

**HB**

**138**

# Alaska State Legislature

**Interim:**  
600 E. Railroad Ave  
Wasilla, AK 99654

Phone: (907) 376-3725  
Fax: (907) 376-4768



**Session:**  
Alaska State Capitol, Rm 108  
Juneau, AK 99801-1182

Phone: (907) 465-3743  
Fax: (907) 465-2381  
Toll Free: (800) 565-3743  
Rep\_Carl\_Gatto@legis.state.ak.us

## **Representative Carl Gatto**

Chair, House Military and Veteran Affairs Committee  
District 13 - Palmer

### SPONSOR STATEMENT HB 138

"An Act relating to cruelty to animals."

There is an unquestionable connection linking animal abuse and domestic violence. There is also credible evidence that individuals who practice violent acts against animals also present a danger to the public. Lets be honest, some people torture animals for amusement and fun. This activity is often seen associated with other serious crimes including drug offenses, gang activity, weapons violations, sexual assault and domestic violence—and can be one of the most visible parts of the entire history of antisocial behavior.

Studies in psychology, sociology, and criminology during the last 25 years have shown that violent offenders habitually have childhood and adolescent histories of serious and repeated animal cruelty. Even the FBI has recognized these connections since the 1970s when its analysis of the lives of serial killers suggested that most had killed or tortured animals as children. Criminal history often shows consistent patterns of animal cruelty previously existed among perpetrators of more widespread forms of violence, including child abuse, spouse abuse, and elder abuse. In fact, a leading Psychiatric Association considers animal cruelty one of the diagnostic criteria of conduct disorder.

Cruelty to animals is increasingly viewed as a significant issue by professionals in law enforcement and mental health—and certainly also the general public. Effective prosecution of animal abuse produces real benefits. It provides early and timely responses to those who are, or who are at risk of becoming, a threat to the safety of others. It provides an added tool for the protection of those who are victims of family violence. We cannot achieve a truly compassionate society, but we can do things that move us in that direction.

HB 138 strengthens animal cruelty laws while recognizing dog mushing as an Alaskan sport, allows for the humane destruction of dangerous animals as well as vermin and pests that threaten our structures and personal safety, and makes knowingly, deliberately, or intentionally inflicting severe and prolonged pain or suffering upon an animal a felony offence. Torture of an animal must be considered a felony if we are to do all we can to protect our children, elders and all of our citizens.

# Alaska State Legislature

**SESSION ADDRESS:**  
Alaska State Capitol  
Juneau, Alaska 99801  
Phone: (907) 465-3743  
1-800-565-3743  
Fax: (907) 465-2381



**INTERIM ADDRESS:**  
600 E Railroad Avenue  
Wasilla, AK 99654  
Phone : 907-376-3725  
Fax: (907) 376-4768

## Representative Carl Gatto

### Memorandum

**Date:** February 5, 2010

**To:** Representative Jay Ramras, Chairman  
House Judiciary Committee

**From:** Representative Carl Gatto

**Re:** Explanation of Changes between HB 138 Original and (CS) for HB 138

The original version of HB 138 called for Cruelty to Animals in the First and Second Degree. Second degree cruelty to animals would have been a class A misdemeanor resulting from negligence or killing of an animal in an attempt to harass or intimidate another person. First degree cruelty to animals would have been a class C felony resulting from the second offense following cruelty to animals in the second degree, use of a decompression chamber, or use of poison.

The sponsor decided to alter HB 138 to make it a companion bill to SB 214. Under the new language in HB 138, criminal negligence in the care of an animal is a class A misdemeanor. The killing or injuring of an animal—except by torture, poison, or decompression chamber—in an attempt to intimidate or terrorize another is also a class A misdemeanor. Torturing or poisoning an animal, or placing it in a decompression chamber, is a class C felony under the new language. Again, these changes are meant to bring HB 138 in line with SB 214. In that same vein, the title of the bill has been changed from “an Act relating to cruelty to animals” to “an Act relating to penalties for cruelty to animals.”

# FISCAL NOTE

**STATE OF ALASKA**  
**2010 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB 138  
 () Publish Date: \_\_\_\_\_

Identifier (file name): HB138-LAW-CRIM-02-12-10 Dept. Affected: Law  
 Title: An Act relating to cruelty to animals. RDU: CRIMINAL  
 Sponsor: Representative(s) GATTO, Gruenberg Component: Criminal Justice Litigation  
 Requester: House Judiciary Component Number: 2202

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>		***	***	***	***	***	***	***

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES ( )</b>								
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<b>TOTAL</b>		***	***	***	***	***	***	***

Estimate of any current year (FY2010) cost: \_\_\_\_\_

**POSITIONS**

Full-time								
Part-time								
Temporary								

**ANALYSIS:** (Attach a separate page if necessary)

HB 138 expands the penalties for most cruelty to animals charges. The fiscal impact to the Department of Law is difficult to predict. In testimony before the Senate Judiciary Committee in 2008 an animal shelter person from Fairbanks said they get 20 cases of cruelty to animals a month. This equals 240 cases a year for a population of 97,970 (US census date for 2008). The same date shows a state population of 686,293. This would mean an annual statewide caseload of approximately 1,608 for cruelty to animals. With the changes of many misdemeanors to a class C felony the state would need at least an additional four to five attorneys. Department of Law numbers should approximate four cases a year hence an indeterminate fiscal note.

Prepared by: Eileen Donahue, Division Operations Manager  
 Division: Administrative Services  
 Approved by: Daniel S. Sullivan, Attorney General  
Department of Law

Phone 465-5427  
 Date/Time 2/12/10 5:05 PM  
 Date 2/12/2010

# FISCAL NOTE

**STATE OF ALASKA  
2010 LEGISLATIVE SESSION**

Fiscal Note Number: HB138-DOC-OC-2-25-10  
 Bill Version: \_\_\_\_\_  
 () Publish Date: \_\_\_\_\_

Identifier (file name): "An Act Relating to Cruelty to Animals" Dept. Affected: DOC  
 Title: \_\_\_\_\_ RDU: Administration & Support  
 Component: Commissioner's Office  
 Sponsor: Representatives Gatto, Gruenberg  
 Requester: House Judiciary Committee Component Number: 694

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
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1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2010) cost: 0.0

**POSITIONS**

Full-time								
Part-time								
Temporary								

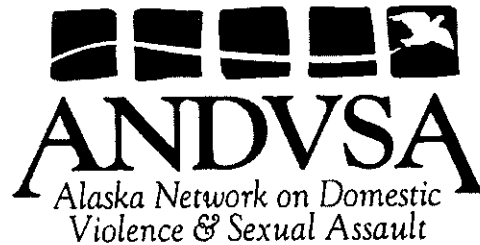
**ANALYSIS:** (Attach a separate page if necessary)

If passed, this legislation makes knowingly and intentionally inflicting severe prolonged pain or suffering upon an animal a felony. The Department of Corrections (DOC) does not have the data needed to quantify the impact of this legislation. We currently have three inmates with cruelty to animal convictions, however, for all three incarcerated individuals there are numerous other convictions in addition to cruelty to animals. For example, in addition to the cruelty to animal conviction, one inmate was convicted of: Theft 2, Murder 1, Vehicle Theft 1, Cruelty to Animals, Attempted Murder 1, and Murder 1 intent to cause death. If this legislation is passed, DOC will closely monitor the impact and could potentially request additional funding based on actual impacts.

