



**HUMANE | OREGON**

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Testimony of Humane Oregon on House Bill 4030 (2018)  
Senate Committee on Environment and Natural Resources

February 22, 2018

Chair Dembrow, Vice Chair Olsen and members of the Committee:

Humane Oregon was formed in 2014 to help advocate for humane treatment of animals in Oregon's political process and elections. We are a moderate but progressive animal welfare organization, with board members from many different parts of Oregon's animal welfare community. We are not affiliated with any other state or national organization.

Humane Oregon supports House Bill 4030 because, in our view, humane treatment of animals includes respecting the laws designed to protect Oregon's wildlife. HB 4030 would help encourage that respect by increasing the financial consequences of violating the wildlife laws.

HB 4030 would allow the courts in criminal cases for violation of Oregon's wildlife laws to impose fines up to the amounts allowed as damages in civil actions brought by the Oregon Department of Fish and Wildlife for the unlawful taking or killing of wildlife. See ORS 496.705. It also would require payment of some or all of those fines to the Department.

The civil damage amounts were modified in 2016 by House Bill 4046. HB 4046 grew out of discussions and proposed legislation in 2015 (HB 2537). Having participated in those discussions, and supported the legislation, our understanding was that, while ODFW rarely brings civil actions for damages for unlawful taking of wildlife, the civil damage amounts would be used, as they had in the past, to set restitution in criminal cases involving illegal taking or killing of wildlife. However, recent court decisions have not allowed the civil damage amounts to be imported into criminal restitution judgments without independent proof of the economic value of the wildlife involved.

HB 4030 would attempt to solve this problem by making clear that courts in criminal cases can impose fines up to the amounts specified in the civil damages statute.

Thank you for considering our comments.

*Brian Posewitz*

Board Member and Administrator