



Date: May 22, 2017

To: **Senate Committee on Judiciary**
Senator Floyd Prozanski, Chair
Senator Kim Thatcher, Vice-Chair
Senator Michael Dembrow
Senator Dennis Linthicum
Senator James Manning Jr.

From: **Sharon Harmon**
CEO, Oregon Humane Society

Re: **House Bill 2625**

Established in 1868, the Oregon Humane Society (OHS) is the state's largest and oldest animal welfare organization with over 50,000 supporters statewide. We are not affiliated with any local or national organization. **We are here today to ask for your support of HB 2625.**

On multiple occasions each year, the Investigations Department at OHS processes an animal cruelty case involving a significant number of victim animals, often times over 100 neglected animals. In those cases, OHS does not leave behind any animal who is suffering—we rescue them all but that does not mean the prosecutor will charge the perpetrator with over 100 counts of animal cruelty. The way the law is currently written, OHS is at the mercy of the prosecutors' charging discretion when it comes the pre-conviction forfeiture remedy that is available us.

When OHS assisted the Marion County Sheriff's Office with the seizure of 149 starving dogs from a warehouse in Brooks the defendants were charged with 48 counts of animal cruelty. OHS executed a search warrant in Columbia County and seized over 100 dogs and 20 horses that were living in neglectful conditions (see photos); that defendant was charged with 48 counts of animal neglect. Just this last year we served a search warrant on a property in Clackamas County and removed 246 exotic birds from conditions lacking even the basic husbandry required for the species and the prosecutor charged that suspect with 4 counts of animal neglect.

Each of the animals in these cases was seized with a search warrant based on probable cause that animal cruelty was occurring and each of these victim animals would have to be held in protective custody by OHS until the case was adjudicated but for the remedy provided in the pre-

conviction forfeiture statute (ORS 167.347). Prosecutors are awarded discretion in their charging decisions, which is a necessary function of the criminal justice system, but that should have no bearing on the legal avenues an animal care agency can pursue in an effort to free the victim animals from their legal limbo.

Please vote yes on HB 2625.

Sincerely,

A handwritten signature in black ink, appearing to read "Sharon Harmon". The signature is fluid and cursive, with a long horizontal stroke at the end.

Sharon Harmon
CEO, Oregon Humane Society
sharon@oregonhumane.org
(503) 416-2992

Attachments: Photos