

SB 164 Proponent Testimony  
Presented By Nitro Foundation  
Elizabeth Raab & Tom Siesto (Nitro's owners)  
Phone: 347-622-2463  
Mike Smeck (Ohio Resident & Voter, Veteran, Director Nitro's Ohio Army)  
Phone: 440-670-9910  
Before the Senate Agriculture and Natural Resources Committee  
Chairman Tim Schaffer

October 5, 2021

Chairman Schaffer, Vice Chairman Huffman, Ranking Member Fedor, and members of the Senate Agriculture and Natural Resources Committee – Good Afternoon and Thank You for this opportunity to provide written testimony today in support of SB 164.

Nitro Foundation/Nitro's Ohio Army is the largest grassroots organization in the State of Ohio and is very much in favor of prohibiting the destruction of domestic animals / companion animals by means of a gas chamber, further strengthening animal cruelty laws and especially making animal cruelty a “violent” offense in our great state of Ohio.

Nitro Foundation is the organization that pushed for 5 long years for “Nitro's Law” that was amended into the budget bill in 2013 and signed into law by Governor Kasich. We continue to advocate for stronger laws to protect Ohio's companion animals.

In regards to banning gas chambers – this is a very barbaric and primitive form of euthanasia which is used for mass killing of animals. When I even hear the term “gas chamber” I see visions of the German concentration camps and stories come to mind of the atrocities that happened there. Gas chambers not only cause physical pain and suffering for animals that are already sick, injured, thought to be too old or too young, but they also cause much “stress” to these animals being shoved into the chamber. Not only are the animals affected, but also the humans that carry out this deed. There have been stories about how these individuals are impacted mentally, so much so as they have committed suicide.

Erie county is the only county left in the State of Ohio that still uses this method. Euthanasia, for whatever reason, should be as pain-free and stress free as possible. The passage of this bill will show Ohio's commitment to treating animals humanely at every stage of their life just like the majority of other states.

In regards to further strengthening animal cruelty statutes in the State of Ohio – More and more society has been changing and our companion animals have become a part of the family. For many of us our companion animals are our children and are treated as such. There are many stores, restaurants and even sporting events that host “Bring Your Pet” Days. The pet products industry is huge – In March of 2021 the American Pet Products Association (APPA) State of the Industry report was released stating that the pet industry reached a milestone in 2020, with total sales of \$103.6 billion, a historic high. This just confirms how much our pets mean to us. Committing any act that causes harm to a companion animal should be dealt with just like the offense was committed against one of our children.

Again, our companion animals are like our children. One big difference is that with our children, we nurture and teach them so that one day they may ultimately leave the nest and become independent and start families of their own. With our companion animals, they are with us from birth until death – constantly relying on and trusting us to take care of their needs and to be their protectors and voice in instances of abuse, cruelty and neglect.

Our children have many protections and so should the other members of our family, namely our companion animals. They sleep with us, eat with us, exercise with us, make us happy when we are sad and even make us angry at times. They deserve to be protected against acts of abuse, cruelty and neglect.

Being able to strengthen laws for our companion animals is a straightforward and relatively simple step to protect all vulnerable members of the family and to help make our communities a better and safer environment to live, work and play.

In regards to making certain acts of abuse or cruelty a “violent offense” – We believe this is truly a “no-brainer”. How could anyone possibly think that slashing a dog’s throat, cruelly beating them, stabbing, shooting, etc is not a “violent” act? We have spent much time at Courthouse Rallies across the State of Ohio for criminal animal abuse cases and many ended with sentencing that was just a “slap on the wrist” due to the acts committed against companion animals were not considered acts of violence. Passage of this bill would ensure that certain acts will be considered “violent” and the judge will then have more discretion in sentencing than being required to only sentence an individual to community control.

This bill will also make the most serious animal cruelty convictions non-expungable, meaning it will stay unhidden on the offender’s criminal record for life. This provision is huge and one that has long been coming - it will truly make a difference in certain cases. It has been attested to by many Scholars, Mental Health Professionals and Law Enforcement that those that commit serial killings or violent offenses against other humans started out with abusing animals.

This bill also corrects / restores the language written for Nitro’s Law, which was inadvertently changed with the passage of Goddard’s Law as well as clarifies Goddard’s law language which was often confusing.

In closing, we would like to thank Senators Jay Hottinger and KennyYuko for sponsoring and Senators Hearcel F. Craig and Mark Romanchuk for co-sponsoring this legislation.

Thank you for allowing our written proponent testimony for SB 164. Abuse at all levels needs to stop. We ask that you please consider and vote “Yes” to move SB 164 forward.