Prepared by: Leslie Houston, Director  
 Division: Administration and Support  
 Approved by: Dwayne Peoples, Deputy Commissioner  
Department of Corrections

Phone (907) 465-3339  
 Date/Time 2/25/10 2:30pm  
 Date 2/25/2010

Juneau Office  
130 Seward St #209  
Juneau, Alaska 99801  
Phone: (907) 586-3650  
Fax: (907) 463-4493  
www.andvsa.org



Sitka Office  
PO Box 6631  
Sitka, Alaska 99835  
Phone: (907) 747-7545  
Fax: (907) 747-7547

February 19, 2010

Representative Carl Gatto  
State Capitol, Room 108  
Juneau, AK 99801

Re: Letter of Support  
HB 138 – An Act Relating to Animal Cruelty

Dear Representative Gatto:

On behalf of the eighteen domestic violence and sexual assault member organizations throughout the state that comprise the Alaska Network on Domestic Violence & Sexual Assault, we submit this letter of support for HB 138 - An Act Relating to Cruelty.

HB 138 changes the current Class A misdemeanor animal cruelty provision relating to a perpetrator who “knowingly kills or injures an animal . . . with the intent to intimidate, threaten, or terrorize another person” to a Class C felony, if the person has been previously convicted within the last 10 years.

The link between pet abuse and domestic violence is well-documented and has been a subject studied in increasing detail over the past ten years. Scholarly studies cited by the National Coalition to End Domestic Violence provide evidence of this:

- 71% of pet owners entering domestic violence shelters report that their batterer had threatened, injured, or killed family pets.
- 87% of batterer-perpetrated incidents of pet abuse are committed in the presence of their partners for the purpose of revenge or control.
- Similar to domestic violence, abusers often threaten, harm, or kill animals as a means of demonstrating power and control over the family.<sup>1</sup>

In order to understand how a perpetrator of domestic violence may abuse animals as a means of intimidating, threatening, or terrorizing another person, it may help to briefly consider the elements of domestic violence. Domestic violence is most commonly defined as a pattern of coercive behaviors by which one person tries to control another person. Perpetrators who wish to control their victims' behavior may use animals to demonstrate and confirm dominance over the family. For instance, a perpetrator might beat a dog, or even kill it, and then say to a victim:

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Member Programs

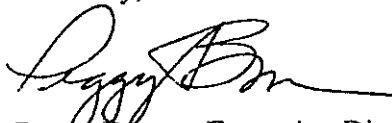
Anchorage AWAIC, STAR Barrow AWIC Bethel TWC Cordova CFRC Dillingham SAFE  
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"Don't make me do this to you." Perpetrators may even use animals to degrade the victim through involvement in the abuse; in fact, a March 2008 incident in Indiana illustrates this sobering dynamic all too vividly: in this case, a father was jailed after forcing his seven-year-old young daughter to stab the family cat.<sup>ii</sup>

Although Alaska-specific studies have not been conducted, anecdotal evidence from shelter advocates suggests a similar prevalence of these issues in our state. In addition, we know from our work that when family pets are used as a weapon of control and dominance, the situation has reached a high lethality level. In response to this reality, many shelter programs have cooperative agreements with their local humane society chapters. In Juneau, for example, representatives from Gastineau Humane Society serve on the local Domestic Violence Task Force, and the AWARE shelter has a cooperative agreement with GHS allowing shelter residents to board their animals free of charge.

Thank you for sponsoring HB 138. Making this specific provision of the animal cruelty statutes a Class C felony will hold perpetrators who use pets as weapons accountable, keeping victims safe by reducing the lethality in these serious domestic violence situations.

Sincerely,



Peggy Brown, Executive Director

cc: Lisa Mariotti, Policy Director

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<sup>i</sup> "Pets and Domestic Violence" Fact Sheet. National Coalition Against Domestic Violence:  
<http://www.ncadv.org/files/petsanddv.pdf>

<sup>ii</sup> "Cops: Dad Forced Daughter to Kill Pet Cat." Associated Press: March 14, 2008.  
[http://www.cbsnews.com/stories/2008/03/14/national/main3937815.shtml?source=mostpop\\_story](http://www.cbsnews.com/stories/2008/03/14/national/main3937815.shtml?source=mostpop_story).



**THE HUMANE SOCIETY  
OF THE UNITED STATES**

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South Dakota  
Tennessee  
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West Virginia  
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March 18, 2009

Dear Legislator:

On behalf of The Humane Society of the United States (The HSUS), the nation's largest animal protection organization with more than 18,000 members and constituents in Alaska, I am writing to urge you to support H.B. 138.

Last year, the Senate and the House Judiciary Committee passed legislation (S.B. 273) to make the worst types of animal cruelty a felony on the first offense. Unfortunately, on the last day of the session with time running out, the language was amended to require two prior convictions before felony penalties could be imposed, and substituted into another bill to ensure passage.

There are now five states without felony level penalties for the most malicious acts of animal cruelty. Alaska is one of only two states where only a third offense triggers the felony clause. Passage of H.B. 138 would fulfill the legislature's original intent to bring Alaska's cruelty code in line with the rest of the country, and protect Alaskan communities from the very worst animal abusers.

Strong laws against animal cruelty protect not only animals, but also our communities. An irrefutable body of research confirms the connection between animal cruelty and human violence. Animal cruelty is often a component of domestic violence, as pets are used to threaten or intimidate a spouse or child.

Numerous studies over the last 25 years have demonstrated that violent offenders frequently have childhood and adolescent histories of serious and repeated animal cruelty. The FBI has recognized the connection since the 1970s, when its analysis of the lives of serial killers suggested that most had killed or tortured animals as children. Other research has shown consistent patterns of animal cruelty among perpetrators of more common forms of violence, including child abuse, spouse abuse, and elder abuse. Newer studies show that 70% of animal abusers are involved in other crimes.

