

Good morning Chairman Hite, Vice Chairman Hackett, Ranking member Lou Gentile and fellow members of the agriculture committee. Thank you for the opportunity to present proponent testimony in support of House Bill 60.

My name is Diana Austin and I have been a life resident of Ohio in Stark County. I would like to begin by stating that I am not affiliated with any animal welfare organization however I have a great personal interest in legislation that affects the animals in this state and in particular the legislation that I am here to give testimony on today: House Bill 60. You will hear others speak to you today as to the reasons that House bill 60 needs to pass. I have no doubt they will all be valid reasons. They can provide you with facts and statistics of animal abuse however I would like to share my own unique view and why I am certain that Ohio needs tougher laws put into place to prevent it. I want you to understand how animal abuse can affect people as well as animals.

I will start by saying that animal cruelty affected me and my family on a very personal level. Our family dog, Sampson was adopted from the Stark county humane society in October of 2005. He ultimately suffered his death in June of 2013 at the hands of animal abuse.

Time does not allow me to tell you what Sampson meant to us. I would however like to share with you just a few reasons he would become so important to us.

When Sampson was adopted our only child, Alexandra was 10 years old. He would become to her like the sibling she never had. She spent all of her time with Sampson. She would come to teach him a variety of tricks. He became very good at jumping thru a hula hoop and giving anyone he met a high five. He knew sit, shake, lay down. She had taught him that when he wanted a walk to go retrieve his leash and bring it to her. He never had a day of formal training. Alexandra spent all of her time teaching him these things. She was incredibly proud of him as we all were.

Our community holds an annual festival that we have celebrated for over 50 years, the Carnation Festival. We are the home of the Ohio state flower. It is a two week festival with various events held within the City. One of those events is a pet contest. Shortly after Sampson came to live with us Alexandra insisted on entering Sampson in this contest. I had tried to discourage her. He was a mixed breed adult rescue dog. I was afraid she might be disappointed if he did not do well as hundreds of animals enter this contest. Ultimately she dressed him in a collar of red carnations and not only did Sampson receive an award he was voted the "Best in Show." He won prizes, a trophy & the opportunity to ride on large float in the grand parade to end the festival. We were so proud that he went from a shelter dog with no home to call his own to a celebrity in his own right.

We considered Sampson part of our family in every way. I know we are not alone in that fact. I also know there are other people that have companion animals that they love and consider family as well. I am sure there are some in this room that feel that same way.

In June of 2013 our lives were forever changed when Sampson wandered from our five acre property as we were preparing for a graduation party for Alexandra. After a long emotional, exhaustive effort to find him we would soon discover that he had been shot and killed. His collar had been removed. He had

been thrown into a shallow grave to hopefully never be found. My husband and brother would ultimately be the ones to find him and to unbury him. I would also come to realize that I had handed the flyer with Sampson's picture to the same person that did this to him during our search. That same person acted concerned and told me he would help me to find him. My faith in humanity was certainly being tested.

We never thought anything could hurt so badly however we were to be proven wrong several times after that.

The events surrounding Sampson and his death would become even more painful than any of us would imagine. The person that killed our Sampson had a wife. His wife would also become a tragic victim of animal cruelty. Within a few days of Sampson being killed she would ultimately end her own life. The sheriff report indicated that her suicide letter indicated that she was distraught over her husband involvement in Sampson's death and the intense media coverage that had ensued. The report also indicated that she was found hanging from a beam with what appeared to be a dog leash.

Now not only were we dealing with the shock of losing Sampson but a woman lost her life all over the senseless act of animal cruelty. A family lost their daughter, their mother, their grandmother all because a person chose to pick up a gun and shot a defenseless animal!

I was in so much pain and fear after the death of Sampson and now the death of a woman I had never met but was forever connected to. I immediately began having the first of many panic attacks all directly associated with this incident and for which I had to seek treatment. I am not sure I will ever fully recover from this.

I then was shocked, disappointed and angry to discover the penalty that this animal abuser might face. I had no idea that Ohio was one of only a handful of states that considers our companion animals as property. I surely thought I was given incorrect information. How can the cruel act of killing a living, breathing companion animal not be considered a felony? How was I going to explain this to my daughter? How was I ever going to live with that knowledge? How was I ever going to live with the fact an innocent person lost her life as a direct result of animal cruelty and yet the punishment for all of that would be nearly nothing?

How is Ohio not recognizing the ramifications of animal abuse and cruelty? My family's story is pointing right to one such example of what animal abuse can lead to. We are only one story of many.

There is no doubt at all for my family that had animal cruelty been considered a felony that the person that killed Sampson and the others like him that do these horrendous acts would stop. They would think. They would realize they would be considered a felon. They would know that they may lose certain rights forever. They would face jail time. That knowledge in itself would help to stop these senseless acts.

My family sat thru the emotional trial that would follow for Sampson's killer. He was charged with one count of animal cruelty and two counts of criminal mischief. A jury found him guilty on all three counts.

He was sentenced to 30 days in jail and a small fine. After all of this his crimes were only considered a misdemeanor.

I knew at the very moment that the guilty verdict was read that I had to somehow make this right. I knew his guilty verdict could not bring Sampson back and would not bring her back however I knew that I had to find some way to make this right for other victims. I somehow had to help stop the circle of violence that surrounds animal abuse.

I have since become an advocate for the animals in our shelter system. I am a regular volunteer and recently had the first of an annual adoption event named "Sampson's Salvation". I know though in my heart that I still need to do more which is why I am here today. This is what I need you to understand. In Ohio our current weak penalties are not just affecting the animals. They are affecting people too. No one knows that better than this person standing before you. That is why I am here today to please ask you to consider passing this legislation. Please be the voice for the victims of animal cruelty both animal and human. Please pass this legislation and make animal cruelty a felony in this state.

Respectfully,

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