

This 3 year old pit bull was abandoned after being used as "bait" during dog fights. Now adopted, he was not expected to live through the night. But after weekly vet visits, his scars have faded and he's now a healthy 60 lbs.







when she was rescued. Hospitalized and now weighing 33

lbs. This 15 month old is now in a loving home.

This Jack Russell terrior mix was found cowering inside a dirty cat carrier and suffering from a severe case of untreated mange. With 10 weeks of care she has a clean bill of health and has been adopted.





WINNING THE CASE AGAINST CRUELTY

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Resources

The Animals' Advocate

Cruelty-Free Resource Guide

Animal Law Events & Opportunities

Advocating For Animals

Natural Disasters

When Your **Companion Animal** Has Been Harmed

What to do in cases where anticruelty laws have been broken

What to do if a companion animal you purchased became sick or died soon afterwards

What to do when your companion animal has been injured or killed

Victim Impact Statements in Cases of Animal Cruelty

Dogs Shot by Cops: Companion Animals and Law Enforcement

Damages for Death or Injury of an Animal

Animal Cruelty and Domestic Violence

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(Photo CC Cameroon Bennett)

Abusers of animals are five times as likely to harm humans. Nearly half of the victims who stay in violent households do so because they are afraid for their animals. Countless more never leave the home for this very reason. Companion animals like cats and dogs may be threatened or harmed; the vulnerability of other animals like horses may also make it difficult for victims to escape in emergencies. The "link" between violence against humans and animals is clear. But there are resources that can help.

Understanding the Cycle of Violence

After a violent episode, whether physical, emotional, or sexual, tension builds to a breaking point. The abuser blames the victim and minimizes the violence, then woos the victim back in a honeymoon phase, and the victim hopes the cycle is over. But the cycle repeats itself, almost without fail.

Many victims hope the violence will end or believe they can protect animals in the home. The truth is that a person who harms animals will likely harm humans-and a person who harms humans will almost certainly harm animals. Staying with an abuser puts every human and nonhuman in the home at risk.

Children in violent households, who have likely been abused themselves, represent one-fifth of domestic animal cruelty cases.

What to do when you believe a vet has harmed or killed your companion animal

How to find an attorney to help you with your animal-related

» Animal Cruelty and Domestic Violence

No Boundaries for Abusers: The Link **Between Cruelty** to Animals and Violence Toward Humans

Loss, Grief, and Mourning

The Legal Process In The **United States**

Other Issues Regarding Your Companion Animal

When You Witness **Animal Cruelty**

Laws & Cases

Law Professional & Law Student Resources

When a child harms animals it can indicate that serious abuse has been inflicted on the child; consequently, animals are abused in nearly all households in which children have been abused. Furthermore. children who witness animal abuse are at greater risk of becoming abusers. Many violent offenders committed childhood acts of animal abuse.

Silence and Domestic Violence

According to the Center for Disease Control and Prevention (CDC), domestic violence comes in many forms, including physical, sexual, and emotional violence, and threats. Killing, harming, or threatening to harm animals are weapons used by abusers to manipulate victims into



silence and to destroy the comfort animals provide. Abuse is not a problem with anger management, but rather a way to establish and maintain control over victims

Protecting victims of domestic violence will help protect animals too. Experts agree that statistics about abuse, while disturbing, probably downplay the true magnitude of domestic violence. To fight the silence that hides domestic violence, the 1994 Violence Against Women Act (VAWA) helped establish the National Domestic Violence Hotline and exponentially increased the reporting of domestic violence. In February, 2013 Congress passed reauthorization of the Violence Against Women Act. Without better laws, domestic abusers-who have up to an 80% rate of recidivism-will almost certainly repeat their crimes.

An Undeniable Link

Animal abuse is often the first visible sign a family is in trouble.

- Many victims entering shelters report that their abuser has hurt, killed, or threatened family animals. About a third report their children have harmed animals.
- Victims often admit an animal is being abused before they admit their own suffering.
- · Animal cruelty investigations frequently unravel chronic domestic abuse.

How the Law Can Help

Legal remedies include improving the ability of domestic violence shelters to coordinate the protection of animals. Laws that put custody of companion animals directly into legal "protection orders" allow judges to help human and animal victims. Establishing ownership of

animals can be difficult and often requires legal assistance. Many communities have services that provide free legal advice in this area.