Passage of a first offense felony animal cruelty law is an essential initial step in halting the progression of violent crime—against humans and nonhumans. The HSUS strongly supports H.B. 138 and urges its quick passage through the Alaska legislature.

Sincerely,

*Dave Pauli*

Dave Pauli  
Director, Western Regional Office

*Celebrating Animals. Confronting Cruelty*

2100 L Street, NW Washington, DC 20037 t 202.452.1100 f 202.778.6132 [humanesociety.org](http://humanesociety.org)

STATE OFFICE  
**ALASKA PEACE OFFICERS ASSOCIATION**

P.O. Box 240106 Anchorage, Alaska 99524-0106 Phone (907) 277-0515 Fax (907) 272-5355



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March 27, 2009

Representative Carl Gatto  
House of Representatives  
State Capitol  
Juneau AK 99801-1182

Dear Representative Gatto:

On behalf of the Alaska Peace Officers Association (APOA), I would like to thank you for introducing HB 138, an act relating to cruelty to animals.

The APOA State Board's Legislative Committee recently reviewed this proposed legislation and decided to unanimously support this bill.

We thank you for addressing this issue. Please contact the APOA office in Anchorage at 277-0515, if there is anything our organization can do to assist in the passage of this bill.

Sincerely,

Angella Long  
State President

**Sandra Wilson**

---

**From:** Dick Evans [evansdds@mtaonline.net]  
**Sent:** Wednesday, April 01, 2009 7:53 PM  
**To:** Sandra Wilson  
**Subject:** HB 138 Animal Cruelty

I am a full-time health care provider living and working in Eagle River. Having been involved in canine training for over thirty years, I have recently devoted a great deal of time and energy learning about animal behavior and animal behavioral medicine. Currently, on a limited basis, I do canine and feline behavior consultations; attempting to help owners with problematic behaviors. I have also become involved in training birds, primarily parrots and raptors.

I wish to express my support for HB 138.

Thank you for your consideration.

William R. Evans, DDS  
Eagle River, Alaska

**Sandra Wilson**

---

**From:** Cathie Mihalko [cathiem@criteriongeneral.com]  
**Sent:** Wednesday, April 01, 2009 4:46 PM  
**To:** Sandra Wilson  
**Subject:** House Bill #138

**TO WHOM IT MAY CONCERN:**

I totally support HB 138 - an act relating to cruelty to animals. Although this bill is far from adequate, in my opinion, it is a step in the right direction. No one has the right to harm or neglect any animal. By prosecuting people who engage in these practices, we will also be able to minimize the number of spousal and child abuse cases. Alaska's reputation could certainly benefit from stricter laws and enforcement in this area.

Thank you.

Mary Mihalko  
1450 Northview Drive, #J-4  
Anchorage, AK 99504-2870  
(907) 337-1962

**adn.com**

Anchorage Daily News

[Print Page](#) | [Close Window](#)**Mat-Su man cited for inhumane dog care****LAZY MOUNTAIN: Borough takes in 25 animals it says were emaciated, dehydrated.**By T.C. MITCHELL  
tcmitchell@adn.com

(05/08/08 00:26:24)

WASILLA -- Acting on complaints, the Matanuska-Susitna Borough Animal Care took in 25 emaciated dogs this week from two properties on Lazy Mountain, east of Palmer.

Many of Doug Bartko's dogs are so thin and dehydrated they needed intravenous fluids before they could stomach food, according to Patty Sullivan, borough public affairs director.

Bartko, who calls himself a recreational musher, was cited for five counts of interference with an investigation and 10 counts of failure to provide humane animal care.

He was also served notice that his kennel license could be revoked and that the borough intends to keep the seized animals. More charges are pending, including possible cruelty charges.

"This has turned into a nightmare," Bartko said from his home Wednesday. "I've been under some financial stress."

He said he had friends in Anchorage who had been giving him frozen fish for his dogs, about a ton once or twice a month. But he said his truck broke down and he was unable to get the fish.

"I had some fish and some commercial food," he said. "But I was down for about three weeks and some dogs dropped weight."

Officers contacted Bartko on Friday, but he refused to let them inspect the dogs, according to the borough. The officers left dog food with Bartko.

"I was appreciative of that," Bartko said. "I thought they were trying to work with me."

Monday the officers returned to Bartko's home on Lazy Mountain Drive with a search warrant and removed the dogs. They reported finding 12 malnourished dogs and three dead dogs that were tossed over an embankment on the property. The officers also found evidence that other dogs had been recently removed.

"I took some dogs to a different location to give them some care," Bartko said. "I didn't want to show them the remote place. They just did a hit job on me. There was some distrust there, I guess."

**TIP LEADS TO MORE DOGS**

A tip Tuesday led officers to another property off Wolverine Road where a dead dog was seen being removed, according to Sullivan. Nine dogs were seized there. All were emaciated, dehydrated and many had injuries.

Tuesday, officers tried to contact Bartko at his residence and found four more emaciated and dehydrated dogs.

The 25 husky-mix dogs are under veterinary care for a variety of untreated injuries, as well as dehydration, malnutrition and parasites, according to the borough. The cause of death for the one dog is under investigation.

Bartko, whose family he said has run dogs since the 1970s, was convicted in 2006 of animal cruelty. He said that conviction was a mistake because the dog was dying of cancer and not malnourished.

"We had her out front and were just saying our last goodbyes. Trying to make her comfortable."

He said the same relative who turned him this time, turned him in in 2006 as well.

Calls to the animal shelter Wednesday evening were not returned.

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Find T.C. Mitchell at [adn.com/contact/tcmitchell](http://adn.com/contact/tcmitchell) or 907-352-6716.

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([www.adn.com](http://www.adn.com))

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Anchorage Daily News

[Print Page](#)[Close Window](#)**APD will start paying closer attention to animal cruelty****RESEARCH Studies indicate there's a link to domestic violence.**

By JAMES HALPIN

(12/17/08 00:45:32)

Anchorage police plan to take a harder look around at the scenes of animal cruelty cases they respond to in the hopes of catching domestic violence offenders who beat man and beast alike.

The new effort, announced Tuesday, is part of a plan to partner with the Anchorage Animal Care and Control Center to investigate and prosecute animal cruelty cases, which can be a harbinger of abuse to come, police say.

"Research is showing more and more that there's a direct link between domestic violence and anger vented against animals," police Lt. Dave Parker said. "Recognizing that, and that it's supported by good, sound research, it makes sense for us to look at that as another avenue to help people as well as creatures."

