

Testimony on HB2783

Presented May 2, 2013 by
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Chairman Prozanski and members of the Oregon Senate Judiciary Committee:

Thank you for the opportunity for me to testify against HB2783 and to share with you concerns I have about this arbitrarily restrictive legislation.

When we decided to add a mostly outdoor dog to our family, our search led us to Clackamas County Dog Services, where we met Fletcher, an older shepherd-mix dog with a kind face and gentle spirit.

Found as a stray, Fletcher had already spent a number of months in a shelter that does euthanize when placement seems hopeless. Without much information to go on, we brought Fletcher home and likely saved his life.

After so many years left unneutered and probably allowed to roam, Fletcher was a runner. Any opportunity to get loose he took...and he ran. We also discovered that Fletcher is a digger, and the side yard we fenced as his dog run was no match for him.

What could we do to keep this active dog from being locked up all the time for his own safety? Dig-proof barriers were cost-prohibitive. Keeping him penned in a dog run or inside seemed cruel. It seemed we couldn't provide him both safety and freedom.

After trial and error, we discovered dog trolleys. These systems connect a lightweight tethering cable to a longer aerial cable using a pulley. Please see Exhibit A, attached. Fletcher's trolley system, with 100 feet of aerial cable and a 20-foot tether, gives him about 4,000 square feet of range—a great deal larger than a traditional dog run, our side yard and most definitely our living room.

Unlike a fenced run, the trolley system also provides Fletcher the ability to engage with us without a barrier, as my video clip shows. As you can see, he can move freely and when the kids play, he plays too. When we have picnics, he curls up beside us. While we garden, he wanders over to hang out.

Unlike being locked inside the house or in a kennel, he is able to freely go the bathroom as he wishes. He has constant access to shelter, food and water. And on early summer mornings, Fletcher loves to find sunny spot to watch the world or take a long, lazy "old man" nap—while we are still fast asleep.

This is not to say that Fletcher is somehow abandoned. We play with him and feed him before and after school just as we would if we were locked inside all day. In cold or stormy weather, we offer him the chance to come, and sometimes he even chooses to do so. In hot weather, he (like us) does better outside under the shade of our large pear tree than suffering inside our non-air-conditioned home. He

loves his freedom, and we love being able to engage with him without a barrier and without the very real danger of his running away and into a car.

You may be wondering, though, if a less kind and caring dog owner might use a trolley system to effectively neglect their dog.

My answer? Of course...in the same way someone can abuse his or her dog by abandoning it in a dog run, kennel, yard or even inside.

The tool is not the issue. Abuse is.

Like a baseball bat, the trolley system is a tool designed to provide exercise and a great deal of fun. And just like we wouldn't attempt to prevent child abuse by legislating that a child can't be near a baseball bat more than 15 of 24 hours, we shouldn't try to prevent animal abuse by keeping a dog penned a certain number of hours instead of on a free-range trolley system—yet this is what HB2783 does.

If HB2783 goes into law, the reality for Fletcher is that he will have to be kenneled 9 of 24 hours to meet this law's requirement. THAT is the abuse—to have him go from nearly total freedom to being contained in a much smaller area for more than a third of each day.

So I ask this committee today to seriously reconsider this legislation and remove dog trolley systems from its restrictions. After so many years searching for his forever home, Fletcher deserves his freedom in ours.