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Senate Bill 164, Sponsor Testimony
Senate Agriculture and Natural Resources Committee
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Chairman Schaffer, Vice-Chair Huffman, Ranking Member Fedor and members of the Senate Agriculture and Natural Resources Committee, thank you for the opportunity to provide sponsor testimony on Senate Bill 164.

This legislation will increase penalties for the most egregious offenses against a companion animal, as well as create a new penalty for those who aid or abet in the killing of a companion animal. This bill also includes Senate Bill 167 from the 133rd General Assembly which prohibits the inhumane euthanasia of a companion animal by the use of a gas chamber.

Our legislation is similar to Senate Bill 205 from the previous General Assembly. After hearing some of the concerns that were raised in the committee process with that bill, we have spent the past several months working to revamp the language and have made a number of changes.

A companion animal is a cat, dog or any other animal kept inside a residential dwelling (not including livestock or wild animals). This bill cleans up the language regarding cruelty offenses to a companion animal. Except in cases where the animal dies, the most serious offenses (cruelly beating; mutilating or maiming; poisoning) will still be a 5th degree felony, but now considered violent offenses. Needlessly killing a companion animal, which is generally a 1st degree misdemeanor on a first offense and a 5th degree felony on each subsequent offense, would be a 5th degree felony in all circumstances as well as classified as a violent offense. Furthermore, under current law there is no distinction between needlessly killing a companion animal and acts of cruelty that proximately cause a companion animal's death. Our bill would make these most egregious acts that result in death a 4th degree felony and classify it as a violent offense.

Certain instances of cruelty to animals have made it clear that there needs to be stronger penalties available for the killing or torture of a companion animal. An incident in Canton in 2018 involved a man strangling, beating and skinning a dog.¹ While this individual was sentenced to the maximum sentence as allowed under the law, he ended up serving three months before being granted an early release.²

¹ Ed Balint, "Scott Winter sent to prison for strangling, skinning dog," *Canton Repository*, October 1, 2018, <https://www.cantonrep.com/news/20181001/scott-winter-sent-to-prison-for-strangling-skinning-dog>

²Darcie Loreno, "Warren man who strangled, skinned dog issued early release from prison," *Fox 8 News*, January 4, 2019, <https://fox8.com/2019/01/04/warren-man-who-strangled-skinned-dog-issued-early-release-from-prison/>.

People who commit such heinous acts should be given more than a slap on the wrist. Numerous studies have found that there is a link between animal abuse and criminal violence against people. These increased penalties would give prosecutors the tools to treat these crimes as the serious offenses that they are.

The second component of this bill would prohibit a person from recklessly euthanizing any domestic animal by the use of a gas chamber. Animal shelters have made great strides in reducing euthanasia rates nationally and here in Ohio. However, there are times when euthanasia of shelter animals is necessary to end their suffering or to protect public safety. When animals must be euthanized in a shelter setting, the most humane and highly preferred method is euthanasia by injection, performed by a properly trained technician. When shelter animals are injected with proper euthanasia drugs by a trained professional, they can lose consciousness in as little as 3-5 seconds and lose the ability to feel stress or pain almost immediately. The process is painless, safe, and humane. It is the same process performed in private veterinary practices on a beloved pet.

Gas chambers used in animal shelters are small, dark boxes filled with carbon monoxide (CO) or carbon dioxide (CO₂). They are still used by some here in Ohio to euthanize animals. Under the best circumstances, it can take minutes before an animal loses consciousness inside a gas chamber, during which time it experiences terror and distress. Gas chamber usage for routine shelter animal euthanasia can cause unnecessary animal suffering.

Currently, 27 states have a formal ban on the use of gas chambers for domestic animals. Ohio is one of only four states where there is no ban. My office has been working with local representatives from The Humane Society of the United States, the Ohio Veterinary Medical Association, and others to shape this component of the bill. We look forward to continuing to work with our local partners and the committee to ensure broad support from all of our stakeholders here in Ohio.

Passage of this bill will demonstrate Ohio's support for the humane treatment of animals at all stages of their lives. We appreciate your attention and consideration of these important issues, and thank you again for allowing us to give sponsor testimony on SB 164. We would be happy to answer any questions the committee may have.