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Date: February 22, 2012
To: Sen. Floyd Prosanski
Senate Judiciary Committee
Re: HB 4021-5

Dear Sen. Prosanski, members of the committee,

The Oregon Humane Society urges you to vote yes on HB 4021-5, the Humane Agent bill.

For over a century, the Oregon Humane Society has assisted in the enforcement of Oregon's animal cruelty laws. As Special Agents commissioned by the Governor under ORS 131.805, our agents provide essential, valued, and often highly technical services to the state at no charge. HB 4021-5 simply shifts the commissioning of our officers from the Governor's office to the Superintendent of State Police. This is a natural fit for the Humane Agents as they currently have statewide authority to enforce the animal cruelty laws.

In the past decade, the legislature has significantly bolstered training and certification requirements. Humane Agents are certified through DPSST and our agency is recognized as a law enforcement unit – **only the Oregon Humane Society has been entrusted with this authority and no other agency is eligible under Oregon law.** HB 4021-5 rightly places these special agents under a professional and respected law enforcement agency and grants the Superintendent of State Police wide discretion for issuing and removing commissions.

We work closely with traditional law enforcement and respect the wishes of local law enforcement. We also consult with state and local agencies as well as industry where appropriate and provide assistance whenever possible.

HB 4021-5 simply moves the commissioning from the Governor's office to the Superintendent of State Police. No more authority comes with this change, rather the bill clarifies limits the power of these officers to enforcement of specific animal cruelty statutes. **No new powers, no broader authority.** As is currently, all personnel costs, training, equipment, and liability are born by the Oregon Humane Society.

HB 4021-5 is good move for Oregon, and for the welfare of animals in our state.

Sincerely,

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INVESTIGATIONS DEPARTMENT

The Oregon Humane Society (OHS) has been investigating animal crimes and holding perpetrators accountable since 1892. The Investigations Department at OHS has come a long way since those humble beginnings. From D.S. Hutchins, the single animal cruelty officer in 1892, grew an entire law enforcement department with the authority and the training to uphold Oregon's notably stringent animal cruelty laws.

The officers' authority derives from a special commission bestowed by the Oregon governor. Oregon law empowers the Governor to commission individuals as "special agents."¹ For many years the Governor has chosen to exercise this authority and OHS has continued to employ Special Agent Humane Investigators. A written agreement exists between the Oregon Humane Society and the State of Oregon outlining the parameters of the State's partnership with OHS.

Although the officers have statewide jurisdiction, the scope of their authority is narrow. OHS Special Agents are "limited to the investigation and potential prosecution of crimes or violations . . . of animal welfare laws found in the Oregon Revised Statutes."² The officers are restricted to enforcement of State laws which criminalize animal cruelty and are not granted the authority to investigate violations of county and/or city ordinances. Investigators do have the authority to issue citations, and to obtain arrest and search warrants.

Despite the narrow scope of their authority, the training required for the Special Agents mirrors that of an Oregon police officer. OHS Humane Investigators are required to complete the 16 week police academy conducted by the Department of Public Safety Standards and Training, and maintain valid certification as required by law for all police officers. Upon graduation from the Academy the newly commissioned officers must complete the field training requirements implemented by DPSST, under the instruction of a certified field training officer. The officers are also required to attain Taser© and CPR certifications.

The majority of the complaints the officers investigate are made by the public and routinely total over 1,000 complaints annually. The investigators spend approximately 80% of their time responding to animal neglect or cruelty reports, most of which involve

¹ ORS §131.805.

² *Amended Agreement and Policy Regarding Commissioning of Special Agents for the Oregon Humane Society*, page 2, Nov. 11, 2003.

companion animals, usually dogs and cats. When commercial livestock are involved OHS investigators consult and partner with the State Veterinarian and industry experts.

OHS investigators provide assistance and expertise to other law enforcement agencies. It is not uncommon for a Sheriff or police agency to request the assistance of OHS cruelty investigators as a valued expert resource in animal investigations—including animal forensics and preservation of evidence. The OHS investigators also assist animal control organizations when they uncover criminal animal issues in their calls for service. Outside agency requests are prioritized and OHS investigators respond to assist in all counties of Oregon.

Animal victims are unique in that they do not have the ability to identify a suspect or testify about their condition. Veterinarians are essential to thorough investigation of animal crimes. The construction of the Animal Medical Learning Center in 2007 provided the Investigations Department with a full service hospital and a team of forensically trained veterinarians. Since that time, these doctors have provided physical exams, necropsies, reports, and expert testimony in cases for both OHS other law enforcement agencies.

The Investigations Department brought 828 animals to the shelter for care, as evidence, and for adoption in 2011. The investigators work closely with the district attorneys, local law enforcement and state officials to bring a successful closure to animal cruelty complaints through animal seizure, criminal prosecution, treatment, adoption, and community education. Investigators' foremost concern is animal welfare, and the welfare of vulnerable humans who frequently are victimized by those engaged in animal cruelty.