahalo nui loa for your consideration of SB2441.

Keiko Bonk, Save Our Seal Campaign Coordinator  
808 732 6411 or 808 938 6888 keiko.bonk@mcbi.org

**Georgette Yaindl, Esq.**  
**2649 Peter St.**  
**P.O. Box. 1555**  
**Honolulu, HI 96806**  
**808.224.0219**  
**yaindl@hawaii.edu**

March 15, 2010 □ □ □

TO: Rep Jon Riki Karamatsu, Chair  
Rep. Ken Ito, Vice Chair  
Members of the Senate Committee on Judiciary

RE: **SUPPORT for SB 2441, SD2, A Bill for An Act Relating to Endangered Species** □

HEARING Tuesday, March 16, 2010  
DATE:  
TIME: 2:15 p.m.  
PLACE: Conference Room 325  
State Capitol  
415 South Beretania Street

Thank you for considering this bill for adoption by Hawaii's twenty-fifth legislature. I am writing to express my strong support for this bill.

The driving force behind SB 2441 is the tragic **intentional killings of four (4) Hawaiian monk seals by gunshot** on Kauai and Molokai **since April 2009**. SB 2441 SD 2 merely proposes that when a person acts intentionally to harm or kill a Hawaiian Monk Seal, designated the State Mammal by act of the 24<sup>th</sup> Hawaii State Legislature, that this crime should be classified under state law as a felony, not a misdemeanor, as currently provided.

As an attorney licensed to practice in the State of Hawaii, having been involved during the past six years analyzing and advocating state and federal law as concerns the Hawaiian monk seal, I have identified no jurisdictional conflicts or scienter pilikia with the proposed language at Section 2, g language that provides,

*Notwithstanding any law to the contrary, any person who intentionally or knowingly takes a Hawaiian monk seal in violation of this chapter shall be guilty of a class C felony; provided that the maximum fine shall not be more than \$50,000.*

Thank you very much for your attention, concern, and favorable action on this  
bill.

Aloha,

Georgette

## karamatsu1-Kenji

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**From:** Keith Kenyon [keithkenyon@yahoo.com]  
**Sent:** Sunday, March 14, 2010 6:49 PM  
**To:** JUDtestimony  
**Subject:** Support for SB2441, SD2

Aloha Judiciary Committee;

Please know that my wife and I fully support SB2441. We've read about the recent killings of Hawaiian Monk Seals and were simply appalled. Even more disturbing was the very light "penalty" imposed on the guilty parties.

My wife and I happen to be volunteers here on Oahu, who help identify, track and report Hawaiian Monk Seal activities. We send our information to NOAA and other volunteers who have great interest in recovering this specie's declining population. While admittedly, we are novices with the efforts to try to reverse the decline of this endangered species, and surely not legal experts, we are warmly encouraged by SB2441's aim at curbing reckless, selfish and very naïve behavior. Some say that stupidity is legal. My wife and I say killing an endangered animal for no apparent reason is not only stupid, but demonstrates that not all people share the common respect for the world around them. It's truly a shame that we even need to consider a law to protect any animal.

SB2441 is a great bill. It embodies Hawaii's core values, penalizes those who think it's okay to kill helpless animals for no reason at all and solidifies our Hawaiian government's commitment to do the right thing.

Just one question: why not make this legislation effective sooner? July 2050 is two generations away. Why not July 2010?

Much mahalos!

Respectfully,  
Keith & Song Kenyon  
Kapolei, HI

## **karamatsu1-Kenji**

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**From:** Karen Rohter [karen.rohter@gmail.com]  
**Sent:** Sunday, March 14, 2010 8:45 PM  
**To:** JUDtestimony  
**Subject:** SB2441

Senate Bill 2441 as it relates to the Hawaiian monk seal endangered species.

Please ensure that this bill is passed so that the Hawaiian monk seal receives the protection necessary to perpetuate the species. It is now critically endangered, with its numbers dropping each year. It would be a travesty to allow this animal to drop below the threshold of sustainability, which it is close to doing. Much stricter consequences need to be put in place to combat the wanton harm or killing of these endemic animals.

Mahalo,  
Karen Rohter  
Hawaiian Monk Seal Response Team Volunteer

March 13, 2010

Rep. Jon Riki Karamatsu, Chair  
Rep. Ken Ito, Chair

RE: Support for SB2441, SD2

Aloha Judiciary Committee

As a volunteer and supporter for the Hawaiian Monk Seal Response Team of Oahu I am writing to you on behalf of the Hawaiian Monk Seal. We are a 501c3 established response team. We are trained and respond in conjunction with NOAA, DAR, and DLNR. Our volunteers spend many hours of the day protecting and responding to haul outs and injuries to the Hawaiian Monk Seals here on the Main Hawaiian Islands.

