

June 3, 2025

PROPONENT TESTIMONY

House Bill 247

Chair Abrams, Ranking Member Thomas, and Members of the House Public Safety Committee:

Thank you for the opportunity to present proponent testimony in support of House Bill 247, which will make our communities safer by promoting responsible dog ownership and making owners accountable when they fail in their responsibility to their neighbors and invitees.

Unfortunately, in Reynoldsburg, Ohio, we have already seen the weakness of our current laws, both at the state and local level.

On June 11, 2024, Avery Russell, an 11-year-old, was mauled by two American Bullies, a particularly strong breed of dog capable of inflicting serious physical harm and death upon animals and persons alike when they attack. Avery suffered multiple serious physical injuries. We are fortunate she is with us today, the result of her determination and bravery, along with the bravery and quick action of Officer Scott Manny of the Reynoldsburg Police Department.

Avery was not attacked by these dogs off their property. She was attacked on their property, in a fenced-in backyard. She was invited to the property, unaware that entry into the home would subject her to this type of attack.

The City has filed multiple charges against the owner of the dogs that attacked Avery. These charges are pending and the owner is entitled to due process of law. The highest charge is a misdemeanor of the fourth degree, which we believe demeans the seriousness of the offense, *if convicted*. Avery suffered an unimaginable horror and the maximum penalty, *if convicted*, is only thirty (30) days in jail and a fine of \$250.00. There should be more significant ramifications if an owner is proven to have failed in their responsibility to control dangerous dogs, even on their own property, to protect invitees such as Avery.

The Reynoldsburg City Council recently took action to reform our local laws to address situations in which an owner of a dangerous dog fails to control that dog on or off the premises, with Ordinance No. 26-2025. This law has been entitled "Avery's Law." The law places clear responsibilities on the owners of dangerous dogs, stating that "it shall be prima facie evidence that a dog is not under the reasonable control of some person if the dog, without provocation, causes serious physical harm to any person other than the owner(s) of the dog, whether such harm occurs on or off the premises." Such an offense is now a misdemeanor of the first degree, if the dangerous or vicious dog causes serious physical harm to any person, with a minimum mandatory sentence.

House Bill 247 accomplishes the same goal of responsibility and accountability. Proposed Section 955.22(B)(2) states as follows:

“No owner, keeper, or harbinger of a dangerous or vicious dog shall negligently fail to prevent the dog from committing a vicious dog act that involves injuring or killing a person. Whoever violates this division is guilty of a felony of the third degree.”

Proposed Section 955.24(A)(2) further states:

“While that (vicious or dangerous) dog is inside a residential dwelling or other building on the premises of or other building on the premises of the owner, keeper, or harbinger, and there is an invitee inside the dwelling or building, securely confine the dog at all times inside the dwelling or building so that there is no reasonable probability that the dog comes into contact with the invitee.”

There are several important changes proposed with House Bill 247, but these are the changes that stand out for us as we seek to honor Avery’s strength and courage.

Thank you to State Representative Kevin Miller, who has represented the Licking County portion of Reynoldsburg, for bringing this important subject matter before the Committee for consideration. Thank you to State Representative Meredith Lawson-Rowe, who currently represents the Franklin County portion of Reynoldsburg, for being a strong advocate for reform in this area.

Most important, thank you to Avery Russell for taking on the role, at such a young age, of courageous hero for victims of dog violence.

Sincerely,

s/ Chris M. Shook
Chris Shook, City Attorney