



Proponent Testimony on Senate Bill 164
Senate Agriculture & Natural Resources Committee
Sharon Harvey, President and CEO, Cleveland Animal Protective League
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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 proponent testimony on Senate Bill 164, legislation to amend penalties for animal cruelty. My name is Sharon Harvey, and I am the President & CEO of the Cleveland Animal Protective League (APL), which is the humane society for Cuyahoga County and one of the largest animal shelters in Ohio. We are a private, nonprofit, 501(c)(3) organization organized under Ohio Revised Code 1717, and as such, are also authorized to appoint humane agents who enforce Ohio's animal protection laws. I serve as the Vice Chair of the Ohio Animal Welfare Federation and Chair of its Advocacy Committee.

Ohio passed Goddard's law in 2016 to make knowingly committing an act that causes serious physical harm to a companion animal a fifth-degree felony. After nearly five years of experience with Goddard's Law, Senate Bill 164 would provide much needed clarification, simplification, and updates to the statute that will help humane agents, other law enforcement agencies, and prosecutors determine whether an act of animal cruelty should be charged as a felony. Also, it better aligns the penalty for committing the most violent, inhumane acts of companion animal cruelty that cause immense suffering and/or death.

Two years ago, the Cleveland APL was called to investigate a horrifying case in which a suspect doused a dog that was confined in a crate with accelerant and set it on fire. It had been left in the apartment complex garage by the people who found it roaming the streets. Witnesses called authorities when they found the poor, suffering dog, who then rushed it to a veterinarian. Sadly, the dog had to be euthanized due to the extent of its injuries. The suspect in this brutal case was charged with a felony under Goddard's law, however, because such acts of egregious animal cruelty are not considered violent offenses under Ohio's mandatory community control laws, the judge was prevented from including incarceration as a part of sentencing. This person was tried by a jury, convicted of felony animal abuse for this heinous act, and essentially received a slap on the wrist, walking away with a fine and probation.

The link between animal abuse and human violence has been well-documented. The person in this case previously had been convicted of aggravated assault. By not giving judges the discretion to sentence prison time for these very serious, violent crimes, the state is essentially turning its back on this correlation. This legislation seeks to change that by providing judicial discretion when sentencing these violent offenders.

Senate Bill 164 maintains the current fifth degree felony for certain egregious offenses committed knowingly against companion animals, but better defines the offenses that would be considered extreme cruelty towards companion animals and subject to felony charges. Those

acts include the needless killing and unjustifiable beating, mutilation, maiming or poisoning of a companion animals that leads to substantial, prolonged or intractable pain or a substantial risk of death. The bill creates a penalty those persons who aid or abet these acts. It also increases the penalty to a fourth-degree felony when the knowingly committed acts of violence against a companion animal result in the animal's death.

Finally, this bill would ban the use of gas chambers for the destruction of domestic animals at animal shelters. In Ohio, every animal shelter may now access the sedation and euthanasia drugs required to humanely and safely euthanize animals that are suffering and cannot be saved or too dangerous to release back into the community. It is time to join 27 other states and end the inhumane method of destroying domestic animals in gas chambers in animal shelters in Ohio.

In conclusion, those of us who work in the animal welfare profession hear and see unthinkable crimes against companion animals entirely too frequently. Gaps in the Revised Code have resulted in some of the worst offenders being released back into the general public with insufficient punishment for the crime committed, presenting a continued risk to animals and people in the community. Senate Bill 164 would address that issue, provide critical updates to Goddard's Law that five years of experience using the law have shown would be helpful, and bans the archaic practice of using gas chambers to destroy domestic animals at animal shelters.

I deeply appreciate the work of Senators Hottinger and Yuko to address this issue and strongly encourage you to favorably consider this critical legislation. Thank you for the opportunity to weigh in on Senate Bill 164.