Because of the recent shootings and killings of our most beloved mammals, it is imperative to saving the species that the SB2441 Bill is passed. Please do not let another year go by without stronger laws in force to deter the intentional harming of the world's most endangered marine mammal.

Losing just one animal adds to the decline and eventual extinction of this most important part of our history here in these beautiful Islands. The HMS is important to reef health and perhaps our future for fishing, life, and keeping the beauty of our islands safe. They offer so much to the environment and perhaps, like the Humpback Whales, can offer an added incentive to tourism and show the world how much Hawaii values and protects it's special environment and endangered species.

The seals are in such a precipitous decline that delays in their protection is crucial to saving the species. The Main Hawaiian Islands are the only hope for these special Hawaiians and we ask that you support and pass this most important bill.

Mahalo nui loa,  
Becky Gray

2421 Tusitala St.  
Honolulu, HI 96815

**From:** Harvey Arkin [alohaxtc@gmail.com]  
**Sent:** Monday, March 15, 2010 11:47 AM  
**To:** JUDtestimony  
**Subject:** SB 2441, relating to endangered species

COMMITTEE ON JUDICIARY

Date: Tuesday, March 16, 2010

Time: 2:15 p.m.

Place: Conference Room 325

**Testimony in SUPPORT of  
SB 2441, relating to endangered species**

Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee:

Thank you for hearing SB2441. My name is Harvey Arkin. I am in strong **support** of SB 2441 which establishes the crime of intentional or knowing taking of a Hawaiian monk seal as a class C felony.

It is critical that our legislature take action against the three recent seal shootings. The Hawaiian monk seal population is so critically endangered that every intentional killing is a sad loss to the species' recovery. Increased penalties would serve as a deterrent for future killings. It sends a strong message that we will no longer allow this senseless violence against our beloved and endangered seal.

I urge this committee to support SB2441 and show that our legislature is committed to helping in the recovery our critically endangered Hawaiian monk seal, our official state mammal.

Mahalo,

Harvey Arkin  
3349 A Anoai Pl  
Honolulu, HI 96822

COMMITTEE ON JUDICIARY

Date: Tuesday, March 16, 2010

Time: 2:15 p.m.

Place: Conference Room 325

**Testimony in SUPPORT of  
SB 2441, relating to endangered species**

Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee:

Thank you for hearing SB2441. My name is Teri Lawrence. I am in strong **support** of SB 2441 which establishes the crime of intentional or knowing taking of a Hawaiian monk seal as a class C felony.

It is critical that our legislature take action against the three recent seal shootings. The Hawaiian monk seal population is so critically endangered that every intentional killing is a sad loss to the species' recovery. Increased penalties would serve as a deterrent for future killings. It sends a strong message that we will no longer allow this senseless violence against our beloved and endangered seal.

I urge this committee to support SB2441 and show that our legislature is committed to helping in the recovery our critically endangered Hawaiian monk seal, our official state mammal.

Mahalo,

Teri Lawrence 808-870-3401  
1180 HalePaka Pl.  
Lahaina Hi. 96761

**karamatsu1-Kenji**

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**From:** Mailing List  
**Sent:** Monday, March 15, 2010 3:44 PM  
**To:** WLOtestimony  
**Cc:** tinaowens@hawaii.rr.com  
**Subject:** Testimony for SB2441 on 3/16/2010 2:15:00 PM

Testimony for WLO 3/16/2010 2:15:00 PM SB2441

Conference room: 325  
Testifier position: support  
Testifier will be present: No  
Submitted by: Bob Owens  
Organization: Individual  
Address:  
Phone:  
E-mail: [tinaowens@hawaii.rr.com](mailto:tinaowens@hawaii.rr.com)  
Submitted on: 3/15/2010

**Comments:**

I humbly ask that you pass SB 2441. This is a very important bill and make help keep our monk seals from going extinct.