According to the Humane Society of the United States, abusive family members sometimes threaten, injure or kill pets in their efforts to be controlling. The society backs up that assertion in part with a 1997 survey of 50 of the largest shelters for battered women in the United States, which reported that 85 percent of women and 63 percent of children entering shelters had witnessed pet abuse in the family.

At a conference discussing the link between cruelty to animals and domestic violence this fall, police, prosecutors and animal control officials saw that there was a need to coordinate their efforts, said Brooke Taylor, spokeswoman for animal control.

"In the past, cruelty cases weren't always a priority for APD and other parties involved," she said. "It got the dialogue going to say that not only do we need to prosecute these animal cruelty cases and really hold people responsible ... but that there's a larger issue here, that if we prosecute these cases it can bring to light other serious family problems."

Animal control will now be able to work with a single police contact, detective Jackie Conn, said.

Conn, who currently works theft cases, is being specially trained in animal cases and will provide expertise that the officers on the streets, who previously handled such cases, can draw from, Parker said.

All officers are also being asked to take a deeper look around when responding to cases of animal cruelty -- misdemeanors under city law -- to see if there are human victims as well, he said.

"Where there is an anger control issue, there's an anger control issue," Parker said. "If a person's anger is vented against a pet for whatever reason, often we find that that same kind of anger, that outburst, will be vented towards another person."

*Find James Halpin online at [adn.com/contact/jhalpin](http://adn.com/contact/jhalpin) or call him at 257-4589.*

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Anchorage Daily News

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## Man pleads no contest to charges in attack on dogs

By JULIA O'MALLEY  
jomalley@adn.com  
(02/12/09 12:46:25)

A Russian Mission man charged with stabbing four chained sled dogs, leaving two of them dead, pleaded no contest to animal cruelty Tuesday in a Bethel courtroom.

Carl Vaska, 20, was drunk on home brew the night of Dec. 7, when he took a knife and slashed the animals where they were chained in a yard, according to an affidavit from an investigating state wildlife trooper. Vaska's parents later found bloody gloves in his room.

The dogs' owners, Andrew and Christine Stephanoff, told wildlife trooper Dan Dahl that Christine went to feed the dogs the next day and "found two dead dogs and two that were really badly wounded."

"It was a really bad scene, a lot of blood of course," Dahl said.

Word got around the small village quickly. Vaska's parents confronted their son after they found the gloves and he admitted to the killing, Dahl said. The parents called the Stephanoffs to apologize right away, and put their son on the phone.

"I guess he was crying," Dahl said.

Vaska's dog, Bear, had been killed earlier in the year and he suspected someone in the village had done it Dahl said. In his drunken state, Vaska thought he was taking revenge on his dog's killer, he told Dahl. Vaska said he blacked out and couldn't remember the incident clearly.

One of the injured dogs is still unable to bark, Dahl said. The other is weak, but slowly improving.

Vaska faces up to a year in jail for each count of cruelty as well as a fine. He is scheduled to be sentenced Feb 25.

Sale and importation of alcohol are banned in Russian Mission, a village of about 300 people in Southwest Alaska about 70 miles northeast of Bethel.

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Anchorage Daily News

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## Man enters plea for animal cruelty

Anchorage Daily News

(02/13/09 00:26:25)

A Russian Mission man charged with stabbing four chained sled dogs, leaving two of them dead, pleaded no contest to animal cruelty Tuesday in a Bethel courtroom. Carl Vaska, 20, was drunk on home brew the night of Dec. 7 when he took a knife and slashed the animals, which were chained in a yard, according to an affidavit from an investigating state wildlife trooper. Vaska's parents later found bloody gloves in his room.

The dogs' owners, Andrew and Christine Stephanoff, told wildlife trooper Dan Dahl that Christine went to feed the dogs the next day and "found two dead dogs and two that were really badly wounded."

"It was a really bad scene, a lot of blood of course," Dahl said.

Word got around the small village quickly. Vaska's parents confronted their son after they found the gloves and he admitted to the killing, Dahl said. The parents called the Stephanoffs to apologize.

Vaska's dog, Bear, had been killed earlier in the year and he suspected someone in the village had done it, Dahl said. In his drunken state, Vaska thought he was taking revenge on his dog's killer, he told Dahl. Vaska said he blacked out and couldn't remember the incident clearly.

One of the injured dogs is still unable to bark, Dahl said. The other is weak but is slowly improving.

Vaska faces up to a year in jail for each count of cruelty as well as a fine. He is scheduled to be sentenced Feb. 25.

Sale and importation of alcohol are banned in Russian Mission, a village of about 300 people in Southwest Alaska about 70 miles northeast of Bethel.

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Anchorage Daily News

[Print Page](#)[Close Window](#)**Animal advocates fight neglect in the Bush****Spay and neuter services, vet care almost nonexistent**By DEBRA McKINNEY  
dmckinney@adn.com

(02/25/09 21:58:53)

Finding half-dead puppies lying on the floor of a shed at 40 below with no food, water or bedding did not go over well with Kathy Sweeney of Aniak. But when this Yup'ik grandmother picked one up to check it over and part of its frozen tail fell off, that was the last straw.

No more silence. Now anyone who neglects or abuses an animal in her village is going to be hearing from her. The family responsible for these puppies did.

They'd gone upriver for several weeks, leaving their dog and her newborn pups to fend for themselves. Sweeney learned later there had been 14 in the litter. By the time she intervened, 10 had frozen to death.

This is often how it goes in remote areas of the state where people live closer to the edge -- places without regular access to veterinary care, animal control services and the resources to back up animal welfare and cruelty laws.

In Bush Alaska, where a sack of dog food can run \$60 and spaying and neutering is uncommon in some villages, nonexistent in others, it's a matter of practicality to let nature take its course. That means unwanted dogs often freeze or starve to death, except for the lucky ones, relatively speaking, that get it over with quickly by being shot.

Aniak, like many villages, has an ordinance requiring dogs be contained or controlled, since dog bites, with the possibility of rabies, are a public health issue. Without animal control services, there really isn't much in the way of options other than "disposing" of them the old-fashioned way.

That's why people like Sweeney are taking matters into their own hands. As animal advocates, they hope to change the way people think about dogs and other domestic animals, and are doing what they can to save a few without going broke in the process.

After the puppy-tail incident, Sweeney and two friends -- Bev LeMaster and Sue Luchsinger -- put together a rescue group they call Canine Comfort in Aniak, a village of 600 or so about 90 air miles up the Kuskokwim River from Bethel. It's not an official nonprofit; it's just three women spreading the word on responsible pet ownership and saving some dogs along the way.

