



PROPONENT TESTIMONY ON S.B. 164
Presented by Lori Carlson, MPA
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Board Member of Ohio Animal Welfare Federation
Before the Ohio House Agriculture Committee
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Chairman Koehler, Vice-Chair Creech, Ranking Member Brent, and members of the House Agriculture and Conservation Committee, thank you for the opportunity to provide proponent testimony for Senate Bill 164. This legislation will strengthen safeguards in the community from those committing the most violent, cruel offenses against a companion animal and will also prohibit the inhumane euthanasia of a companion animal in a gas chamber.

I am Lori Carlson, Executive Director of the Licking County Humane Society (LCHS) in Heath, Ohio. LCHS was founded in 1966 and seeks to rescue animals to improve lives. This is accomplished through programming which includes sheltering homeless pets, investigating animal cruelty complaints, and much more. On behalf of our community and the animals we serve, LCHS respectfully urges this committee to support SB 164.

Part of our humane society's role is to assist with the prosecution of cases against defendants who have abused or neglected animals. My humane agents file complaints, 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, and 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 (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. However, sentencing guidelines for judges require treatment and community control versus prison time for those individuals convicted of a 5th degree felony. It is also not considered a violent crime, and therefore, allows a convicted perpetrator to have their records expunged. This greatly compromises public safety and severely under-estimates the documented risks these individuals present to our community.

In 2014, a case in Newark involved an offender who mutilated and dismembered a small dog. Pieces of the dog were found strewn across the property. It was highly suspected that the offender had eaten part of the remains. The details are horrific, and this is what we mean when we say the most egregious cases. 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 time over his head while he attended court-ordered treatment. That was the last day anyone saw the defendant. He immediately left the state, receiving no treatment and no monitoring. This perpetrator is a serious danger in any community, not only to animals but to people as well. The link between human violence and animal violence is clearly documented.

Had we been able to prosecute him under Goddard's Law with the violent offense provision made by SB 164, the judge would have had discretion in sentencing that would have bettered aligned punishment with the



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extremely violent and disturbing nature of his actions. Also, this horrific act would remain on his record and inform law enforcement and the justice system in the event future violent acts are committed.

And then there are the horrible cases that rose to Goddard's Law standards, but we feared if convicted of the 5th degree felony, the perpetrator would receive no jail time. We filed misdemeanor charges instead. This includes a case where the dog was shot in the head with a nail gun. The perpetrator was convicted and spent time in the county jail.

These are the types of horrific cases that prompted Senator Hottinger, our Senator in Licking County, to introduce this legislation.

My organization often must have discussions with our Municipal Prosecutor's about whether it's beneficial to file a felony complaint, even when it is warranted. Those convicted of misdemeanor animal cruelty will likely get some county jail time (max. 6 months) versus those convicted of a 5th degree felony who are unlikely to serve very little, if any, jail time. This was never the intention of Goddard's Law which was meant to impose more severe penalties on those who commit egregious acts of animal cruelty.

SB 164 will allow more discretion for judges when sentencing those convicted of a 5th degree felony and will make egregious cases of animal cruelty a violent crime. This will ensure the perpetrators cannot expunge their records and will facilitate community and law enforcement safety. I urge you to support this much needed improvement to the law.

Thank you for your time and consideration of these important issues.

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