



# HAWAIIAN HUMANE SOCIETY

2700 Waiālae Avenue  
Honolulu, Hawaii 96826  
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*The Hawaiian Humane  
Society is dedicated to  
promoting the human-  
animal bond and  
the humane treatment of  
all animals.*

July 10, 2008

Pamela Davis  
President  
Animal Advocate, Inc.  
2464-A Pali Highway  
Honolulu, HI 96817

Dear Ms. Davis:

You have requested records relating to an ongoing investigation by the Hawaiian Humane Society ("HHS") pursuant to the Uniform Information Practices Act ("UIPA"). We believe the basis of your request to be without foundation. Even if it were appropriate, however, the information you requested goes beyond that which an agency subject to the UIPA is required to disclose. Specifically, you have requested information relating to ongoing monitoring of a situation which could potentially lead to criminal prosecution. That information is protected both by HHS's internal policy as well as §92F-13 (1) of the Hawai'i Revised Statutes.

In listing the exceptions to the general rules of disclosure under the UIPA for governmental agencies, HRS §92F-13 reads "this part shall not require disclosure of: (1) Government records which, if disclosed, would constitute a clearly unwarranted invasion of personal privacy." HRS §92F-14 (b)(2) gives an example of what constitutes a "significant privacy interest" as "information identifiable as part of an investigation into a possible violation of criminal law, except to the extent that disclosure is necessary to prosecute the violation or to continue the investigation." In this instance, the information you requested is directly related to an ongoing investigation by the HHS, and since there is no exception to the "significant privacy interest" of the individual being monitored for possible violation of a criminal statute, disclosure would constitute a violation of that person's personal privacy.

In addition, §92F-11(b) does not require copies of documents be provided as you have requested.

We acknowledge and appreciate your concern regarding the situation about which you have requested information. Our mission regarding the welfare of animals extends to those cats as well, which is why the investigation is ongoing.

Sincerely,

Pamela Burns  
President and CEO