"We see a lot of dead dogs," said LeMaster, who's lived in Aniak going on 13 years. "They're expendable. If it doesn't work out, you shoot it or abandon it."

Canine Comfort raises money through bake sales and such to help pay for dog food and other rescue expenses. Last summer, Sweeney did a lot of scrounging for materials at the dump, pulling nails out of boards, for making dog houses since so many village dogs spend their lives on chains without any kind of shelter.

Aniak city manager Ron Powell is "100 percent supportive" of the team's efforts.

"They're rendering a service and not getting a lot of recognition for it," he said. "At least on my watch, we're going to do whatever we can to help them out."

The city has offered use of some land behind the public works shop, and the plan is to fence in an area for Canine Comfort's dogs. For now they go to Sweeney's place, and she's got 10 of her own as it is.

Jumping into the Bush dog issue takes some backbone. It's a touchy subject with no easy fix.

"They haven't had anything like this out here in the Bush, ever," Sweeney said. "And we are finding a lot of resistance and a lot of resentment. People have referred to us as 'those dog lovers.'

"I don't take that as an insult."

### **'I DON'T WANT TO KNOW'**

Canine Comfort isn't alone.

In Kalskag, teacher Melanie Pitka got her ninth-grade homeroom students involved in a project they named Humane Humans after she took in a mother dog and pups that weren't being fed.

In her village, with no practical alternatives, unwanted dogs get "taken to the dump."

Meaning?

"I never questioned that too much," she said, "because I don't want to know."

Pitka has rescued a few village dogs and pups here and there, keeping some, finding homes for others, sending some into the animal shelter in Anchorage. A few of her students have done fundraising for dog food and supplies, and some girls built dog houses in shop class. But when the Kalskag school burned down last month, they went up in smoke along with everything else.

Pitka is discouraged but not giving up. She's looking forward to Operation Arctic Care, a roving, joint military project offering free health care for people and veterinary services for pets in remote parts of the state. It's headed to the Bethel area this spring.

In Galena along the Yukon River, Suzette LaPine-Rosecrans has rescued so many dogs the city manager dubbed her "the official unofficial dog catcher."

"When we first came here 11 years ago, I was just distraught," she said. "I was told puppy control was taking them to the dump and dropping them off, where they'd be bear bait.

"It doesn't have to be that way."

In a place where gasoline costs \$7 a gallon, and a gallon of milk is \$10, people are just trying to survive, she said. And Galena hasn't had a spay and neuter clinic since the last time itinerant vet Eric Jayne came to town two years ago.

The Bush Vet, as Jayne is widely known, is a spay and neuter crusader who will "fix" dogs on people's kitchen tables if that's all he has to work with -- and for cheap. Often for free. He's practicing out of state now, but still comes up to do Bush clinics, sponsored now and then by the Humane Society of the United States, according to Regional Director Dave Pauli, who has accompanied him on some of these runs, including one village-hopping trip down the Yukon.

### **A MISSION**

Spaying and neutering is the big-picture solution to the Bush dog problem, advocates say.

Aniak gets a visiting vet once or twice a year, but a spay or neuter there costs up to \$245. Families don't have that kind of money to spend on a dog, so Canine Comfort has also subsidized a couple of those surgeries. The Aniak rescuers wish they could do more, but it's not like those bake sales provide a huge budget for them to work with.

Robert Sept, who has practices in Chugiak and Bethel, is one of several veterinarians around the state who travel to rural Alaska, offering clinics. He said he's seen a "huge improvement" in animal care in the past 25 years. But there are still too many dogs nobody wants. And it's not just a village problem. Even in Anchorage, where people have access to low-cost spay and neuter programs, there are enough people who don't bother to fix their pets to keep animal shelters packed and rescue groups hopping.

Since resources are so thin, the rescue folks in Aniak, Kalskag and Galena have been sending batches of puppies and the occasional adult dog, along with a \$20 surrender fee for each, to animal control in Anchorage and Fairbanks on air carriers willing to fly them in for free on a space-available basis.

Sweeney and the others can usually find someone heading into the city willing to do escort duty. Having someone pick up on the other end, take the dog to animal control and then return the pet carrier to the airport has been the hard part. And there's no guarantee the dogs will be adopted instead of euthanized at the pound. But at least they have a chance.

So far, Pitka's rescued puppies have been adopted within 24 hours, she said. LeMaster of Canine Comfort says her group has heard back from a few people who've adopted Aniak dogs, one of whom mentioned how happy the dog was to discover the couch.

This arrangement works for now because it's small scale, but it makes Anchorage Animal Care and Control Center officials a little nervous. There are more than enough irresponsible pet owners in Anchorage to keep its kennels full.

As Anchorage animal-control spokesperson Brooke Taylor puts it, the unfortunate reality is that when the shelter is full, "the difficult decision must then be made to euthanize adoptable animals."

In addition to pushing the spay and neuter solution, Sweeney would like to strengthen Alaska's animal-welfare laws. According to the Animal Legal Defense Fund, a national group working to toughen cruelty laws, our state could use that. Although Alaska is no longer close to dead last in terms of animal protection laws, the state merely inched from 48th to 42nd place after the Legislature made a third cruelty, abandonment or neglect offense a felony last year.

"This is something that's really important to me," Sweeney said.

"I used to wonder why I'm here on Earth. It didn't seem like I was doing anything productive for anybody but my family. Once we started Canine Connection, I felt like that empty spot in me has been filled."

Canine Comfort can be reached at [canine.comfort@hotmail.com](mailto:canine.comfort@hotmail.com), or PO Box 242, Aniak, AK, 99557.

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Find reporter Debra McKinney online at [adn.com/contact/dmckinney](http://adn.com/contact/dmckinney).

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## U.S. CRUELTY LAWS FELONY VS. MISDEMEANOR

This matrix will allow you to quickly see whether or not your state has felony statutes in place for cruelty to animals. Click on the table header to re-sort the matrix.