Thank you,

Robert Owens

**karamatsu1-Kenji**

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**From:** Mailing List  
**Sent:** Monday, March 15, 2010 3:54 PM  
**To:** WLOtestimony  
**Cc:** [jobiem@oha.org](mailto:jobiem@oha.org)  
**Subject:** Testimony for SB2441 on 3/16/2010 2:15:00 PM  
**Attachments:** SB2441SD2 Monk Seal Felony.doc

Testimony for WLO 3/16/2010 2:15:00 PM SB2441

Conference room: 325  
Testifier position: support  
Testifier will be present: No  
Submitted by: Jobie Masagatani  
Organization: OHA  
Address: 711 Kapiolani Blvd Suite 500 Honolulu, Hawaii 96813  
Phone: 594-1835  
E-mail: [jobiem@oha.org](mailto:jobiem@oha.org)  
Submitted on: 3/15/2010

Comments:

## karamatsu1-Kenji

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**From:** Mailing List  
**Sent:** Monday, March 15, 2010 4:25 PM  
**To:** WLOtestimony  
**Cc:** douglasperrine@yahoo.com  
**Subject:** Testimony for SB2441 on 3/16/2010 2:15:00 PM

Testimony for WLO 3/16/2010 2:15:00 PM SB2441

Conference room: 325  
Testifier position: support  
Testifier will be present: No  
Submitted by: Doug Perrine  
Organization: Individual  
Address: 76-223 Haa Street Kailua Kona HI 96740  
Phone: 808-329-4523  
E-mail: [douglasperrine@yahoo.com](mailto:douglasperrine@yahoo.com)  
Submitted on: 3/15/2010

### Comments:

Please - no more "slap on the wrist" punishments for those who slaughter the last few surviving members of the "Original Hawaiians" who inhabited these islands millions of years before the first human settlers and which have been ruthlessly slaughtered for fur, fat, meat, and sport. Do we have to destroy everything in nature for our own selfish needs?

## karamatsu1-Kenji

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**From:** diane krieger [oceandiane@gmail.com]  
**Sent:** Monday, March 15, 2010 8:42 PM  
**To:** JUDtestimony  
**Subject:** Monk Seals

Aloha...

I just want to add my mana regarding the punishment due anyone who would intentionally harm and especially kill Monk Seals. This particular seal is only found in these islands. They are the oldest species of seals on the planet and they are disappearing @ 4% per year. All due to man made influences. The Northwest Island where they use to have save refuge is full of fishing nets and plastic, which is a huge problem for all marine mammals and birds. They need to survive, yet these animals are extremely rare and very much at risk.

There is absolutely no excuse for such a hideous crime. If there are less fish in the ocean, it's not due to them. It is not the local fisherman's fault either, but the huge commercial fishing operations that need to stop what they're doing. So much short term greed has caused such severe problems and everything is out of balance. Therefore for anyone to blame the seals and want to kill them is just incredibly WRONG. These poor innocent animals have enough trouble surviving without someone taking out their personal life's frustrations on them. It's like road rage and it's a very serious crime.

Anyone who would intentionally kill an innocent and vulnerable mammal like this needs to be punished to the full extent of the law and the law needs to be expanded to make this a felony, so that a clear message is sent. Please take this seriously.

If the punishment is not severe enough than it says it's no big deal and creates a mentality that says it okay for others to do things like this and in their ignorance expediate yet another extinction. Mankind does not have the right to do this. The Kapuna would agree, if they could speak on this... that it needs to be very clear how wrong it is.

Mahalo,  
diane krieger

COMMITTEE ON JUDICIARY  
Date: Tuesday, March 16, 2010  
Time: 2:15 p.m.  
Place: Conference Room 325

**Testimony in SUPPORT of  
SB 2441, relating to endangered species**

Dear Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee,

Thank you for hearing SB2441 related to the Hawaiian monk seal. My name is John D. Anderson and I strongly **support** SB 2441, which will make the crime of intentional or knowing taking of a Hawaiian monk seal a class C felony.

It is critical that our legislature take action to prevent any repeat of the three recent seal shootings. The Hawaiian monk seal population in Hawaii is on the brink of extinction, with less than 1100 estimated to remain in the waters off the Hawaiian islands. Population levels that low put the monk seal at severe risk of extinction – and once it is gone, it is gone forever. Increased penalties for the killing of monk seals would serve both as a deterrent against future killings and as a positive step in adding protections for the monk seal. It also sends a strong message that we will no longer allow senseless violence against endangered species of any kind in this country.

So I appeal to your sense of compassion and respect for all creatures that share this Earth – please support SB2441 and show that our legislature is committed to protecting our critically endangered Hawaiian monk seal.

Mahalo,

John D. Anderson  
P.O. Box 223300  
PMB 102  
Princeville, HI 96722  
512-484-8239

**karamatsu1-Kenji**

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**From:** cjb [jv.cv@hawaiiantel.net]  
**Sent:** Monday, March 15, 2010 9:06 PM  
**To:** JUDtestimony  
**Subject:** support for SB2441

COMMITTEE ON JUDICIARY

Date: Tuesday, March 16, 2010

Time: 2:15 p.m.

