



Proponent Testimony on Senate Bill 164
House Agriculture and Conservation Committee
Sharon Harvey, President and CEO, Cleveland Animal Protective League
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Chairman Koehler, Vice Chair Creech, Ranking Member Brent, and members of the House Agriculture and Conservation Committee, thank you for the opportunity to provide proponent testimony on Senate Bill 164. My name is Sharon Harvey, and I am the 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. I am also the President of the Ohio Animal Welfare Federation, which consists of 78 member humane societies, county dog wardens, and rescue groups from across the state. Both of these organizations are mission driven to provide for safe and humane treatment and care of our animals.

Ohio passed Goddard's law in 2016 to make knowingly committing an act of serious physical harm against a companion animal a fifth degree felony. Senate Bill 164 would provide much needed updates to Goddard's law by better aligning punishment for the most violent, inhumane companion animal abuse that results in serious injury or death.

For example, in 2019, the Cleveland APL was called to investigate a horrifying case where a suspect doused a dog that was trapped in a crate with accelerant and set it on fire. Witnesses called authorities when they found the dog in an apartment complex garage. The dog was rushed to a veterinary clinic but due to the extent of its injuries, it had to be euthanized. The suspect in this brutal case was charged with a felony under Goddard's law, however, because this is a fifth-degree felony and not defined in Ohio law as an offense of violence, the judge was prevented from considering prison time as a part of sentencing. This individual was tried by a jury and convicted of felony animal abuse for this heinous killing and essentially received a slap on the wrist, walking away with a fine and probation.

The link between animal abuse and human violence has been well-documented. This individual had previously been convicted of aggravated assault. By not contemplating prison time for these very serious crimes, the state is essentially turning its back on this correlation. This legislation seeks to change that by classifying the most egregious fifth-degree felony offenses of knowingly causing serious physical harm to a companion animal as a "violent offense," removing the existing presumption against incarceration for violations of these offenses and allowing judges to have discretion in sentencing.

This classification also makes the conviction non-expungable, which is consistent with other similarly categorized offenses. Keeping these egregious offenses on the offender's criminal record helps to identify these offenders and prevent escalation.

Finally, Senate Bill 164 bans the antiquated use of gas chambers by animal shelters in Ohio. To my knowledge, there are no gas chambers currently being used in the state, but it is critical that we codify this prohibition to prevent them from ever being reinstated.

I would like to take a moment to thank Senators Hottinger and Yuko for their work on this important legislation. I believe the bill before you today strikes an appropriate balance between enhancing the ability to prosecute the most egregious acts of animal cruelty and allowing judges to align sentencing with the severity of a crime without creating a new and overly punitive enforcement mechanism in the Revised Code.

On behalf of the Cleveland Animal Protective League and Ohio Animal Welfare Federation, thank you for the opportunity to weigh in on this legislation. I appreciate your thoughtful consideration of this important issue and am happy to answer any questions you may have.