Felony penalties for animal cruelty allow prosecutors to better prosecute offenders, because, sadly, most domestic violence cases are only prosecuted at the misdemeanor level. Redefining the legal definition of domestic violence to include animal cruelty can make a difference. As a step toward this, some states have addressed animal abuse committed in the presence of children. Oregon is one such state; ORS 167.320 makes animal abuse a felony if committed in the presence of a minor child. Under this statute, prior domestic violence convictions against a human victim count as prior to trigger the felony clause.

· Here is the National Link Coalition's list of states that include animal cruelty in domestic violence statutes (PDF).

Cross-reporting Is Key



Cross-reporting requires law enforcement and social agencies to report abuse and collaborate in investigations in some states animal protection agencies must also report suspected child abuse, and child protective services must also report suspected animal cruelty. States like New York and New Mexico

are considering such laws. California (SB 1264) and Virginia (HB 74 and SB 239) recently enacted laws that impact reporting by animal control officers and veterinarians who suspect child abuse. There is some debate, however, about whether mandatory reporting laws can be enforced properly.

What You Can Do

Have a Plan. If you or someone you love is in a dangerous situation, have an escape and emergency plan for both human and animal victims. Ask your domestic violence shelter or national hotline for tips on forming an escape plan. Organizations like Georgia-based Ahimsa House can offer advice in preparation and planning, especially for individuals with non -traditional companion animals like horses, chickens, goats, sheep, that are more difficult to



transport in emergencies. Do NOT leave animals with the abuser.

"safe haven" foster programs.

Seek Shelter. If family and friends aren't options, contact local shelters and ask for information about sheltering companion animals. Many shelters have temporary

Seek Legal Advice. One of the smartest things victims can do to empower themselves is to get educated. Many local shelters and social services offer free legal advocates who provide crucial resources, assistance filing protective orders, and support in prosecutions. Contact your local shelter, the Rape, Abuse and Incest National Network hotline, or the National Domestic Violence Hotline.

Advocate. Encourage women's shelters to add questions about animals to intake forms, and to build animal kennels at their facilities. Encourage animal shelters to adopt temporary foster programs. Help victims establish ownership of companion animals and retrieve animals left behind. Establish community groups against domestic violence that includes local animal groups.

Support the Victims. Because the rules of evidence have been so skewed to favor the defendant (at the expense of victim safety) victims need to be present in the courtroom at trial. This is often a time of great anxiety and stress; providing a victim with the support necessary to get to court, testify truthfully while looking the abuser in the eye, is vital to ensuring offenders are held accountable. On average, a victim attempts to leave an abusive situation up to seven times before getting out for good. With support, legal assistance, and safe shelter, victims can escape violence.

More Information

- · National Domestic Violence Hotline if your computer is being monitored, call 1-800-799-SAFE.
- The Link ALDF's paper on inter-connections between forms of violence.
- · National Link Coalition addresses the link between elder abuse, domestic violence, child abuse, and animal abuse, and includes a working bibliography of resources.
- · Sheltering Animals of Abuse Victims (SAAV) (co-founded by ALDF's Pamela Hart).
- State by State Safe Havens List from Ahimsa House
- · Sheltering Animals and Families Together source.
- Domestic Abuse Intervention Services
- National Resource Center on Domestic Violence
- Abused Men and Same-Sex Couples.
- National Center on Domestic and Sexual Violence.
- Red Rover's Domestic Violence Safe Escape Grant program
- Animal Welfare Institute's Animals and Family Violence resource

Animal Abuse is a Predictor of other Crimes, Including Domestic Abuse, Murder, Rape & More

By The Law Office of Carol Ryder, P.C.

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Stats on animal abuse show a sharp correlation between animal abuse & other crimes, including rape, robbery, murder, sexual homicide, domestic abuse and more. E.G.: studies show 100% of sexual homicide perps (like Jeffrey Dahmer) started by abusing animals. Even cops, prosecutors & social workers say show me an animal abuser and I'll show you someone with a long rap sheet. Thus, we all need to get behind toughening laws for animal abuse to keep these violent perps locked up longer.