Place: Conference Room 325

**Testimony in SUPPORT of  
SB 2441, relating to endangered species**

Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee:

Thank you for hearing SB2441. My name is Claire Vierkoetter. I am in strong **support** of SB 2441 which establishes the crime of intentional or knowing taking of a Hawaiian monk seal as a class C felony.

It is critical that our legislature take action against the three recent seal shootings. The Hawaiian monk seal population is so critically endangered that every intentional killing is a sad loss to the species' recovery. Increased penalties would serve as a deterrent for future killings. It sends a strong message that we will no longer allow this senseless violence against our beloved and endangered seal.

I urge this committee to support SB2441 and show that our legislature is committed to helping in the recovery our critically endangered Hawaiian monk seal, our official state mammal.

Mahalo,

Claire Vierkoetter  
808-826-0008  
3781 Albert Road  
Princeville, Hi 96722

**karamatsu1-Kenji**

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**From:** Nina Monasevitch [oceanmana@hawaiiantel.net]  
**Sent:** Monday, March 15, 2010 9:34 PM  
**To:** JUDtestimony  
**Subject:** testimony support

COMMITTEE ON JUDICIARY

Date: Tuesday, March 16, 2010

Time: 2:15 p.m.

Place: Conference Room 325

**Testimony in SUPPORT of**

**SB 2441, relating to endangered species**

Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee:

Thank you for hearing SB2441. My name is Nina Monasevitch. I am in strong **support** of SB 2441 which establishes the crime of intentional or knowing taking of a Hawaiian monk seal as a class C felony.

It is critical that our legislature take action against the three recent seal shootings. The Hawaiian monk seal population is so critically endangered that every intentional killing is a sad loss to the species' recovery. Increased penalties would serve as a deterrent for future killings. It sends a strong message that we will no longer allow this senseless violence against our beloved and endangered seal.

I urge this committee to support SB2441 and show that our legislature is committed to helping in the recovery our critically endangered Hawaiian monk seal, our official state mammal.

Mahalo,

Nina Monasevitch  
[oceanmana@hawaiiantel.net](mailto:oceanmana@hawaiiantel.net)

**karamatsu1-Kenji**

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**From:** Michele Kitko-Reilly [michelekitko@hotmail.com]  
**Sent:** Monday, March 15, 2010 11:02 PM  
**To:** JUDtestimony  
**Subject:** Testimony in support of SB 2441

**COMMITTEE ON JUDICIARY**  
**Date: Tuesday, March 16, 2010**  
**Time: 2:15 p.m.**  
**Place: Conference Room 325**

**Testimony in SUPPORT of  
SB 2441, relating to endangered species**

**March 15, 2010**

**Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee:**

***Our legislature needs to take action to support our extremely endangered Hawaiian monk seal, especially in light of the brutal killings that occurred on our island last year. Obviously the current penalty for the killing of a monk seal is not an effective deterrent. I am, therefore, in support of SB2441 to establish the crime of intentionally or knowingly taking the life of a Hawaiian monk seal as a class C felony.***

***The Hawaiian monk seal is on the brink of extinction. Those of us living in the Hawaiian Islands have a responsibility to these native animals. We must do what we can to protect them and we must do it now. As a tell my nine-year-old son, we need to back up our principles with actions when such a course is necessitated.***

***I thank you for hearing and considering this bill before you today. I have confidence that you will take the action necessary to support the recovery of our official state mammal.***

***Sincerely,***

***Michele Kitko-Reilly  
M.S., Special Education  
5165 Kalika Street  
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michelekitko@hotmail.com***

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**From:** Marcia Harter [marciaharter@gmail.com]  
**Sent:** Tuesday, March 16, 2010 12:35 AM  
**To:** JUDtestimony  
**Subject:** SB2441

Time: 2:15 p.m.

Place: Conference Room 325

**Testimony in SUPPORT of  
SB 2441, relating to endangered species**

Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee:

Thank you for hearing SB2441. I am writing in strong **support** of SB 2441 which establishes the crime of intentional or knowing taking of a Hawaiian monk seal as a class C felony.

It is critical that our legislature take action that recognizes the seriousness of killing a monk seal. The recent court decision regarding the shooting and killing of a monk seal on Kaua'i illustrates how inadequate our current laws are. The Hawaiian monk seal population is so critically endangered that every death is a sad loss to the species' recovery. The three recent killings on Kaua'I are obscenely horrific. Increased penalties would serve as a deterrent for future killings. It sends a strong message that we will no longer allow this senseless violence against our beloved and endangered seal.