There are 6 states without felony provisions for cruelty to animals: **Alaska, Arkansas, Idaho, Mississippi, North Dakota, and South Dakota.**

This list was last updated on **Apr 3, 2008.**

↪ Show information about fields used in this chart

STATE	FELONY	YEAR	MAX. JAIL	MAX. FINE	COUNSEL-ING	BAN	PPO
Alabama	<	2000	10 years	\$5,000	✖	✖	✖
Alaska	✖		1 years	\$10,000	<	✖	✖
Arizona	<	1999	1 years	\$150,000	✖	✖	✖
Arkansas	✖		1 years	\$1,000	<	✖	✖
California	<	1988	3 years	\$20,000	<	✖	<
Colorado	<	2002	6 years	\$500,000	<	<	<
Connecticut	<	1996	5 years	\$5,000	<	✖	<
Delaware	<	1994	3 years	\$5,000	✖	<	✖
D.C.	<	2001	5 years	\$25,000	✖	✖	✖
Florida	<	1989	5 years	\$10,000	<	✖	✖
Georgia	<	2000	5 years	\$15,000	<	✖	✖
Hawaii	<	2007	5 years	\$10,000	✖	✖	✖
Idaho	✖		1 years	\$9,000	✖	✖	✖
Illinois	<	1999	5 years	\$50,000	<	✖	✖
Indiana	<	1998	3 years	\$10,000	<	✖	✖
Iowa	<	2000	5 years	\$75,000	<	✖	✖
Kansas	<	2006	1 years	\$5,000	<	✖	✖
Kentucky	<	2003	5 years	\$10,000	✖	✖	✖
Louisiana	<	1995	10 years	\$25,000	<	✖	✖
Maine	<	2001	5 years	\$10,000	<	<	<
Maryland	<	2001	3 years	\$5,000	<	<	✖
Massachusetts	<	1804	5 years	\$2,500	✖	✖	✖
Michigan	<	1931	4 years	\$5,000	<	<	✖
Minnesota	<	2001	4 years	\$10,000	<	<	✖
Mississippi	✖		6 months	\$1,000	✖	✖	✖
Missouri	<	1994	5 years	\$5,000	✖	✖	✖
Montana	<	1993	2 years	\$2,500	✖	<	✖
Nebraska	<	2002	5 years	\$10,000	✖	✖	✖

Nevada	✓	1999	5 years	\$10,000	✓	✘	✓
New Hampshire	✓	1994	7 years	\$4,000	✘	✓	✘
New Jersey	✓	2001	5 years	\$15,000	✓	✘	✘
New Mexico	✓	1999	18 months	\$5,000	✓	✘	✘
New York	✓	1999	2 years	\$5,000	✓	✓	✓
North Carolina	✓	1998	6 months	\$1,000	✘	✘	✘
North Dakota	✘		1 years	\$2,000	✘	✘	✘
Ohio	✓	2002	1 years	\$2,000	✓	✘	✘
Oklahoma	✓	1887	5 years	\$5,000	✘	✘	✘
Oregon	✓	1995	5 years	\$100,000	✓	✘	✘
Pennsylvania	✓	1995	7 years	\$15,000	✓	✘	✘
Rhode Island	✓	1896	2 years	\$1,000	✓	✘	✘
South Carolina	✓	2000	5 years	\$5,000	✘	✘	✘
South Dakota	✘		1 years	\$1,000	✘	✘	✘
Tennessee	✓	2001	9 months		✓	✓	✘
Texas	✓	1997	2 years	\$10,000	✓	✘	✘
Utah	✓		1 years	\$5,000	✓	✘	✘
Vermont	✓	1998	5 years	\$7,500	✓	✓	✓
Virginia	✓	1999	5 years	\$2,500	✓	✓	✘
Washington	✓	1994	5 years	\$10,000	✓	✘	✘
West Virginia	✓	2003	5 years	\$5,000	✓	✓	✘
Wisconsin	✓	1986	5 years	\$10,000	✘	✘	✘
Wyoming	✓	2003	2 years	\$5,000	✘	✓	✘

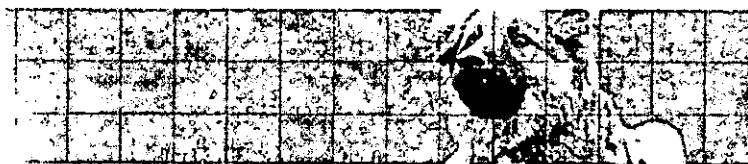
**Related Links** (Off-site links open in a new window)

- [HSUS State Cruelty Chart \(PDF\)](#)
- [HSUS: Animal Cruelty Laws - Where Does Your State Stand?](#)
- [AnimalLaw.Com](#)
- [ASPCA: Lobby for Animals](#)

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HSUS >> HSUS in the Field >> First Strike: The Connection Between Animal Cruelty and Human Violence >> Animal Cruelty and Family Violence: Making the Connection

## Animal Cruelty/Domestic Violence Fact Sheet

### Why do batterers threaten, abuse, or kill animals?

- To demonstrate and confirm power and control over the family.
- To isolate the victim and children.
- To eliminate competition for attention.
- To force the family to keep violence a secret.
- To teach submission.
- To retaliate for acts of independence and self-determination.
- To perpetuate the context of terror.
- To prevent the victim from leaving or coerce her/him to return.
- To punish the victim for leaving.
- To degrade the victim through involvement in the abuse.

### Why should we recognize animal abuse as a form of battering?

- Animal abuse exposes the deliberateness of battering rather than loss of control.
- Animal abuse and child abuse are closely related.
- Animal abuse is often a tool used by batterers to emotionally control or coerce victims.
- Threatening, injuring, or killing animals can indicate the potential for increased violence or lethality.
- Victims may postpone leaving out of fear for their pets' safety.
- Identifying animal abusers can help identify other victims of violence within the family.

### What can victims of domestic violence do to protect their pets?

- Develop an emergency plan for sheltering the pets, themselves, and their children (Review a copy of the First Strike® planning guide, *Making the Connection: Protecting Your Pet From Domestic Violence*.)
- Establish ownership of the pets (obtain an animal license, proof of vaccinations or veterinary receipts in victim's name to help prove they own the pets).
- Prepare the pets for departure (collect vaccination and medical records, collar and identification, medication, bowls, bedding, etc.).
- Ask for assistance from law enforcement or animal care and control officers to reclaim the pets if left behind.

### What are suggested intake questions regarding pets that should be asked by a domestic violence shelter?

- Do you now have a pet? If yes, how many and what kinds?
- Have you had a pet in the past 12 months? If yes, what kinds?
- Has your partner ever hurt or killed a family pet? If yes, describe.
- Has your partner ever threatened to hurt or kill a family pet? If yes, describe.
- Have you ever hurt or killed a family pet? If yes, describe.
- Have any of your children ever hurt or killed a family pet? If yes, describe.
- Was the animal considered the child's, yours, your partner's or the family's pet?
- Did your concern for a pet's welfare keep you from coming to a shelter?



sooner than now? If yes, explain.

- Did you leave the abusive partner because of the abuse of a pet? If yes, describe.



