TESTIMONY ON OHIO H.B. 523

Presented by Vicki Deisner, Animal Welfare Institute

Before the Ohio House Community and Family Advancement Committee

Wednesday, March 14, 2018

Chairman Ginter, Vice-Chair LaTourette, Ranking Minority Member Boyd and distinguished members of the House Community and Family Advancement Committee, I am Vicki Deisner, Government Affairs Representative for the Animal Welfare Institute (AWI). AWI is a national animal welfare organization founded in 1951 and dedicated to reducing animal suffering caused by people. We seek better treatment of animals everywhere—in the laboratory, on the farm, in commerce, at home, and in the wild. AWI would like to thank Representatives Lanese and Perales for their leadership on this critical legislations, and we appreciate this opportunity to submit testimony on behalf of its 3,100+ members and constituents in Ohio in support of HB 523, a bill adding animal control and humane law enforcement officers to the list of professionals required to immediately report suspected child abuse; requiring animal abuse reporting by veterinarians, veterinary technicians, and social service and certain other professionals; and establishing criminal prohibitions related to such reporting, among other things.

Cross-reporting is, to put it quite simply, a strategy that can improve the community’s response to crimes against both people and animals and that may also help prevent future violence. The notion of cross-reporting presupposes that violence of some kind—domestic violence, child abuse, elder abuse, animal cruelty—has already occurred or is suspected to have occurred and seeks to engage other responders in better addressing what has already happened as well as staving off or interrupting what could well be coming next. When animal control or humane law enforcement officers are encouraged—or required—to contact family services if, in the course of responding to a call about animal abuse, they observe what they have been trained to recognize as signs of possible abuse of a child or older adult, a human life may also have been saved. As an example, in Franklin County, KY, deputies arrested a woman accused of leaving her elderly mother on the floor covered in animal feces. A warrant was issued on charges of animal cruelty and neglect of an adult.  While deputies were doing a welfare check on the animals at the home, they found the 75-year-old mother on the floor covered in filth. Four of the nine dogs in the house had to be euthanized. Similarly, when social service professionals, in the course of a home visit necessitated by reports of child maltreatment and domestic violence, are required to contact animal control/humane enforcement when there are signs of animal abuse, they may not only be saving an animal’s life, they may also be helping prevent the escalation of violence in the household.

Requiring cross-reporting is not an answer is search of a problem. According to national studies, pet abuse is present in 88 percent of homes referred for physical assault of children; 60 percent of survey participants who witnessed or engaged in animal cruelty also experienced either child maltreatment or domestic violence. In another study, 41 percent of men who had been arrested for domestic violence had committed at least one act of animal cruelty since age 18 compared to a 1.5 percent prevalence rate of men in the general population. And perhaps most significantly, one of the four primary factors associated with men who become batterers is pet abuse. So there is a strong likelihood that animal control, humane law enforcement, and social service professionals are going to encounter problems about which they should be informing one another in an effort not only to address the violence that is happening at the time but also to reduce the likelihood of further violence.

Cross-reporting requirements have been the catalyst for collaborative relationships between local family violence programs and advocates and animal control/humane law enforcement personnel and for the creation of cross training programs that enable each community to better recognize signs of abuse affecting one another’s “constituents.” This 360-degree awareness can result in better decisions for all victims. For example, every state refers to the “best interests of the child” in its laws on child custody decision-making by the court. While no state specifically lists the presence of animal cruelty among its “best interests of the child” factors, courts have actually taken the presence of animal abuse in the home into consideration when making decisions about child removal or termination of parental rights. Given that animal abuse is often committed in front of children—and sometimes the abusers force the children to participate—in order to intimidate and control them, and given that exposure to animal abuse can result in children becoming abusers themselves and otherwise experiencing toxic stress, and emotional, cognitive, developmental, and behavioral problems leading to involvement with the criminal justice system, then this greater vigilance is more than warranted.

The inclusion of veterinarians and veterinary technicians among required reporters of animal abuse cannot only result in saving animals’ lives but can also have the effect of uncovering other problems. In 2006, a young vet doing rounds encountered a severely injured cat. The owner told the vet about attempts to escape her boyfriend. When the vet told the owner someone had tried to strangle her cat, the woman remarked that had been done to her as well. Realizing what was going on, the vet contacted the local humane society who advised her to hold the cat as evidence and then she spent hours listening to the owner’s story of the abuse she and her pets had endured. With her cat receiving care, she was finally willing to press charges, and the boyfriend was sentenced to nearly six years in prison.

The American Veterinary Medical Association has expressed its support for such reporting; the proceedings from a meeting in 2009 on the role of the vet in handling animal abuse stated:

The American Veterinary Medical Association (AVMA), Canadian Veterinary Medical Association, American Animal Hospital Association (AAHA), and Royal College of Veterinary Surgeons in the UK have all taken the basic position that when education fails, it is the responsibility of the veterinarian to report cases of suspected animal abuse to the appropriate authorities. According to the AVMA position, documentation of the cases is invaluable and it is acknowledged that reporting may save human and animal lives.

<http://veterinarycalendar.dvm360.com/role-veterinarian-handling-animal-abuse-proceedings?id=&pageID=1&sk=&date>=

Finally, we would ask that the new Section 2919.252 that this bill creates be expanded to require notification of the Department of Defense Family Advocacy Program if a person alleged to have violated Ohio’s animal cruelty laws is a member of the armed forces. In 2016, the Uniform Code of Military Justice was changed by Executive Order to specifically include animal cruelty crimes. This was a hard fought change in the code, and it came after several high-profile and disturbing animal cruelty cases. With the military now taking these cases more seriously, we believe it would be in the best interests of the armed services, the animals, the individual service member and his or her family, and the community, to also require the reporting of animal cruelty crimes to the Family Advocacy Program. I have appended to this testimony the Fall 2016 issue of *Lex Canis*, the newsletter of the Association of Prosecuting Attorneys, that includes an article about the UCMJ revision.

For all the aforementioned reasons, AWI respectfully urges the House Community and Family Advancement Committee to pass H.B. 523, which will create another valuable addition to Ohio’s laws that are making life better for the human and animal victims of violence. Thank you for your time and consideration of this important issue.

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