I urge this committee to support SB2441 and show that our legislature is committed to helping in the recovery our critically endangered Hawaiian monk seal, our official state mammal.

Mahalo,

Marcia Harter  
Anahola, Hi  
[Kolea91@aol.com](mailto:Kolea91@aol.com)  
808-635-6562

**karamatsu1-Kenji**

---

**From:** Barbara Beasley [bwbeasley@comcast.net]  
**Sent:** Tuesday, March 16, 2010 3:34 AM  
**To:** JUDtestimony  
**Subject:** Testimony in Support of SB2441, related to endangered species

COMMITTEE ON JUDICIARY

Date: Tuesday, March 16, 2010

Time: 2:15 p.m.

Place: Conference Room 325

**Testimony in SUPPORT of  
SB 2441, relating to endangered species**

Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee:

Thank you for hearing SB2441. My name is Barbara Beasley. I am in strong **support** of SB 2441 which establishes the crime of intentional or knowing taking of a Hawaiian monk seal as a class C felony.

Our unique Hawaiian ecosystems provide a model for the world to better understand ocean conservation given endangered species like the Hawaiian Monk Seal (the most endangered pinniped in the United States). These ancient creatures remind us that others have come long before us and we have a responsibility to maintain this balance.

It is critical that our legislature take action against the three recent seal shootings. The Hawaiian monk seal population is so critically endangered that every intentional killing is a sad loss to the species' recovery. Increased penalties would serve as a deterrent for future killings. It sends a strong message that we will no longer allow this senseless violence against our beloved and endangered seal.

I urge this committee to support SB2441 and show that our legislature is committed to helping in the recovery our critically endangered Hawaiian monk seal, our official state mammal.

Mahalo,

Barbara Beasley  
2376 Kamole Road  
Kealia, HI

Mailing Address:  
P.O. Box 510138  
Kealia, HI 96751

## karamatsu1-Kenji

---

**From:** LAWRENCE CARLSON [pieksma@sbcglobal.net]  
**Sent:** Tuesday, March 16, 2010 5:20 AM  
**To:** JUDtestimony  
**Subject:** testing

Good Morning To You,

We live in San Diego however vacation in Kauai for 2 months every year and I must say that I am appalled at the lack of concern from the majority of the population regarding their incredible natural wonders. Please make harming the monk seals (and the turtles) a major felony because it is probably the most wonderful tourist attraction that the islands have.

I sit on the beach & not 6ft.away a seal will haul out, look at me as though to say "don't harm me, I just want to share MY BEACH with you" and go to sleep. I am very protective and believe me, if I lived there permanently, I would be a pain the ....  
to whoever did them harm !!

I must also add that I do not understand why the majority of the Hawaiian people have so little regard for punishment to those who do them harm, do they understand what they have in future tourist revenue if they look after their "ocean" friends ?

I wait with baited breath for the penalties to be increased dramatically after today's meeting.

Thank You,  
Cherryl Carlson  
San Diego

**karamatsu1-Kenji**

---

**From:** Judy Dalton [dalton@aloha.net]  
**Sent:** Tuesday, March 16, 2010 7:40 AM  
**To:** JUDtestimony  
**Subject:** Testimony in support of SB2441

**Testimony in SUPPORT of  
SB 2441, relating to endangered species**

Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee:

Thank you for hearing SB2441. My name is Judy Dalton. I am in strong **support** of SB 2441 which establishes the crime of intentional or knowing taking of a Hawaiian monk seal as a class C felony.

It is critical that our legislature take action against the three recent seal shootings. The Hawaiian monk seal population is so critically endangered that every intentional killing is a sad loss to the species' recovery. Increased penalties would serve as a deterrent for future killings. It sends a strong message that we will no longer allow this senseless violence against our beloved and endangered seal.

I urge this committee to support SB2441 and show that our legislature is committed to helping in the recovery our critically endangered Hawaiian monk seal, our official state mammal.

Mahalo,

Judy Dalton  
4330 Kauai Beach Dr.  
Lihue, HI  
808-246-9067

COMMITTEE ON JUDICIARY

Date: Tuesday, March 16, 2010

Time: 2:15 p.m.

Place: Conference Room 325

**Testimony in SUPPORT of  
SB 2441, relating to endangered species**

Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee:

Thank you for hearing SB2441. My name is Carl J. Berg, Jr. I am in strong **support** of SB 2441 which establishes the crime of intentional or knowing taking of a Hawaiian monk seal as a class C felony. As a member of **Surfrider Foundation**, I established a reward for information leading to the arrest and conviction of the murderers of the monk seals. The general public has donated more than \$20,000 to this fund. One conviction was obtained, but for a measly 90 days in minimum security prison.