Animal Abuse Bill Requires Psychological Intervention, Recognizing the Animal Abuse to Other Crimes Connection

Animal abuse is like a crystal ball into the future of the abusers. Many people realize that animal abusers are likely to commit a host of other offenses, including murder, rape, and robbery, and a plethora of studies backs this up. Still, animal laws in most states, including New York, treat animals as chattel and animal abuse and neglect as mostly misdemeanor charges at most.

New York is typical, and New York's animal abuse laws are mostly found in the Agriculture and Markets Laws ("AML"). In short, currently, the longest jail time for animal abuse is four years for promoting animal fighting, and two years for aggravated cruelty to a companion animal. "Companion animals" are defined under AML \$350 as dogs, cats, and any other domesticated animals normally maintained in or near the home, and excludes most other animals, even horses (defined as "farm animals"). The top charge for abuse to other animals is only one year, and many cases of abuse and neglect are pled down to even less.

However, a bill sitting in NYS Congress' Agriculture Committee, A8444, recognizes the animal abuse to other crimes connection and, for the first time, requires psychiatric intervention for animal abusers, even juveniles. The bill, drafted in response to the Michael Vick and Chester Williamson (Buster's Law) cases, raises some penalties under AML §353-a ("Aggravated Animal Cruelty"), as well as AML §351 ("Prohibition of Animal Fighting").

We are familiar with Michael Vick, who served little time for a host of vicious offenses, but the Williamson case is not as infamous. There, Williamson set Buster the cat on fire, killing Buster, yet served only one year. In response, AML §353-a (Buster's Law) was passed, raising the maximum penalty for aggravated cruelty to a companion animal from a one-year misdemeanor to a two-year felony charge.

As the bill states in the "Justification" section: "Animal cruelty is viewed by experts as an indicator for future violence against humans. Since his 1997 arrest that led to "Buster's Law," Chester Williamson has been imprisoned numerous times for crimes including Possession of Stolen Property and Attempted Burglary. In Fall 2007, his criminal path took a predictable turn with his arrest for attempted rape, sexual abuse, and unlawful imprisonment of a 12-year-old girl. Requiring early intervention in the form of psychiatric evaluation and treatment would be another tool in the attempt to modify behavior patterns to halt this pattern for escalating abuse".

The bill would require that any person convicted of or adjudicated a youthful offender of Aggravated Cruelty to Animals undergo a psychiatric evaluation by a qualified mental health professional and "may require that such person, at his/her own expense, enter and complete any treatment program necessary to treat the person's mental defect, mental disease, or mental condition". This mental evaluation and treatment clause was never mentioned in any of the AML laws before so this is a start, even though it was not included elsewhere in the bill (for instance, in the animal fighting section), nor does the bill increase penalties for other forms of animal abuse and neglect and does not increase penalties as significantly as many people believe it should in order to be effective enough in theory as well as application.

The statistics supporting the animal abuse to other crimes connection are overwhelming. For instance, in one twenty-year study, 70% of animal abusers committed other crimes, and 44% went on to harm people. In another recent study, 99% of animal abusers had convictions for other crimes, 100% of people who committed sexual homicide (like Jeffrey Dahmer) had abused animals, and 61.5% of animal abusers had assaulted a human as well. A 1997 study showed that when comparing 153 animal abusers to neighbors of similar age and gender, animal abusers were five times more likely to be arrested for violent crimes, three times more likely to commit drug-related crimes, even three times more likely to get traffic tickets.

Many people already know that animal abusers go on to abuse others in their household. There are many statistics out there as well but to summarize, 80-90% of victims of domestic abuse state that their abuser started by abusing pets. Then, an additional vicious cycle often begins because the abused kids, at least 1/3 of the time, according to various studies, abuse animals themselves.

While A8444 should dramatically increase penalties for all forms of animal abuse and neglect for all definitions of animals, it is a good start in helping to curtail animal abuse, punish offenders, and help stop, or at least slow down, animal abusers from going on to commit more crimes. Let's hope it gets passed soon.

