
A BILL FOR AN ACT

RELATING TO THE USE OF A DOG IN JUDICIAL PROCEEDINGS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new section to be appropriately designated and to read
3 as follows:

4 "§ - Use of a facility dog. (a) For purposes of this
5 section:

6 "Facility dog" means a dog that is a graduate of an
7 assistance dog organization that is accredited by Assistance
8 Dogs International or a similar internationally recognized
9 organization whose main purpose is to grant accreditation to
10 assistance dog organizations based on standards of excellence in
11 all areas of assistance dog acquisition, training, and
12 placement. A "facility dog" shall be specially trained to
13 provide emotional support to witnesses testifying in judicial
14 proceedings without causing a distraction during the
15 proceedings.

16 "Vulnerable witness" means a witness whose ability to
17 testify in a judicial proceeding will be hampered or ineffective
18 without the assistance of a facility dog, for reasons including



1 but not limited to intellectual or emotional disability,
2 intimidation, or age.

3 (b) A court may permit the use of a facility dog in a
4 judicial proceeding involving the testimony of a vulnerable
5 witness if the court determines that there is a compelling
6 necessity for the use of a facility dog to facilitate the
7 testimony of the vulnerable witness.

8 (c) Before the use of a facility dog in a judicial
9 proceeding, the moving party shall file a motion certifying to
10 the court:

- 11 (1) The credentials of the facility dog;
- 12 (2) That the facility dog is adequately insured; and
- 13 (3) That a relationship has been established between the
14 witness and the facility dog.

15 (d) To the extent necessary, the court may impose
16 restrictions, or instructions to the jury, regarding the
17 presence of the facility dog during the proceedings."

18 SECTION 2. New statutory material is underscored.

19 SECTION 3. This Act shall take effect upon its approval.



Report Title:

Use of a Dog in Judicial Proceedings

Description:

Authorizes any state court to permit the use of a trained and credentialed facility dog in a judicial proceeding to facilitate the testimony of a vulnerable witness. (HB1668 CD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

