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The Ohio House Community and Family Advancement Committee
Mary.Chambers@ohiohouse.gov

Re: Proponent testimony for HB 523

Dear Honorable Chair and Members of the House Judiciary Committee,

Please consider my letter to be proponent testimony for HB 523, legislation to strengthen Ohio's animal and child abuse reporting laws.

I am an attorney licensed in the State of Ohio since 1997. I am one of two attorneys in the state serving as a prosecutor for animal cruelty cases; specifically, I represent the Wood County Humane Society on a pro bono basis. I have conducted continuing education sessions on animal cruelty law for attorneys, and I am the founder of, and served as the first Chairperson (and now Vice-Chairperson) of, the Animal Law Committee of the Ohio State Bar Association. I am also on the board of Humane Ohio, a low-cost spay/neuter clinic in Toledo, where neglected and abused animals are frequently abandoned, and then entered into our thriving adoption program.

In these capacities, I see or learn of animal cruelty, neglect and abandonment every day. Numerous other proponents of this bill have cited the link between animal cruelty and human violence. The National Association for Prosecuting Attorneys has recognized that link, and urges prosecutors to give animal cruelty cases as much priority as other crimes of violence. (*See* <http://www.apainc.org/programs/animal-cruelty/>.) The link between animal neglect, and the neglect of children, the disabled and the elderly is indisputable.

As you are surely aware, concern has increased in recent years from law enforcement and community leaders about people who either abuse drugs prescribed to pets, or intentionally harm animals to obtain the drugs. House Bill 60 ("Goddard's Law") passed in 2016 included language that allows the Ohio Attorney General to work with the Ohio Veterinary Medical Association and state licensing boards to educate veterinarians about possible abuse by people who seek medications for dogs, cats and other pets.

Individuals who abuse animals to obtain drugs are already committing a crime in Ohio. They are committing either violations of ORC § 959.131(B) (knowingly causing cruelty to a companion animal), ORC § 959.131(C) (knowingly causing "serious physical harm" to a companion animal), or ORC § 959.13(A)(1) (recklessly causing cruelty to an animal other than a companion animal, which may include livestock, etc.). These crimes range from second degree misdemeanors to fifth degree felonies.

Nonetheless, law enforcement is often uninformed as to this abuse as many veterinarians do not realize that they cannot report suspected animal abuse to law enforcement. There is no confidentiality law that applies to animal records in Ohio, but veterinarians are understandably concerned about civil liability.

There are presently 31 state laws related to the reporting of animal cruelty by veterinarians. The American Veterinary Medical Association (AVMA) and the American Animal Hospital Association (AAHA), have both issued policy statements that address reporting of animal abuse by veterinarians. The 2015 AAHA position statement "supports the reporting of suspicions of animal abuse to the appropriate authorities. The Association encourages the adoption of laws mandating veterinary professionals to report suspicions of animal abuse and providing immunity from legal liability when filing such reports in good faith."

A veterinarian's role is critical in both detecting and preventing animal abuse, as well as protecting humans from drug abuse. This legislation would ensure that not only drug crimes, but other abuses, are also being reported to the appropriate authorities, while providing civil immunity for reports which are made in good faith.

Thank you for your attention to this important matter.

Very truly yours,


Kyle A. Silvers, Esq.