It is critical that our legislature take action against the three recent seal shootings. The Hawaiian monk seal population is so critically endangered that every intentional killing is a sad loss to the species' recovery. Increased penalties would serve as a deterrent for future killings. It sends a strong message that we will no longer allow this senseless violence against our beloved and endangered seal.

I urge this committee to support SB2441 and show that our legislature is committed to helping in the recovery our critically endangered Hawaiian monk seal, our official state mammal.

Mahalo,

Carl J. Berg, Jr., Ph.D.

[cberg@pixi.com](mailto:cberg@pixi.com)

808-639-2968

**karamatsu1-Kenji**

---

**From:** Fithian Jones [fith4th@gmail.com]  
**Sent:** Tuesday, March 16, 2010 8:03 AM  
**To:** JUDtestimony  
**Subject:** support SB 2441

I support SB 2441- which is meant to increase state penalties to a class C felony for intentionally harming or killing a Hawaiian monk seal. This is essential for the protection of our Hawaiian living treasures. Monk seals are an emblem of the Hawaiian natural treasure.

Please pass this bill. It is nothing short of a mandate to the Hawaiian leaders from the people of Hawaii.

thank you for your attention to this.

Fithian Jones  
Kapaa, Kaua'i, Hawaii

COMMITTEE ON JUDICIARY

Date: Tuesday, March 16, 2010

Time: 2:15 p.m.

Place: Conference Room 325

**Testimony in SUPPORT of  
SB 2441, relating to endangered species**

Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee:

Thank you for hearing SB2441. My name is Edmund Dana. I am in strong **support** of SB 2441 which establishes the crime of intentional or knowing taking of a Hawaiian monk seal as a class C felony.

It is critical that our legislature take action against the three recent seal shootings. The Hawaiian monk seal population is so critically endangered that every intentional killing is a sad loss to the species' recovery. Increased penalties would serve as a deterrent for future killings. It sends a strong message that we will no longer allow this senseless violence against our beloved and endangered seal.

I urge this committee to support SB2441 and show that our legislature is committed to helping in the recovery our critically endangered Hawaiian monk seal, our official state mammal.

Mahalo,

Edmund Dana  
P.O. Box 289  
Lawai, HI 96765  
[ned@neddana.com](mailto:ned@neddana.com)

**karamatsu1-Kenji**

---

**From:** Carol Pratt [carolp333@gmail.com]  
**Sent:** Tuesday, March 16, 2010 8:17 AM  
**To:** JUDtestimony  
**Subject:** RE: SB 2441 Support

**Testimony in SUPPORT of  
SB 2441, relating to endangered species**

Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee:

Thank you for hearing SB2441. My name is Carol Pratt. I am in strong **support** of SB 2441 which establishes the crime of intentional or knowing taking of a Hawaiian monk seal as a class C felony.

It is critical that our legislature take action against the three recent seal shootings, especially in Kauai. The Hawaiian monk seal population is so critically endangered that every intentional killing is a sad loss to the species' recovery. Increased penalties would serve as a deterrent for future killings. It sends a strong message that we will no longer allow this senseless violence against our beloved and endangered seal.

I urge this committee to support SB2441 and show that our legislature is committed to helping in the recovery our critically endangered Hawaiian monk seal, our official state mammal.

Mahalo,

Carol Pratt  
Puuopae Road, Wailua  
POB 1268  
Kapaa, HI 96746  
808-205-0866

## karamatsu1-Kenji

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**From:** Anna Myers [annamyers1@hawaiiantel.net]  
**Sent:** Tuesday, March 16, 2010 6:38 AM  
**To:** JUDtestimony  
**Subject:** SB2441 -- Support

Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee:

Thank you for hearing SB2441. My name is \_ Anna Myers \_. I am in strong \*support\* of SB 2441 which establishes the crime of intentional or knowing taking of a Hawaiian monk seal as a class C felony.

It is critical that our legislature take action against the three recent seal shootings. The Hawaiian monk seal population is so critically endangered that every intentional killing is a sad loss to the species' recovery. Increased penalties would serve as a deterrent for future killings. It sends a strong message that we will no longer allow this senseless violence against our beloved and endangered seal.

I urge this committee to support SB2441 and show that our legislature is committed to helping in the recovery our critically endangered Hawaiian monk seal, our official state mammal.

