



**THE HUMANE SOCIETY
OF THE UNITED STATES**

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House Agriculture and Rural Development Committee
Interested Party Testimony, House Bill 24
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Chairman Koehler, Vice Chairman Smith, Ranking Member Brent, members of the Ohio House Agriculture and Rural Development Committee, my name is Corey Roscoe and I am the Ohio State Director for the Humane Society of the United States (HSUS) the nation's most effective animal protection organization.

On behalf of the HSUS and our Ohio members and supporters, thank you for allowing me to testify as an Interested Party on HB24 to change humane society law.

Humane societies established under 1717.05 provide a unique and valuable voluntary service to our state— they have the ability but are not mandated to enforce animal cruelty neglect laws under section 959 of the Ohio Revised Code – a statute that was established in 1953.

Without the existence of these organizations, the costs for humane law enforcement and related care and services would have to be assumed by counties most of which do not have the expertise or resources to appropriately perform.

That underscores our immediate concern - the possibility of the proposed regulations creating undue burdens and unintentionally make it harder for humane societies with current humane law enforcement departments to perform their volunteer law enforcement duties and perhaps even discourage humane societies to not offer that service.

There are some counties in Ohio where for many different reasons, the local humane society established under 1717.05 is not able to offer humane law enforcement. In those areas, the county sheriff's office would enforce the state statues. However, with counties spanning hundreds of square miles animal cases may need to take a back seat to human crimes, and rightfully so.

I receive calls from citizens all around Ohio offering tips on animal abuse cases asking me to intervene and investigate due to the lack of humane agents in certain parts of our state because they don't know who to call for help. The HSUS has worked hard to provide free training to county sheriffs and municipal police officers on animal cruelty and fighting laws to support their engagement on these issues. In 2018, we provided training to 168 law officers around the state. But even with that, in many counties the sheriff's office prefers not to have to take those call. They want the humane societies to do it because they know that the primary enforcement agency taking a



case must also maintain the ‘evidence’ they collected, which in these cases are live animals - and that can be resource intensive.

For example, in 2015 the HSUS was contacted by the Adams county officials for a situation involving the private ownership of 160 animals on a rural property that were living in unsafe and unsanitary conditions. The local humane society did not employ humane agents. Due to the limited experience and resources of that county’s animal care and control department they were not able to impound the dogs.

We entered into a MOU to care for the dogs while the case was going through the courts – at our cost. We rented a warehouse and built a temporary emergency shelter to house the animals. This was an unusually large seizure but many county governments in our state would have been financially challenged.

Under current law, humane societies have two vital tools to help them with humane law enforcement:

- cost of animal care and bonding
- appointment of a prosecutor

Cost of Animal Care Bond:

If the court determines that probable cause exists and determines the amount of a bond or cash deposit, the case shall continue and the owner shall post a bond or cash deposit to provide for the companion animal’s care and keeping in an amount that the court determines is sufficient. If the defendant is convicted, that bond can be used apply to the cost of care for the impounded animals. If the person is found not guilty, the money goes back to the owner.

Appointment of a Prosecutor:

Humane societies have the ability to appoint a prosecutor that can hit the ground running and is already up to speed on prohibitions concerning animals. An expedient trial is a benefit to the animal owner paying the bond and the shelter caring for the animal(s).

Area of Concern Sec. 1717.18 - One prominent concern of the bill is in certain instances when non-prosecution agreements or NPAs are entered in by a humane society they are require to be approved by a judge. The way it is written, the judicial approval is not required for all prosecutors of cruelty to animals but just when the case in brought forth by a “humane society.” The law should be consistent for all prosecutors if the goal of judicial review is to



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serve as a check and balance. Regardless of who prosecutes, the rules should be the same.

Area of Support Sec. 959.132 – A provision in this bill that we support is the modification in the language from ‘companion animal’ to ‘animal’ to allow a 10-day probable cause and bond hearing to apply to any animal in a suspected animal neglect case. This can be particularly helpful in equine related cases who are not considered “companion animals.” Good for the horse owner, good for the humane society.

We understand and appreciate that the goal in part of HB 24 is out of a desire for accountability and transparency. However, we must be cautious to not take for granted the voluntary work of our humane societies who provide us all with valuable services.

Thank you for your time and consideration.