

[§711-1144] [HCC 4-4-32]

**Negligent failure to control a dangerous dog;** penalties. (a)

The owner of a dangerous dog commits the offense of negligent failure to control a dangerous dog if:

(1) A bite injury occurs due to the failure of the owner of a dangerous dog to comply with the requirements of this part;

or

(2) The owner of a dangerous dog negligently fails to take reasonable measures to prevent the dangerous dog from causing a bite injury, without provocation, to a person or another animal and the attack results in:

(A) The serious injury to any animal or maiming or death of another animal;

(B) Bodily injury to a person other than the owner; or

(C) Substantial bodily injury to, serious bodily injury to, or the death of, a person other than the owner.

## Owner Surrender

An owner may surrender their dog to the County of Hawai'i Animal Control & Protection Agency.

A surrender means the owner is officially giving up ownership of the animal to the County of Hawai'i. This is a permanent decision where an owner transfers all rights and responsibility for the animal to the County. Once surrendered, the animal becomes the property of the County, and the owner no longer have any legal claim or control over it.

### Contacts

ACPA Business Hours 7:45am-4:30pm

ACPA Dispatch Line 808-327-3558

HPD Non-Emergency Dispatch Line

808-935-3311



COUNTY OF HAWAII  
ANIMAL CONTROL &  
PROTECTION AGENCY



## Dangerous Dogs

### Hawai'i Revised Statutes

HRS Sections 711-1140 through 711-1148

### Hawai'i County Code

HCC Sections 4-4-31 through 4-4-37

**"DANGEROUS DOG" MEANS ANY DOG THAT, WITHOUT PROVOCATION, CAUSES A BITE INJURY TO A PERSON OR ANOTHER ANIMAL. A DOG'S BREED SHALL NOT BE CONSIDERED IN DETERMINING WHETHER IT IS DANGEROUS.**

"Provocation" means behavior that precipitates a bite injury caused by a dog under the following circumstances by a dog under the following circumstances:

- (1) The dog was protecting or defending its owner or a member of its owner's household from an attack or assault;
- (2) The person bitten was committing a crime or offense while on the property of the owner of the dog;
- (3) The person bitten was teasing, tormenting, abusing, or assaulting the dog or at any time in the past had teased, tormented, abused, or assaulted the dog;
- (4) The dog was attacked or menaced by another animal, or the animal was on the property of the owner of the dog;
- (5) The dog was responding to pain or injury inflicted by the person bitten or another animal;
- (6) The dog was protecting itself, its kennel, or its offspring from the person bitten or an animal; or
- (7) The person bitten or an animal was disturbing the dog's natural functions, such as sleeping or eating, while the dog was on its owner's property

## DOG BITE REPORTING IN THE COUNTY OF HAWAII

IF YOU OR YOUR ANIMAL HAS BEEN INJURED BY A DOG, IT IS IMPORTANT TO FOLLOW THE CORRECT REPORTING STEPS.

### STEP 1 : CONTACT HAWAII POLICE DEPARTMENT

IF YOU WANT TO PURSUE CHARGES RELATED TO A DOG BITE, YOU MUST FIRST FILE A REPORT WITH YOUR LOCAL POLICE DEPARTMENT. ANIMAL CONTROL & PROTECTION AGENCY CANNOT FILE CRIMINAL CHARGES ON YOUR BEHALF.

- CALL 911 FOR EMERGENCIES OR SERIOUS INJURIES.
- FOR NON-EMERGENCIES, CALL THE POLICE NON-EMERGENCY NUMBER AT 808-935-3311 AND REQUEST TO MAKE A DOG BITE REPORT.
- BE PREPARED TO PROVIDE THE DATE, TIME, LOCATION, DESCRIPTION OF THE DOG, OWNER INFORMATION (IF KNOWN), AND DETAILS ABOUT THE INJURY.



### STEP 2 : CONTACT ANIMAL CONTROL & PROTECTION AGENCY AT 808-327-3558

AFTER A POLICE REPORT HAS BEEN FILED, ANIMAL CONTROL & PROTECTION AGENCY CAN ASSIST WITH IMPOUNDMENT OR FOLLOW-UP AS APPROPRIATE.

THIS MAY INCLUDE VERIFYING MICROCHIP/LICENSING COMPLIANCE, ENSURING PROPER CONFINEMENT, AND ADDRESSING ANY COUNTY ORDINANCE VIOLATIONS.

HAVE YOUR POLICE REPORT NUMBER AVAILABLE WHEN YOU CALL.

PROMPT REPORTING IS STILL CRITICAL TO PROTECT PUBLIC SAFETY AND ENSURE THE SITUATION IS PROPERLY ADDRESSED.