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In association with the National Coalition Against Domestic Violence

Why it Matters

- 71% of pet-owning women entering women's shelters reported that their batterer had injured, maimed, killed or threatened family pets for revenge or to psychologically control victims; 32% reported their children had hurt or killed animals.
- 68% of battered women reported violence towards their animals. 87% of these incidents occurred in the presence of the women, and 75% in the presence of the children, to psychologically control and coerce them.
- 13% of intentional animal abuse cases involve domestic violence.
- Between 25% and 40% of battered women are unable to escape abusive situations because they worry about what will happen
 to their pets or livestock should they leave.
- · Pets may suffer unexplained injuries, health problems, permanent disabilities at the hands of abusers, or disappear from home.
- Abusers kill, harm, or threaten children's pets to coerce them into sexual abuse or to force them to remain silent about abuse.
 Disturbed children kill or harm animals to emulate their parents' conduct, to prevent the abuser from killing the pet, or to take out their aggressions on another victim.
- In one study, 70% of animal abusers also had records for other crimes. Domestic violence victims whose animals were abused saw the animal cruelty as one more violent episode in a long history of indiscriminate violence aimed at them and their vulnerability.
- · Investigation of animal abuse is often the first point of social services intervention for a family in trouble.
- For many battered women, pets are sources of comfort providing strong emotional support: 98% of Americans consider pets to be companions or members of the family.
- · Animal cruelty problems are people problems. When animals are abused, people are at risk.

Did You Know?

- More American households have pets than have children. We spend more money on pet food than on baby food. There are
 more dogs in the U.S. than people in most countries in Europe and more cats than dogs.
- · A child growing up in the U.S. is more likely to have a pet than a live-at-home father.
- Pets live most frequently in homes with children: 64.1% of homes with children under age 6, and 74.8% of homes with children over age 6, have pets. The woman is the primary caregiver in 72.8% of pet-owning households.
- Battered women have been known to live in their cars with their pets for as long as four months until an opening was available
 at a pet-friendly safe house.

State Animal Cruelty Laws

Anti-cruelty laws exist in all U.S. states and territories to prohibit unnecessary killing, mutilating, torturing, beating, neglecting and abandoning animals, or depriving them of proper food, water or shelter. Animal cruelty cases may be investigated by a local humane society, SPCA or animal control agency or, in areas where these organizations are not present, by police or sheriff's departments. When an investigation uncovers enough evidence to warrant prosecution, charges may be filed by the local district or state's attorney. Often, only the most serious cases generate sufficient sympathy and evidence to warrant prosecution, and gaining convictions may be very difficult.

If You Need Help

Contact your local humane society, SPCA, animal control agency, or veterinarian to see if they have temporary foster care facilities for pets belonging to battered women.

What You Can Do

- Have your pets vaccinated against rabies, and license your pets with your town or county: make sure these registrations are in your name to help prove your ownership.
- Consider and plan for the safety and welfare of your animals. Do not leave pets with your abuser. Be prepared to take your pets
 with you: many women's shelters have established "safe haven" foster care programs for the animal victims of domestic
 violence.
- Alternatively, arrange temporary shelter for your pets with a veterinarian, family member, trusted friend, or local animal shelter.

What Advocates Can Do For Battered Women With Pets

- · Add questions about the presence of pets and their welfare to shelter intake questionnaires and risk assessments.
- Work with animal shelters, veterinarians, and rescue groups to establish "safe haven" foster care programs for the animal
 victims of domestic violence; some women's shelters are building kennels at their facilities.
- · Include provisions for pets in safety planning strategies.

- · Help your clients to prove ownership of their animals.
- · Help victims to retrieve animals left behind.
- · Include animals in abuse prevention orders.
- Help victims find pet-friendly transitional and permanent housing.
- · When victims can no longer care for their pets, make referrals to animal adoption agencies.
- Establish community coalitions against family violence that include humane societies, SPCAs, animal control agencies, and veterinarians. Invite representatives from these agencies to train your staff on how animal abuse cases are investigated and prosecuted: offer to train their staffs and volunteers about domestic violence issues.

