

**PROPONENT TESTIMONY ON OHIO HB 60**  
**Presented by Sandra Horvath, Esq.**  
**Representing Ohio Alliance for Animal Cruelty Reform**  
**Before the Ohio House Agricultural and Rural Development Committee**  
**Tuesday May 26, 2015**

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Chairman Hill, Vice-Chairman Burkley, Ranking Minority Member Patterson, and distinguished members of the House Agricultural and Rural Development Committee, my name is Sandra Horvath. I am a practicing attorney here in Columbus and Animal Law is a strong focus of my practice. I am proud to be an associate with Ohio Alliance for Animal Cruelty Reform and I am here today representing them in that capacity. Ohio Alliance For Animal Cruelty Reform, a group created specifically to bring awareness to and support the passage of legislation that would ensure that prosecutors have the ability to pursue a felony conviction for offenders of the worst forms of animal cruelty on a first offense. We have over 23,000 followers and supporters throughout Ohio.

In 2014, almost two centuries after Massachusetts became the first state to punish animal cruelty as a felony offense, South Dakota enacted legislation that created a felony penalty for the extreme cases of animal cruelty. Before 1986, only four states had felony animal cruelty laws, three states enacted felony laws in the 1980's, 19 in the 1990's, and 25 more since 2000.<sup>i</sup> This speaks to the awareness of and belief that there must be a serious punishment for the worst forms of animal cruelty; anything less makes no sense from a legal perspective, cultural perspective or common sense viewpoint.

Today, 43 states provide for a felony penalty for the first offense of the most egregious forms of animal cruelty; Ohio is in the very small minority of states that do not. Today, in Ohio, offenders of the most serious acts of animal cruelty are, at most, sentenced to six months in jail, although this is rare and potentially fined \$1,000. That means cutting up a dog so severely that parts of the dog were never found, as was the case recently in Newark Ohio, or slitting the family dog's throat, a recent case from Mansfield, Ohio would not result in prison time. In fact, these egregious acts of animal cruelty rarely even

result in county jail time. In reality, these offenses account for a small percentage of the crimes committed but represent a great and ongoing threat to other animals as well as humans.

It does not have to be this way; you have the ability to bring Ohio into the majority of states to recognize that there must be a punishment befitting the crime in the most extreme cases of animal cruelty, you can recommend the legislature enact HB 60, also known as Goddard's Law. This bill makes a first offense of "knowingly" injuring or killing a companion animal or depriving it of food, water or shelter a fifth-degree felony, punishable by six months to a year in jail. Other crimes, that many in society would consider lesser, such as, writing bad checks, certain forms of vandalism, and certain forms of illegal dumping, none of which are considered violent crimes, can and do often result in time served in a state penitentiary and/or a substantial fine.

The inability to hand down a felony conviction for the worst cases of animal cruelty not only means that there is not a punishment equal to the nature of the crime, it also means that these offenders are free to continue to commit these crimes and as well as other crimes against persons and property. Having the ability to hand down a felony conviction will protect Ohio's from those who are capable of these extreme acts of violence. Other individuals here today have and will discuss the clear and demonstrated link between animal cruelty and human violence. We know that these offenders are a real threat to society and giving judges the ability to hand down a significant punishment for their egregious crimes will help protect all Ohioans, four legged and two legged alike.

The threat of a felony conviction is serious and would send a clear message that Ohio does not tolerate the worst acts of animal cruelty and perhaps deter those who would otherwise risk committing these egregious crimes, knowing full well that there will be little to no consequences for their actions. In addition, a felony conviction would also

protect future human victims by keeping firearms out of the hands of these dangerous criminals.

Ohio has some of the weakest animal cruelty laws in the Country, currently ranking number #30 and #26 respectively by the Humane Society of the United States (HSUS) and the Animal Legal Defense Fund (ALDF). This bill is long over-due and its passage will go a long way toward moving Ohio up in the ranks of states for progressive laws on animal cruelty.

We are not asking Ohio to be in the forefront of the movement toward creating laws that appropriately punish those in society who are the greatest threat to our companion animals as well as our families and children. We are asking Ohio join 43 other states in recognizing the need to have an appropriate punishment for such violent crimes and to protect Ohioans from these dangerous offenders.

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[http://www.humanesociety.org/issues/abuse\\_neglect/facts/animal\\_cruelty\\_facts\\_statistics.html?credit=web\\_id98058733](http://www.humanesociety.org/issues/abuse_neglect/facts/animal_cruelty_facts_statistics.html?credit=web_id98058733)