



## **PROPONENT TESTIMONY FOR OHIO HB 60 "GODDARD'S LAW"**

**Presented by Sandra Horvath, Esq.,  
Representing Ohio Alliance for Animal Cruelty Reform  
Before the Ohio Senate Agriculture Committee  
Tuesday April 12, 2016**

Chairman Hite, Vice-Chairman Hackett, Ranking Minority Member Gentile, and distinguished members of the Senate Agriculture Committee, my name is Sandra Horvath. I am a practicing attorney here in Columbus and Animal Law is one 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 is 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 on the first offense for offenders of the worst forms of animal cruelty. We have over 23,000 followers 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 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>1</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 or cultural perspective, or common sense viewpoint.

While all 50 states including Ohio do have a felony penalty provision for the worst forms of animal cruelty, today, 43 of these states provide for a felony penalty for the first offense; 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 and potentially fined \$1,000. That means cutting up a dog so severely that parts of him were never found, as was the case in 2015 in Newark, Ohio, or slitting the family dog's throat, a case from LaGrange, Ohio does not result in prison time. Although some jail time was served in these two cases, it is sadly often not the case with animal cruelty convictions. In reality, the extreme cases of animal cruelty that would rise to a felony level on the first offense account for a small percentage of all 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 in line with the majority of states that recognize there must be a punishment befitting the crime in the most extreme cases, 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 prison and a fine of up to \$2,500. Other crimes that many in our society would consider lesser, such as, writing bad checks and certain forms of vandalism, neither of which are considered violent crimes, can and do often result in time served in prison and 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 as well as other crimes against persons and property. Having the ability to hand down a felony conviction will protect Ohioans 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 will 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.

There are examples throughout the Country where significant sentences are being handed down for animal cruelty convictions. For example in October 2015, 25 year-old Jason Brown of Reno Nevada was found guilty of animal abuse for systematically torturing and killing seven dogs. The sentence handed down in this case is more than one could have received for manslaughter under Nevada law and certainly speaks to the increased seriousness given to these horrific crimes. Not only can significant sentences for animal cruelty stop an animal abuser, it can also stop a future serial killer in his tracks.

Ohio has made some important strides in recent years in implementing progressive animal cruelty laws; however, there is more work to do. Ohio currently ranks number #28 and #27 by the Humane Society of the United States (HSUS) and the Animal Legal Defense Fund (ALDF) respectively. This bill is long over-due and its passage will go a long way toward moving Ohio up in the rankings of states with 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 who already recognize the need to have an appropriate punishment for such violent crimes and to protect Ohioans from these dangerous offenders.

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<sup>i</sup> [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)