Resources

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For a bibliography of "Link" materials: please see www.animaltherapy.net/Bibliography-Link.html

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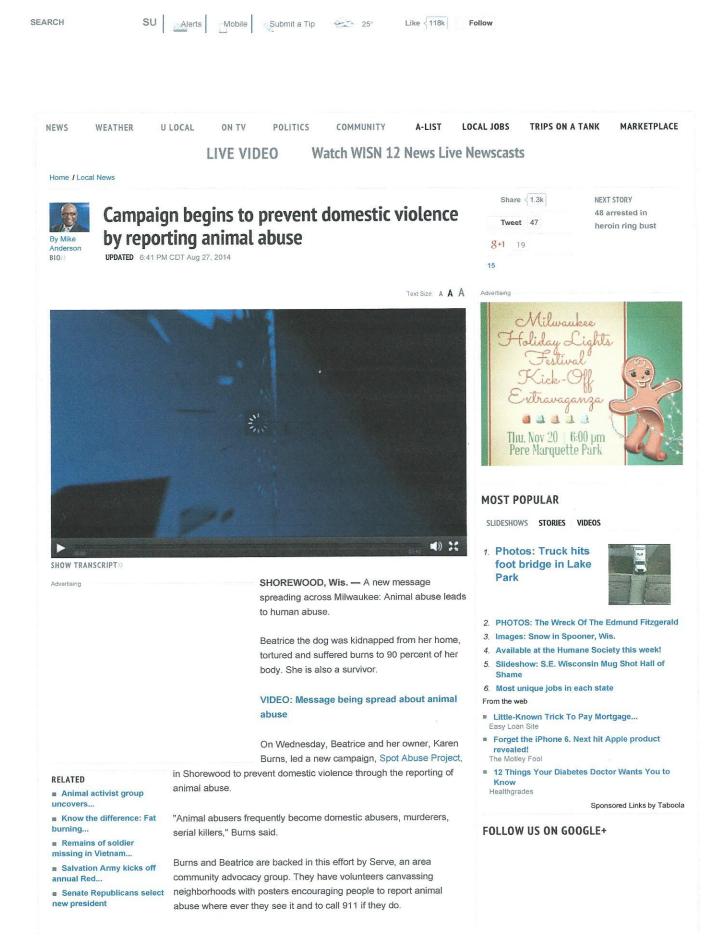
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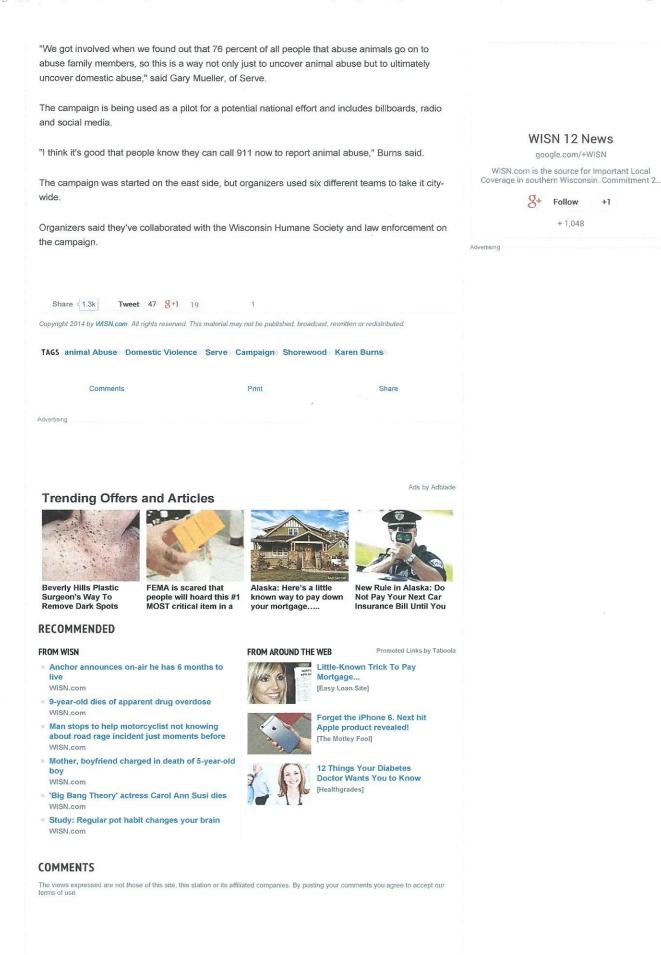
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AS 03.55.100. Minimum Standards of Care For Animals.

