

May 22, 2017

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



Re: Animal Legal Defense Fund's Support of HB 2732

Dear Senate 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.

I write to you today to respectfully urge you to support HB 2732, which addresses a significant issue facing animals in your state—animals in imminent danger trapped in motor vehicles. In our daily work assisting with the prosecution of animal cruelty cases, we hear too often of the tragic fates of animals who have died when left unattended in motor vehicles. As temperatures climb quickly in enclosed vehicles, animals left inside can suffer burns, heatstroke, and death in a matter of hours or even minutes. HB 2732 would empower a citizen who reasonably believes an animal is in imminent danger to use reasonable force to help that animal without fear of criminal or civil liability.

To be sure, this bill includes important safeguards to ensure that civilians only take action when necessary: criminal

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and civil liability only applies when the individual uses minimum force (“no more force ... than is necessary”), when that individual holds a good faith and reasonable belief that failure to act is necessary to prevent the animal’s “imminent danger of suffering harm,” when the responding civilian also contacts law enforcement, and when that individual stays with the rescued animal until the authorities arrive. Furthermore, ALDF has received no reports of misuse of these “hot cars” laws by states that have enacted similar liability protections for civilian rescuers.

There is a growing trend throughout the country to address the tragic cases of animals trapped in hot vehicles that too often lead to their deaths. More than 20 states now have some kind of “dogs in hot cars” law on the books to address these cases, and we are hopeful that through HB 2732 Oregon will join this contingent both to help make animals safer throughout the state and to support the efforts of those who save these animals from peril.

Thank you for considering this important bill.

Sincerely,

Lora Dunn
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Animal Legal Defense Fund

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