**TESTIMONY ON S.B. 205**

**Presented by Lori Carlson, MPA**

**Executive Director of Licking County Humane Society**

**President of Ohio Animal Welfare Federation**

**Before the Ohio Senate Judiciary Committee**

**February 5, 2020**

Chairman Eklund, Vice- Chairman Manning, Ranking Minority Member Thomas, and distinguished members of the Senate Judiciary Committee, I am Lori Carlson, Executive Director of the Licking County Humane Society (LCHS) in Newark, Ohio. LCHS was founded in 1966 and seeks to improve the lives of animals and people through advocacy, education, and support. This is accomplished through programming which includes sheltering and housing homeless pets, investigating animal cruelty complaints and providing services to the elderly and needy in our community. We are a nonprofit, 501(c)(3) organization organized under Ohio Revised Code 1717, and are authorized to appoint humane agents who enforce Ohio’s animal protection laws. On behalf of Licking County and the animals we serve, LCHS respectfully urges this committee to support SB 205, which would increase penalties for those convicted of knowingly torturing, tormenting or committing an act of cruelty against companion animals.

Part of our humane society’s role is to assist with the prosecution of cases against defendants who have abused or neglected animals. My staff seek emergency court orders, prepare cases for prosecution and testify in these cases. We are an integral part of not only protecting animals but also in holding individuals accountable for their crimes against animals.

Most cruelty violations of ORC 959 are mitigated through education, or the provision of resources to eliminate the concerns. In a small number of cases, these interventions are unsuccessful or the infraction is severe enough to warrant filing misdemeanor charges in Municipal Court. In even fewer cases, the crime is so egregious that felony charges are filed (under Goddard’s Law) in the Court of Common Pleas. Under current law, a perpetrator can be charged with a 5th degree felony for animal cruelty. Unfortunately, a conviction for a 5th degree felony results in community control and not extended jail or prison time. Those convicted of a 5th degree felony in Licking County will most often serve some limited time in the county jail and then be released to community control. This greatly ignores the impact that these offenders have on communities and severely under-estimates the risks they present.

Let me share an example. In 2014, a case in Newark involved an offender who mutilated and dismembered a small dog. The dog belonged to the family who the perpetrator was staying with after moving to Ohio from Pennsylvania. Pieces of the dog were found, strewn across the property. It was highly suspected that the offender also ate part of the remains. The details are horrific. Of course, this preceded Goddard’s Law so the case was tried as a misdemeanor. The defendant spent about 90 days in jail before being sentenced in March of 2015. The judge released the defendant on the day of his sentencing to community control, in part because he wanted him to have jail time hanging over his head while he attended treatment. That was the last day anyone saw the defendant. He immediately left the state, receiving no treatment and has never been subsequently located.

One might argue that the current law would have found him guilty of a felony. However, the outcome would have been the same as a misdemeanor. With an F5 conviction, he would still have been released to community control and would still have abandoned the state and his probation. However, had he been found guilty of an F3 as proposed in SB 205, his jail time could have and likely would have been longer and may have included prison time. This man presents a serious risk to any community. He is violent, lacks a conscious about his victims and was never held accountable or punished for his actions. He will undoubtedly hurt other living beings in the future, whether they be animals or humans.

Lest we not forget the link between animal abuse and other forms of violence; here are the numbers:

* 43% of school shooters have animal abuse in their background
* In a study of battered women in several northeastern states, 48% of respondents reported that animal abuse had occurred “often” during the past 12 months, and another 30% reported that the abuse occurred “almost always.” Types of animal abuse reported included punching, hitting, choking, drowning, shooting, stabbing, and throwing the animal against a wall or down stairs. Respondents reported that animal cruelty incidents coincided with violent outbursts against human family members 51% of the time.
* One of the strongest studies covered a seven-year period in 11 different site locations to look at factors that initiate battering behavior. While the study did not set out to focus on animal abuse, the results showed that animal abuse was a significant variable and was one of only four factors associated with becoming a batterer.
* One of the first studies to address the link between child abuse and animal abuse discovered that 88% of homes with physically abused children also included abuse or neglect of the family pet.
* One study revealed that 37% of boys and 29% of girls who were victims of physical and sexual abuse and domestic violence were reported to abuse their family pet.

Particularly heinous animal cruelty crimes are a strong predictor for future violence toward people and animals. SB 205’s increased penalties can keep the worst offenders in jail longer, thereby protecting

communities from their violent behaviors. Longer incarceration ensures more opportunity for treatment and intervention before they return to their community. SB205 is good for animals and for people in Ohio.

Thank you for your time and consideration of this important issue and thank you to Senator’s Hottinger & O’Brien for their leadership.

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