

OHIO PROSECUTING ATTORNEYS ASSOCIATION

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John E. Murphy
Executive Director

Memo To: House Agriculture and Rural Development Committee
From: John Murphy
Date: June 9, 2015
Re: HB-60; companion animals

Our association opposes the enactment of the companion animal bill, HB-60 in its current incarnation, which proposes to increase to a felony certain offenses concerning the mistreatment of companion animals.

We feel that the current first degree misdemeanor penalties for these offenses is adequate. We have not done a study on the issue, but we doubt that judges are fully utilizing the penalties that are available to them under current law, which for a first degree misdemeanor includes jail time up to six months and a substantial fine. Further, an offender facing a municipal or county court judge might actually get a higher penalty than he would from a common pleas court judge who is accustomed to dealing with more serious offenses. Also, most misdemeanor cases are processed through the system much more rapidly than felony charges because the process is simpler, thus affording swifter justice.

Which brings us to the cost issue. In our view, bills that increase penalties from misdemeanors to felonies without a compelling reason to do so are burdening our justice system. Bills like these, if enacted, add costs not only to the prosecutors' offices but to all aspects of the justice system when there is no real need to do so. These cases can be much more expeditiously and cheaply dealt with in the misdemeanor courts.

At a minimum, the penalty for the new 959.131(C), knowingly causing serious physical harm to a companion animal, should be a misdemeanor on first offense.

cc: Rep. Bill Patmon

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