(a) The minimum standards of care for animals include

(1) food and water sufficient to maintain each animal in good health;

(2) an environment compatible with protecting and maintaining the good health and safety of the animal; and

(3) reasonable medical care at times and to the extent available and necessary to maintain the animal in good health.

(b) Any determination as to whether or not the standards of this chapter are met shall be based on the professional opinion of a veterinarian licensed under AS <u>08.98</u>.

(c) The department may adopt regulations to implement this section.

AS 03.55.110. Investigation of Cruelty to Animals Complaints.

(a) A person who believes that cruelty to animals has taken place or is taking place may file a complaint with a public or private animal control agency or organization, the department, or a peace officer. An agency or organization or the department may refer the complaint to a peace officer.

(b) A peace officer who receives a complaint of animal cruelty may apply for a search warrant under AS 12.35 to the judicial officer in the judicial district in which the alleged violation has taken place or is taking place. If the court finds that probable cause exists, the court shall issue a search warrant directing a peace officer to proceed immediately to the location of the alleged violation, search the place designated in the warrant, and, if warranted, take property, including animals, specified in the warrant. The warrant shall be executed by the peace officer and returned to the court.

(c) Before a peace officer may take an animal and place it into protective custody, the peace officer shall request an immediate inspection and decision by a veterinarian licensed under AS 08.98 that placement into protective custody is in the immediate best interest of the animal. If a veterinarian is not available to perform an inspection, before a peace officer may take an animal, the peace officer shall communicate with a veterinarian who has, after hearing a description of the condition of the animal and its environment, decided it is in the immediate best interest of the animal that it be placed into protective custody. If the peace officer is not able to communicate with a veterinarian, before the officer may take an animal, the officer shall decide it is in the immediate best interest of the animal that it be placed into protective custody. For purposes of this section, "peace officer" means

(1) an officer of the state troopers;

- (2) a member of the police force of a municipality;
- (3) a village public safety officer; or
- (4) a regional public safety officer.

AS 03.55.120. Seizure of Animals.

(a) A peace officer shall place an animal in protective custody before removing the animal from the location where it was found. If the animal is removed, the peace officer shall place the animal with a veterinarian licensed under AS <u>08.98</u> or, if a veterinarian is not readily available, with a responsible public or private custodian to be sheltered, cared for, and provided necessary medical attention.

- **(b)** A peace officer who has removed an animal shall immediately notify the animal's owner in writing of the removal and of the owner's right to petition the court under AS <u>03.55.130</u> for return of the animal. Notification may be delivered in person, posted at the owner's residence, or mailed to the owner.
- (c) If a removed animal's owner is unknown and cannot be ascertained with reasonable effort, the animal shall be considered a stray or abandoned.
- (d) The state, a municipality, or a person, that supplies shelter, care, veterinary attention, or medical treatment for an animal seized under this section shall make a reasonable effort to locate the owner.

AS 03.55.130. Destruction and Adoption of Animals.

- (a) If a determination is made by a veterinarian licensed under AS <u>08.98</u>, by a peace officer in consultation with a veterinarian licensed under AS <u>08.98</u>, or by a peace officer who is unable to locate or communicate with a veterinarian licensed under AS <u>08.98</u> that an <u>animal</u> removed under AS <u>03.55.100</u> 03.55.190 is injured or diseased to such an extent that, in the opinion of the veterinarian, it is probable the animal cannot recover, the veterinarian or the peace officer may humanely destroy the animal or arrange for the animal's humane destruction.
- **(b)** Upon diagnosis and recommendation of a veterinarian licensed under AS <u>08.98</u>, a public or private custodian may humanely destroy or arrange for the humane destruction of a severely injured, diseased, or suffering animal that has been removed under AS <u>03.55.100</u> <u>03.55.190</u>.
- (c) An owner of an animal destroyed under this section may not recover damages for the destruction of the animal unless the owner shows that the destruction was not reasonable under the facts as known to the veterinarian or the peace officer authorizing the destruction.
- (d) Except as provided in (a) or (b) of this section, the custodian of an animal may not adopt, provide for the adoption of, or euthanize the animal within 10 business days after the animal is taken into custody. An owner may prevent the animal's adoption or destruction by
- (1) petitioning the court of the judicial district in which the animal was removed for the animal's immediate return, subject, if appropriate, to court-imposed conditions; or
- (2) posting a bond or security with the court of the judicial district in which the animal was seized in an amount determined by the court to be sufficient to provide for the animal's care for a minimum of 30 days from the date the animal was removed.
- (e) If the custodian still has custody of the animal when the bond or security posted under (d)(2) of this section expires and the court has not ordered an alternative disposition, the animal becomes the custodian's property. If a court order prevents the custodian from assuming ownership and the custodian continues to care for the animal, the court shall require the owner of the animal to pay by bond or otherwise for the custodian's continuing costs of care for the animal until a final disposition of the animal is made by the court.
- **(f)** The state may not be required to reimburse a public or private agency, organization, or person that voluntarily assists with a removal of an animal or receives custody of an animal removed under this section for costs of shelter, care, veterinary assistance, or medical treatment rendered to the animal.

