

## SENATE BILL 151 – INTERESTED PARTY TESTIMONY OF

Donna Becker, Animal Advocate, representing  
Angels for Animals, Animal Cruelty Task Force of Ohio, Joseph's Legacy, Justice for Herbie, Nitro  
Foundation/Nitro's Ohio Army, Ohio Coalition of Dog Advocates, Ohio Voters for Companion Animals, Inc.  
and Paws and the Law  
April 26, 2016 – Senate Agriculture Committee

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Good morning Chairman Hite and Members of the Senate Agriculture Committee.

My name is Donna Becker and I make my home in Dayton, Ohio (Montgomery County). I'm speaking on behalf of eight grassroots animal welfare organizations - Angels for Animals, Animal Cruelty Task Force of Ohio, Joseph's Legacy, Justice for Herbie, Nitro Foundation/Nitro's Ohio Army, Ohio Coalition of Dog Advocates, Ohio Voters for Companion Animals, Inc. and Paws and the Law - as an Interested Party for Ohio Senate Bill 151 as introduced, also referred to as "The Klonda Richey Act."

Representing over 77,000 constituents in 81 Ohio counties, our coalition of Ohio citizen-driven, community-based organizations is a substantial force behind legislative efforts to address issues impacting the health and safety of companion animals as defined under Ohio Revised Code 959. Our supporters include a diverse cross-section of voters and taxpayers from across the State including dog enthusiasts, veterinarians, breeders, animal care and welfare organizations, animal control officers, appointed humane agents, judges, attorneys, government employees and animal advocates who understand state and federal governance.

One of the goals of our coalition is to assist and support those who serve the public by administering Ohio's animal welfare laws. In that light, we thank Senator Beagle for sponsoring – and Senator Lehner for co-sponsoring – the Klonda Richey Act. Their leadership has re-started a public discussion about the effective management of dogs who present serious challenges to the safety and welfare of our human residents and their companion animals.

In a nutshell, a workable solution for the long-term management of dogs who pose a serious threat - like the ones that ended Klonda Richey's life - will only be found in law that is effective, enforceable and adequately-funded.

Senate Bill 151 presents a kind of due process for dogs who have exhibited threatening behavior. We agree that a more carefully-defined process for declaring a dog vicious, dangerous or a nuisance is helpful, but it's clear that the real and continuing problem is at the other end of the leash.

Any dog who is declared vicious and is destroyed loses his life. The dog *owner* whose irresponsible behavior very likely created the situation, and whose dog is seized and put down by authorities, just gets another dog.

Until the full weight of the law is brought to bear on *irresponsible* owners -- from prompt and responsive enforcement, to vigorous prosecution, to substantial and effective punishments, to comprehensive post-release supervision of the human offender – the problem of vicious, dangerous and nuisance dogs will remain festering in our communities.

Our Coalition's volunteers and supporters have expressed ideas and concerns that we would like the Committee to consider as it prepares the Klonda Richey Act for presentation to the full Senate.

- ✓ **Recommendation:** Remove language from the bill which *mandates* the destruction of a vicious or dangerous dog. This will give local authorities and courts flexibility to meet individual situations with fairness.
- ✓ **Recommendation:** Include a means by which a label of vicious, dangerous or nuisance may be downgraded or removed. Allow a dog owner to present evidence of dog's rehabilitation to appropriate local authorities and the court. Such a process would allow local authorities to re-evaluate the dog's behavior after it has completed remedial intervention, with the flexibility to downgrade or remove any designation.

- ✓ **Recommendation**: Retain language in O.R.C. 959.11 (B)(1) and elsewhere keeping “without provocation” in the effective definition of “dangerous dog.”
- ✓ **Recommendation**: Include a provision to form an advisory council that would evaluate any practical problems with the law’s administration and develop strategies to solve them. Panelists should include animal advocates and interested members of the general public as well as representatives of law enforcement (including appointed humane officers), prosecutors and lawyers, the judiciary, and other stakeholders.
- ✓ **Recommendation**: Include provisions for reaching residents in at-risk neighborhoods with explanations of their rights and responsibilities under the law. We’re seeing a large number of serious dog-related incidents in at-risk areas. Until the law directs effective communication of its requirements to the people who most need to understand them, we’re likely to continue “preaching to the choir.”

It is our hope this Committee will reflect on the opinions expressed by our eight groups and their supporters in today’s testimony prior to recommending passage of Ohio Senate Bill 151 as introduced.

As the representative for Angels for Animals, Animal Cruelty Task Force of Ohio, Joseph’s Legacy, Justice for Herbie, Nitro Foundation/Nitro’s Ohio Army, Ohio Coalition of Dog Advocates, Ohio Voters for Companion Animals, Inc., Paws and the Law, I greatly appreciate your time and consideration on this important piece of legislation for Ohioans, and I welcome any questions you may have.