

March 29, 2017

House Committee on Judiciary
Oregon State Capitol
900 Court Street NE, Room 343
Salem, OR 97301



Re: Animal Legal Defense Fund's Support of HB 2637

Dear House Committee on Judiciary,

My name is Lora Dunn and I am the Director and Senior Staff Attorney for the Criminal Justice Program at the Animal Legal Defense Fund. ALDF, founded in 1979, is a national, nonprofit organization of attorneys specializing in the protection of animals and working to ensure the enforcement of existing animal protection laws within the United States. ALDF's Criminal Justice Program, based in Portland, provides free training support to prosecutors and law enforcement in Oregon and throughout the country.

Thank you for considering HB 2637, which would prohibit certain kinds of animal abuse not covered by current law by adding a new offense for third-degree animal abuse. The purpose of this bill is to address those situations where an animal has clearly been cruelly treated, but where current law falls short in addressing this behavior. Currently, first- and second-degree animal abuse laws require that a prosecutor prove beyond a reasonable doubt that an animal has been physically injured as a result of the offender's conduct (ORS 167.315, ORS 167.320). However, there are simply a host of situations where an animal has clearly been abused and suffered, but a veterinary expert is unable to identify physical manifestations of that animal's pain and suffering—such as a dog violently slammed to the ground by

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an angry owner, but who retains no clear physical injuries at the time of examination.

Oregon prides itself on its strong animal protection laws, and many members of the public would be appalled to hear that what would otherwise be considered animal abuse under current law cannot be prosecuted because of this proof issue. HB 2637 would fill that gap, and ensure that every animal abuser can be held accountable—including those who, with a criminal mental state, “create[] a substantial risk of physical injury to an animal.” To be sure, “good animal husbandry” is exempted from this proposed law, as with first- and second-degree abuse.

Thank you for considering this important bill, and for looking out for all of the animals who suffer at the hands of dangerous abusers.

Sincerely,

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