**What can advocates do to raise awareness about the connection between animal cruelty and domestic violence in their communities?**

- Take animal abuse seriously.
- Contact their counterparts in other agencies.
- Develop cross-training and cross-reporting among animal welfare, domestic violence, child abuse and other related agencies.
- Support strong anticruelty laws.
- Develop community anti-violence coalitions.
- Develop community based programs to promote empathy and humane education.
- Encourage research on the connection.
- Work with local animal shelters, veterinarians, veterinary schools and boarding kennels to develop emergency housing programs for pets.
- Collect data in their own agencies.
- Add questions to intake forms about animal cruelty.

**What does The HSUS's First Strike campaign do to help other organizations?**

- Provide First Strike materials and related information.
- Assist with outreach efforts (e.g., workshops, contacts, etc.).
- Provide information and contacts for model programs across the country.
- Provide advice, support, and technical assistance.
- Provide assistance on cases involving animal cruelty.
- Assist with legislative efforts.
- Help raise awareness of domestic violence, child abuse and other forms of human violence among animal protection organizations and activists.

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By Naseem Stecker

# Domestic Violence and the Animal Cruelty Connection

A cat or a dog is deliberately set on fire; kittens are placed in boxes and thrown out as garbage to be crushed alive by trash compactors; a dog is purposely starved to death to "teach it a lesson"; an angry man intent on hurting his wife and children beats and buries the family dog while it is still alive. Neighbors hear the crying dog and call the police who arrive to dig up a dead pet. Incidents such as these are often under-reported, but cruelty towards companion animals in domestic violence situations is slowly pushing its way into the common consciousness as more prosecutors, psychologists, and others are highlighting the dimensions of the problem.

"Historically, there's been a view that these types of crimes are just not as serious as crimes involving people, but I've seen over the 17 years that I've been a prosecutor that there's a very strong link between other violence and animal cruelty and abuse. To me it's just absolutely proven," said Gail Benda, a prosecutor in Ionia County. Her assessment is backed by three decades of studies on the human-animal connection that shows the clear link between animal cruelty, domestic violence, child abuse, and other criminal activity.

Findings from a 1997 national survey show that 85 percent of women seeking the services at safe houses have mentioned incidents of pet abuse. Sixty-three percent of children also spoke of animal abuse in the home. More often than not, many victims of domestic violence will remain in an abusive situation rather than leave their animal behind since companion animals provide support and comfort and are often regarded as family members. Such women will often risk their own safety to shield their animals.

A disheartening effect of this cycle is that children who come from abusive homes of-



Oreo

ten imitate the violence by taking it out on helpless animals. Understanding this form of aggressive and antisocial behavior psychologists say, will add another "piece to the puzzle of understanding and preventing youth violence." Studies also indicate that a lot of animal cruelty takes place "below the radar." Three recent studies have been conducted to try to determine how common it is for children to commit serious acts of animal cruelty. The results show that between 10 and 34 percent of the male subjects said that they had "stabbed, burned, tortured, mutilated or killed" an animal as a child. Psychologists say most of these people never turn up in a crime report.

At the extreme end of this violence spectrum are serial killers like Jeffrey Dahmer and Albert DeSalvo, also known as the Boston Strangler, who had histories of abusing animals before brutally killing their human vic-

tims. This "link" has long been recognized by The Federal Bureau of Investigation, which routinely incorporates animal cruelty as a factor in assessing the threat level a subject poses to society.

In Michigan, the primary anti-cruelty provision MCL 750.50b punishes the willful and malicious infliction of injury to animals without just cause or excuse. Injuries include killing, torturing, mutilating, maiming, disfiguring, or poisoning. The offense is a felony punishable by up to four years in prison. The Michigan Legislature has also enacted two other provisions that relate to cruelty to animals: a duty to provide care and a prohibition against animal fighting. Both carry misdemeanor and felony convictions depending on the case.

"Michigan is a strong state for anti-cruelty laws, well above the average," according to Professor David Favre from Michigan State University's DCL College of Law. He points out that while our laws are fairly good for companion animals, how judges sentence those that are found in violation of law is another issue altogether. "If a teenager sets a dog on fire, that's a clear violation of the intentional cruelty law. And if it's a second offense, it's potentially a four-year felony. Looking at the law you have no idea what the judge is going to do in a particular case. He may give him a suspended six-month sentence and not spend any jail time at all."

Often that's the case according to Bill Nemeth, a veterinarian for over 30 years who's now a fourth-year law student at the University of Detroit Mercy School of Law. Nemeth who worked for many years with the Michigan Humane Society said most of their cases that actually went to court were pled out, the agreement usually involving a misdemeanor, probation, no pet ownership, and some sort of fine or restitution. "I think they look upon these kinds of things as not being



real problems. So they want to get it out of the way without taking up time in the docket and get the thing put aside and over with. If it's a really heinous thing like some of these dogfights and some of the felony situations, they'll pursue that a little more, especially if it gets in the press. But your average everyday cruelty thing—starving your dog to death or beating your dog to death, those things tend to get brushed over," Nemeth said.

Although Michigan has made great strides in keeping animals safe, there is always room for improvement according to Battle Creek Prosecutor John Hallacy who is advocating a change in the sentencing guidelines. "The variables used in determining the sentence do not specifically address animal abuse and neglect. Without such a variable, as a prosecutor, I believe it is difficult for an appropriate sentence to be fashioned in these cases," Hallacy said.

Prosecutors want stiffer penalties. Current sentencing guidelines treat animals as property and prosecutors have a problem with that. David Wallace from the Prosecuting Attorneys Association of Michigan says "pain has been caused and we feel that the sentencing guidelines should be readdressed to make it more of a significant issue especially in egregious cases where the dog, the cat, the animal has been significantly tortured. Right now the guidelines don't have that distinction." Benda echoes this view. "The majority of people treat their pet as a family member and not as property." She suggests changing the animal sentencing guidelines to reflect and take into account the psychological distress of families whose pet is tortured or killed.

Under the provisions of the cruelty statute, MCL 750.50 only the owner or person in control of the animal can be charged with the 93-day misdemeanor. "So if you had a cat or a dog and I came over and kicked it three or four times but didn't kill it, there's really no charge for that. It's your dog, your cat. There's no charge because it's not mine. I can't be charged with cruelty to an animal that's not my animal," Wallace explained.

Defense lawyers argue that overzealous prosecution presents some problems as well. "It really is a tough situation. I think that probably the judges who aren't giving tough enough sentences are doing so because their

jails are full. If you've got somebody who is assaulting his wife and someone who is not taking care of their dog, the wife assaulter certainly deserves jail more than the dog abuser in most people's eyes. I think that judges are somewhat limited by what is available to them primarily because of economic constraints and the realistic limitation of jail cells," observed Dan Balice, an Ionia lawyer who recently defended a controversial case involving a client accused of cruelty to his pet horse.