AS 03.55.190. Definitions.

In AS <u>03.55.100</u> - 03.55.190,

(1) "animal" has the meaning given in AS <u>11.81.900</u>;(2) "custodian" means a person responsible by law for the care, custody, or control of animals;

(3) "department" means the Department of Environmental Conservation.

Justice for Quyana Petition Asks for Changes to Animal Control on Peninsula

Shady Grove Oliver/KBBI Friday, December 19, 2014

The



Photo Courtesy of the Justice for Quyana Petition Facebook Page Justice for Quyana Petition has been making the rounds on peninsula social media over the last month.

At the last borough assembly meeting, its sponsors planned to address the borough assembly to discuss domestic animal welfare on the Kenai.

Angela Rude started the petition in late October, after her pit bull, Quyana, was killed near her home in Sterling.

She says Quyana was shot on her property by a nearby resident. They could not be contacted by deadline and no charges have been filed. She says she heard the shots but didn't see it happen.

On Air on KBBI 890AM

Spontaneous Combustion Tune in: KBBI 890AM

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"Come find out that she was just on the front part of my property off the side of my driveway," says Rude. "She only made it approximately 27 yards. I could see where the blood trail had started and where the blood trail had ended to her body."

This is just one of the stories about animals on the central peninsula that's had social media abuzz recently.

Earlier this year, animal groups rescued 35 neglected dogs near Soldotna, nicknamed the "Knight Drive Pack".

Shortly thereafter, voters approved a portion of Proposition A in local elections.

The first part of the advisory measure passed by only a few votes. It gave the borough the green light to establish a borough-wide animal control group for areas that fall outside city control. However, voters said no to the second part of the measure, which would have put a service tax in place to fund it.

Rude says not enough is being done to get the process started. She thinks all of these issues, from neglect to abuse, to her dog's death are part of the same story.

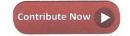
"I would like to see the Kenai Peninsula catch up with the rest of the world and get the funding to establish an animal patrol force of some type, or an animal task force," says Rude. "We need somebody to be able to either help people that can't afford to feed their animals or care for their animals and to enforce animal cruelty and be able to enforce indictments."

Contact: news@kbbi.org

Station: KBBI

extra dividend.
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No recourse to deal with aggressive dogs

I live outside city limits and have a neighbor who has three dogs. On Jan. 11 his three dogs attacked my dog as he was passing by their house. My dog was nearly killed and so far his vet bills have been more than \$600. Had the attack been on my property instead of in the street I would have had the right to shoot his dogs and been able to sue him for my dog's vet costs.

Every time I leave my house I must pass his house and his dogs chase my vehicle. I have chased them off my property several times. Once I stepped outside to find one of the dogs standing five feet from me, growling at me. When I stepped back in to get a gun, the dog ran off. I complained to my neighbor and warned him I would kill his dogs if they threatened me again.

I called the Alaska State Troopers today to register a complaint. A trooper told me I could kill those dogs only if they attacked or threatened me or my animals. He said I could not kill them just for being on my property. He was not interested in who the neighbor was and said he was not even go-

ing to talk with him.

Even though I told the trooper that there are always children playing in the street in the summer, he reiterated that there was nothing he was going to do.

Got a neighbor with menacing dogs? Until something really tragic happens,

there is no help for you!

Robert White Sterling

