

Wood County Dog Shelter

Andrew Snyder, Chief Dog Warden

A department under the Board of County Commissioners

Doris I. Herringshaw, Ed.D. Craig LaHote Dr. Theodore H. Bowlus



Chairman Bacon, Vice Chair Dolan, Ranking Member Thomas and members of the Senate Judiciary Committee:

I have had the privilege to serve as a dog warden in Wood County for over twelve years and during that time have also served as former President, President Elect and Secretary of the Ohio County Dog Wardens' Association. It is with this experience that I have reviewed and chosen to support Senate Bill 195 for the following reasons:

The bill proposes a proactive approach to increasing public safety by implementing legislative changes intended to reduce incidents of dogs injuring or killing people. The bill establishes penalties that discourage irresponsible dog ownership and holds owners accountable when their dogs cause injury or death. The specific proactive legislative changes referred to are identified below:

- Removes "without provocation" from the nuisance, dangerous and vicious definitions and establishes affirmative defenses to protect dogs from being wrongfully designated. This provision ensures cases are adjudicated by judges in a court not officers in the field who are currently burdened with determining provocation.
- Increases criminal penalties intended to ensure appropriate confinement of dogs and prevent dog attacks against people commensurate with the degree of injury caused. The penalties can be assessed against violators on the first offense, which cannot be done under current law.
- Increases criminal penalties for unlawfully transferring ownership of dogs. The unlawful transfer of dogs is a commonly used method to subvert law enforcement thereby hindering enforcement of nuisance, dangerous and vicious dog requirements and licensing.
- Requires courts to euthanize dogs that kill a person but permits discretion in less severe cases. Current law only permits euthanasia if a dog kills a person after being designated vicious.
- Restricts ownership of certain dogs by certain felony offenders including those convicted of or pleading guilty to child endangerment and increases the period of time the offenders cannot own such dogs from three years to five years.
- Shifts the authority to issue dangerous dog registrations and administer the law governing dangerous dog registration certificates from county auditors to the county dog warden to ensure compliance with dangerous and vicious dog requirements and enforcement of violations.
- Eliminates the following loopholes in current law which inhibits enforcement efforts:
 - Dogs may continue causing injury to persons without resulting in a vicious designation and/or euthanasia.
 - There is no required timeframe by which owners must purchase and renew dangerous dog tags and no penalty can be assessed such as those required for regular dog licenses.
 - Designation hearings must be held in a court having jurisdiction over the owner's residence as opposed to where the incident occurred as in other criminal cases. This often prevents and always complicates the investigation, designation and enforcement of cases where the owner lives out of the country, state or county.
- Establishes statutorily required training for dog wardens and deputy dog wardens as specified by the Ohio Police Officer Training Commission. Since dog wardens and deputy dog wardens are law enforcement officers with the same police powers as sheriff's deputies and police officers including the authority to carry firearms and make arrests, training is essential. However there currently are no statutorily mandated training requirements for dog wardens like there are for certified peace officers.

Wood County Dog Shelter

Andrew Snyder, Chief Dog Warden

A department under the Board of County Commissioners

Doris I. Herringshaw, Ed.D. Craig LaHote Dr. Theodore H. Bowlus



I further encourage additional provisions, not included in the bill, that:

- Add language limiting liability to counties and dog wardens when utilizing reasonable discretion in issuing designations. Currently dog wardens and counties are not afforded such discretion with protections thereby increasing the number of unnecessary designations and subsequent hearings that must be held in court. Counties and dog wardens should not be liable for choosing not to designate under reasonable circumstances, such as a puppy unintentionally causing injury due to sharp teeth or claws.
- Increase the training of dog wardens beyond 42 hours of initial training and 10 hours of continuing education as specified in Senate Bill 195 focusing on enforcement, subject control, making arrests and other safety oriented training.
- Clarify section 955.60, assessing fines if not contacted within specified time periods after posting notices.
 - Remove social media correspondence as an acceptable method for owners to respond to posted notices.
 - What is the procedure for assessing and collecting fines if contact cannot be made?
 - Are the fines a criminal or civil sanction, there is no similar language or process within Chapter 955?
 - Are the fines payable to the county dog warden or to a court and what can be done if they are not paid?
- Add language prohibiting the transfer of dogs during the pendency of any designation, except to a veterinarian or county dog warden for euthanasia.
- Establish requirements and penalties for nuisance dogs as currently there are none which renders a nuisance designation pointless and ineffective. By definition nuisance dogs have already presented a danger to the public and should be more strictly regulated than non-designated dogs.
- Increase the minor misdemeanor penalty for a nuisance dog running loose. This is the same penalty for a non-designated dog running loose also rendering the nuisance designation pointless and ineffective.
- Establish mandatory liability insurance for all designated dogs. Under current law and Senate Bill 195 liability insurance is only mandated for vicious dogs and there is no requirement for nuisance dogs.
- Increase the minor misdemeanor penalty for failing to obtain and maintain liability insurance in an effort to deter owners from failing to comply. Too many dog bite victims have been robbed of adequate compensation as a result of no or insufficient liability insurance coverage leaving them further victimized and unable to pay their medical expenses.

Senate Bill 195 is a positive step towards updating Ohio's antiquated and insufficient dog laws and offers substantial public safety increases direly needed as evidenced by the number of deaths, disfigurements and maulings occurring across Ohio.

Thank you for the opportunity to provide written proponent testimony for Senate Bill 195.

Respectfully,

Andrew Snyder
Chief Dog Warden
Wood County Dog Shelter