Mahalo, MAHALO!!! Anna

**karamatsu1-Kenji**

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**From:** Bill & Chris Queen [billchrisq@hawaii.rr.com]  
**Sent:** Tuesday, March 16, 2010 8:48 AM  
**To:** JUDtestimony  
**Subject:** SB 2441

Please pass SB 2441. On Kaua'i we've had three monk seal killings quite recently. One is still unsolved. The man who killed the pregnant female got a fine of \$25, if I remember correctly. This isn't even a slap on the wrist. Our monk seals are in serious trouble and may not survive even with all the help we're trying to give them. We need this law to deter, hopefully prevent, further loss of our precious seals by human predation.

Ours are the only monk seals remaining in the world, and the other two species became extinct due to human factors. Please, don't let this happen to our seals.

Mahalo for your time,  
Christine Queen  
1936 Pu'u Ka'a St  
Kap'a, HI 96746  
(808) 822-5707

## **karamatsu1-Kenji**

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**From:** Barb Childers [kekahabarb@msn.com]  
**Sent:** Tuesday, March 16, 2010 8:46 AM  
**To:** JUDtestimony  
**Subject:** SB 2441

Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee:

Thank you for hearing SB2441. My name is Barbara Childers. I am in strong **support** of SB 2441 which establishes the crime of intentional or knowing taking of a Hawaiian monk seal as a class C felony.

It is critical that our legislature take action against the three recent seal shootings. The Hawaiian monk seal population is so critically endangered that every intentional killing is a sad loss to the species' recovery. Increased penalties would serve as a deterrent for future killings. It sends a strong message that we will no longer allow this senseless violence against our beloved and endangered seal.

I urge this committee to support SB2441 and show that our legislature is committed to helping in the recovery our critically endangered Hawaiian monk seal, our official state mammal.

Mahalo,

Barb Childers  
P.O.Box 1252  
Kekaha, Hi 96752

[kekahabarb@msn.com](mailto:kekahabarb@msn.com)

**MAHALO!**

COMMITTEE ON JUDICIARY

Date: Tuesday, March 16, 2010

Time: 2:15 p.m.

Place: Conference Room 325

**Testimony in SUPPORT of  
SB 2441, relating to endangered species**

Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee:

Thank you for hearing SB2441. My name is Angela Correale. I strongly **support** SB 2441 which establishes the crime of intentional or knowing taking of a Hawaiian monk seal as a class C felony.

It is critical that our legislature take action, especially in light of the recent seal shootings, one of a pregnant seal and her unborn pup. The Hawaiian monk seal population is so critically endangered that every intentional killing is a significant loss to the species' recovery. Increased penalties would serve as a deterrent for future killings because it would send a strong message that we will no longer allow this senseless violence against our beloved and endangered seal.

I urge this committee to support SB2441 and show that our legislature is committed to helping in the recovery our critically endangered Hawaiian monk seal, our official state mammal.

Mahalo,

Angela Correale  
(808) 652-8650  
POB 3651  
Lihue, HI 96766

**karamatsu1-Kenji**

---

**From:** Cathy [tradewindsla@hawaiiantel.net]  
**Sent:** Tuesday, March 16, 2010 9:07 AM  
**To:** JUDtestimony  
**Subject:** SB 2441

Please add my name to the list of voters supporting SB 2441, the bill which will increase state penalties to a class C felony for intentionally harming or killing a Hawaiian monk seal. Unfortunately, there are ignorant people around who do not value these ancient natives of Hawaii. They may think twice about killing a monk seal if it becomes a felony crime.

Cathy Granholm  
Princeville, Hawaii

**karamatsu1-Kenji**

---

**From:** Michaella Mintcheff [misha@hawaii.rr.com]  
**Sent:** Tuesday, March 16, 2010 9:19 AM  
**To:** JUDtestimony  
**Subject:** SUPPORT of SB 2441

To:  
Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee:

Thank you for hearing SB2441. My name is Michaella MIntcheff . I **support** strongly SB 2441 which establishes as crime the intentional or knowing taking of a Hawaiian monk seal as a class C felony.

Please take action against the three recent seal shootings. The Hawaiian monk seal population is critically endangered--every intentional killing is a loss to the species' recovery. Increased penalties would serve as a deterrent for future killings. It sends a strong message that we will no longer allow this senseless violence against our beloved and endangered seal.

I urge this committee to support SB2441 and show that our legislature is committed to helping in the recovery our critically endangered Hawaiian monk seal, our official state mammal.

