



**Proponent Testimony on House Bill 350
House Criminal Justice Committee**

Sharon Harvey, President and CEO, Cleveland Animal Protective League
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Chairman Lang, Vice Chair Plummer, Ranking Member Leland, and members of the House Criminal Justice Committee, thank you for the opportunity to provide written proponent testimony on House Bill 350, legislation to reenact current law provisions regarding animal fighting and bestiality, which were found inapplicable in the Ohio Sixth Appellate District. This bill is needed to ensure that these important provisions are enforceable in the eight counties in that district and these laws are consistent across the state. I am President & CEO of the Cleveland Animal Protective League (APL), which is the humane society for Cuyahoga County and one of the largest animal shelters in Ohio. We are a private, nonprofit, 501(c)(3) organization organized under Ohio Revised Code 1717, and as such, are also authorized to appoint humane agents who enforce Ohio's animal protection laws including those involving animal fighting and bestiality.

In September of 2017, the Cleveland APL investigated a case involving a man accused of engaging in an oral sexual act with his roommate's dog. The case was prosecuted and was the first conviction under Ohio's new bestiality law. Prior to the enactment of the new law, the obscene and unthinkable act of having sexual contact with an animal was not itself a crime unless humane agents or other law enforcement officers could prove that the animal had suffered as a result of the act as defined in Ohio's animal protection laws (ORC 959.13 and 959.131). In many cases, while there will be evidence of the act itself, there may not be outward signs of physical injury or suffering, and there is never the ability to obtain testimony describing their suffering. It is worth noting that the defendant in this case had previously served more than 12 years in prison after pleading guilty to 16 counts of rape involving children in three separate cases. Three years later, he again pleaded guilty to trying to solicit sex online from an undercover agent posing as a teenager. Not only do helpless, voiceless animals deserve protection under the law from this most disturbing and depraved type of abuse but given the link between animal abuse and human violence, this law also helps to identify predators who are likely to violate and abuse helpless, voiceless children.

Similar to the provisions currently in HB 350, language was also included in SB 331 during the 131st General Assembly to remove the requirement that humane agents live in the county where they are employed. Under ORC 1717, humane agents are given enforcement authority of animal cruelty laws. Because of the legal challenge to SB 331, there is also inconsistent application of the removal of residency requirements for humane agents in Ohio. I ask for your support of an amendment to reenact current law that allows humane agents to live outside of the county of their employment.

It is critical that we ensure uniform application and enforcement of the laws involving animal fighting, bestiality, and humane agent residency in all counties across Ohio.

Again, thank you for the opportunity to provide testimony in support of House Bill 350. I ask for your support of the amendment and the bill.