



June 6, 2018

Chairman Butler, Vice Chair Lanese, Ranking Member Boggs and honorable members of the House Civil Justice Committee, thank you for the opportunity to provide additional testimony on House Bill 147. Due to changes made to the legislation in the -11 version of this bill, I am here to offer interested party testimony for Substitute House Bill 147.

My name is Rachel Finney, I am the CEO for Columbus Humane, formerly the Capital Area Humane Society, a private nonprofit organization with responsibility for enforcing animal cruelty and neglect laws here in Franklin County since 1883. I have 15 years of experience in animal welfare and cruelty investigations, in both small and large organizations, in rural and metropolitan communities in Ohio. I also serve on the Board of Trustees of the Ohio Federated Humane Societies and I am representing the Ohio Federated Humane Societies in my testimony today.

Humane societies organized under ORC 1717 are granted the authority to appoint humane agents who, once they successfully complete state-mandated training and have their appointment approved by their county's probate court and/or mayor within a municipality; are authorized to enforce Ohio's animal protection laws—specifically ORC 959. Without county humane societies, this law enforcement activity and the housing of live, animal evidence would fall to other local law enforcement agencies, most of which do not have expertise nor resources to perform these services. For perspective, Columbus Humane alone makes more than 6,000 visits investigating animal cruelty in Franklin County each year. Most of Ohio's humane societies receive no funding from county or other government sources in support of this critical law enforcement role.

I appear before you again today to ask for your continued careful consideration of changes proposed in HB 147. Some of the changes are reasonable updates or improvements in process. Other changes could have a significant negative impact on the investigation and prosecution of animal cruelty and neglect cases in Ohio by creating unnecessary burden for the humane societies involved in humane law enforcement.

Among areas of concern, the bill would:

- Create additional layers to the process of appointing agents, which already includes checks and balances. Many county humane societies employ only one humane agent at a time. Further extending and complicating the process of appointment may leave whole communities unprotected.
- Require non-prosecution agreements (NPA) entered into by humane society-appointed prosecutors to be approved by a judge. While we are open to judicial review of all NPAs through a process that is consistent for all cases and all defendants, we believe this requirement should be followed by all prosecutors avoiding prosecution through NPAs.
- Establish a nominal increase in the monthly amount paid to humane agents by villages, cities, and counties. While we believe humane societies are deserving of greater financial support for the critical and cost-saving services we provide, the proposed increases do not come close to covering the salary of

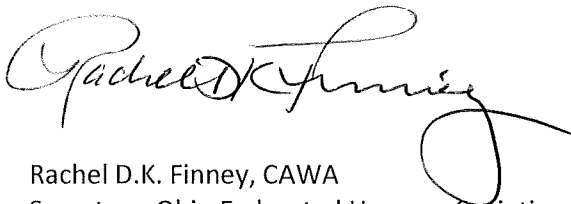
an agent. However, they could be enough to cause villages, cities and counties with already tight budgets to push back on appointing humane agents.

- Require the humane agent's training certificate be signed by the CEO of the organization giving the training or the officer's designee. This language was tweaked slightly from the as-introduced version, but we believe it should be further clarified to say that the instructor should sign the certificate to avoid unnecessary confusion and potential compliance issues.
- Require humane societies to submit annual enforcement activity reports to the county sheriff. This will add further administrative burden and cost to humane societies, many of whom have few staff and are literally fundraising to provide law enforcement services to their communities.

Humane societies take our role as law enforcement agents charged with protecting animals very seriously. We provide a crucial, valuable, and frequently unrecognized service to the cities and counties we serve—often without public funding. We ask you, the members of the House Civil Justice Committee, to give our outstanding concerns to HB 147 due consideration.

Thank you for your time and attention.

Sincerely,



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