Mahalo,  
Michaella MIntcheff  
4584 Laukona st, Lihue Hi 96766

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**karamatsu1-Kenji**

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**From:** Michial Freigang [michialfreigang@hotmail.com]  
**Sent:** Tuesday, March 16, 2010 9:41 AM  
**To:** JUDtestimony  
**Subject:** SB 2441 Protection Hawaiian Monk Seal

**Testimony in SUPPORT of  
SB 2441, relating to endangered species .**

Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee:

Thank you for hearing SB2441. My name is Michial Freigang. I am in strong **support** of SB 2441 which establishes the crime of intentional or knowing taking of a Hawaiian monk seal as a class C felony.

It is critical that our legislature take action against the three recent seal shootings. The Hawaiian monk seal population is so critically endangered that every intentional killing is a sad loss to the species' recovery. Increased penalties would serve as a deterrent for future killings. It sends a strong message that we will no longer allow this senseless violence against our beloved and endangered seal.

I urge this committee to support SB2441 and show that our legislature is committed to helping in the recovery our critically endangered Hawaiian monk seal, our official state mammal.

Mahalo,

\_\_Michial Freigang\_\_\_\_\_  
contact information  
808 742 6863

---

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## karamatsu1-Kenji

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**From:** annalia [annalia@hawaii.rr.com]  
**Sent:** Tuesday, March 16, 2010 10:02 AM  
**To:** JUDtestimony  
**Subject:** SB 2441-Endangered Species

Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee:  
Thank you for hearing SB2441.

My name is Annalia. I am in strong **support** of SB 2441 which establishes the crime of intentional or knowing taking of a Hawaiian monk seal as a class C felony.

It is critical that our legislature take action against the three recent seal shootings. The Hawaiian monk seal population is so critically endangered that every intentional killing is a sad loss to the species' recovery. Increased penalties would serve as a deterrent for future killings. It sends a strong message that we will no longer allow this senseless violence against our beloved and endangered seal.

I urge this committee to support SB2441 and show that our legislature is committed to helping in the recovery our critically endangered Hawaiian monk seal, our official state mammal.

Mahalo,  
A. Russell

--  
In true **Aloha** - original meaning - "I intend, not merely wish, your very best for YOU!"  
*"Aloha is to learn what is not said, to see what cannot be seen & to know the unknowable."* -Queen  
Lili'uokalani

"CreatorGod presence within and throughout all - every one, everything."

**Annalia, Ph.D., D.D. CCT**  
<http://www.ACenter4WellBeing.com>  
<http://www.HumanDesign4U.com>

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**"None are more hopelessly enslaved than  
those who falsely believe they are free."** -Goethe

**The 1st step to wisdom is silence, the 2nd is listening.**

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## karamatsu1-Kenji

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, March 16, 2010 10:07 AM  
**To:** JUDtestimony  
**Cc:** gordana@hawaiian.net  
**Subject:** Testimony for SB2441 on 3/16/2010 2:15:00 PM

Testimony for JUD 3/16/2010 2:15:00 PM SB2441

Conference room: 325  
Testifier position: support  
Testifier will be present: No  
Submitted by: Gordana Leonard  
Organization: Individual  
Address: Kailua Kona  
Phone: 808-329-9009  
E-mail: [gordana@hawaiian.net](mailto:gordana@hawaiian.net)  
Submitted on: 3/16/2010

**Comments:**

Aloha!

According to available data, the Hawaiian Monk Seal is now SO ENDANGERED that the loss of even one member of the genetic pool COULD DOOM THE SPECIES TO EXTINCTION! It is ESSENTIAL AND HIGH TIME that we AT LEAST passed this proposed legislation. I am, in fact, for MUCH STRICTER both incarceration and monetary penalties than those before this body, but you could re-visit this in the near future once this minimum is enacted into law.

With thanks, sincerely,

Gordana Leonard

## karamatsu1-Kenji

---

**From:** Dorothy Perry [dorothy.perry@hawaiiantel.net]  
**Sent:** Tuesday, March 16, 2010 10:13 AM  
**To:** JUDtestimony  
**Subject:** support of SB 2441

Chair Karamatsu, Vice Chair Ito and Members of the Judiciary Committee:

Thank you for hearing SB2441. My name is dottie Perry. I am in strong **support** of SB 2441 which establishes the crime of intentional or knowing taking of a Hawaiian monk seal as a class C felony.

It is critical that our legislature take action against the three recent seal shootings. The Hawaiian monk seal population is so critically endangered that every intentional killing is a sad loss to the species' recovery. Increased penalties would serve as a deterrent for future killings. It sends a strong message that we will no longer allow this senseless violence against our beloved and endangered seal.

I urge this committee to support SB2441 and show that our legislature is committed to helping in the recovery our critically endangered Hawaiian monk seal, our official state mammal.

Mahalo,  
Dottie Perry