"Is society prepared to allow the police and the prosecutor to prosecute you because you didn't have the heart to put your arthritic dog down?" asks Balice. In essence, that's what happened to his client—a man in his 50s whose horse had a hoof deformity, which looked like it had been abused. When Rusty the horse, which by many accounts was well-fed and well-cared for, wandered away from its pen one day, animal control and police were called in. Based on the report of a vet who said that the pony's deformed foot had been neglected and that the horse was living in pain, Rusty's owner was handcuffed and led to jail. Although efforts were made to "save the pony, they ended up euthanizing the horse. In the necropsy they found out that it [the hoof] was a congenital birth defect," Balice recounts. The case was dismissed without going to trial.

#### For more information see:

Ascione, Frank R. Animal abuse and youth violence. *Juvenile Justice Bulletin*, September 2001.

Miller, K. S. and Knutson, J. R. (1997). Reports of severe physical punishment and exposure to animal cruelty by inmates convicted of felonies and by university students. *Child Abuse and Neglect*, 21, 59-82.

Flynn, C. P. (2000). Why family professionals can no longer ignore violence toward animals. *Family Relations*, 49, 87-95.

Baker, D. G., Boat, B. W., Grinvalsky, H. T. and Geraciotti, T. D. "Interpersonal Trauma and Animal-Related Experiences in Female and Male Military Veterans: Implications for Program Development." *Military Medicine*, 1998, 163, 1:020.

In 1990, only four states had felony provisions for serious acts of animal cruelty. Forty-one states now have those provisions, including Michigan, but they vary widely. In some states, the felony law may apply only to companion animals. In others, the felony provision is only enacted after the second or third offense. "It would be nice to have something in between the misdemeanor and felony charge. A lot of times what we have may seem like it needs more than just a 93-day misdemeanor but seems to fall short of the proofs necessary for the four-year felony," Benda said.

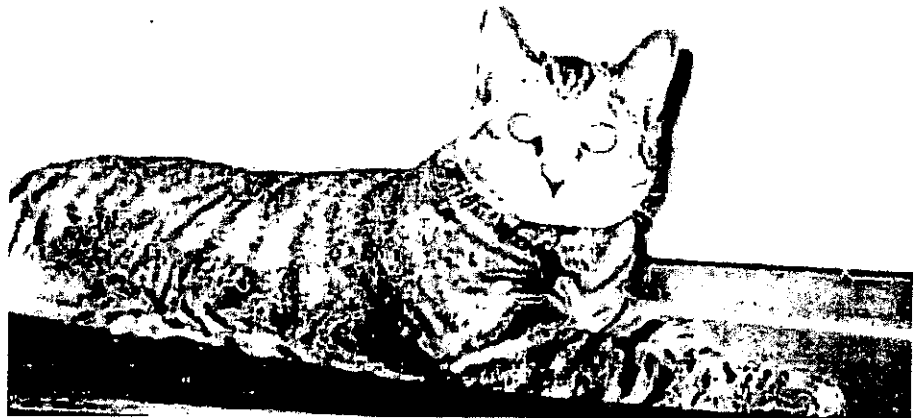
According to psychologist Dr. Marylou Randour, who's the Director of Education of the Doris Day Animal Foundation in Washington D.C., 27 states (including Michigan) have provisions for counseling for juveniles and adults convicted of animal cruelty. Dr. Randour, who lectures frequently to the legal community, says that although animals are legally defined as property, cruelty to animals has different psychological, social, and ontological implications than other property crimes. The FBI, she says, categorizes crimes against society, against persons, and against property. "If animal cruelty were re-categorized under 'crimes against society' it would help make the point that animal cruelty is a public safety issue and would encourage judges and prosecutors to assign a more appropriate weight to animal cruelty offenses than current sentencing guidelines allow."

Dr. Randour also points out that no crime statistics are kept at the juvenile or adult level on animal cruelty crimes. "This should change. If it doesn't, we have no way of understanding what the trends are, at what age animal cruelty is most likely to occur, whether it is increasing, what parts of the country, if any, have higher cases, etc. At the very least the juvenile justice community could institute a change so that animal cruelty adjudications are recorded with a separate category so they can be picked up later for analysis."

In this country, no state or government agency keeps systematic statistics on animal cruelty, but the problem is significant enough that some programs have emerged nationally. In Maryland and New York, programs stress hands-on interaction between juvenile offenders and animals. A safe shelter

program—PetSafe was created in Maryland five years ago to house animals from abusive homes. Shelters in Lansing and East Lansing are also involved in these efforts. “We ask shelter residents at our intake about pet abuse and pet needs. We have a woman who takes in pets when she can, at no charge to the family staying in our shelter,” said Holly Rosen, Safe Place director in East Lansing. Plans are also under way to establish a Michigan State University program to temporarily house the pets of domestic violence victims. Hillary Noyes, a veterinary medicine student at MSU who received a fellowship to establish PetSafe, will develop the logistics of the program cooperatively with the college, local shelters, and other emergency advocates in the area. It’s expected to be in operation by early September 2004.

Balice, the Ionia lawyer, says that educating people is an important first step. People have an obligation to take care of their animals but he adds that “society also has an obligation not to turn good people into crim-



*Snickers*

inals by arresting them and charging them with crimes just because they had too much heart—because they didn’t have the heart to put down their dog. And that’s the danger.”

Bill Nemeth, the veterinarian in law school, attributes a lot of animal cruelty to ignorance of what needs to happen to take care of an animal. “It’s not something you can truly legislate a solution to. There should

be more education, stricter enforcement of current laws, and these kinds of things are going to have to get some more publicity so that the general public knows that there are consequences if you don’t take care of your animals.” ♦

*Naseem Stecker is a staff writer for the Michigan Bar Journal. She can be contacted by e-mail at [nstecker@mail.michbar.org](mailto:nstecker@mail.michbar.org).*

## THE CONNECTION BETWEEN ANIMAL ABUSE AND DOMESTIC VIOLENCE

By Susan J. Holland

A woman in another area recently wrote a letter to the editor pertaining to an animal welfare issue. Almost immediately she was met with negative rebuttals. One reader snidely remarked it was too bad the writer didn't care as much about aborted babies and abused children. Others supported the rebuttal with questions about human rights, poverty in America, and the list goes on.

Step back and take a deep breath. We need to care about animal cruelty and animal welfare. Why? We need to care because studies have proven a direct link between animal cruelty and domestic violence. Consider the following excerpt from Animal Cruelty, Breaking the Cycle of Abuse, a brochure from NAHEE, an educational division of HSUS.

"It is well documented that animal cruelty is a sign of serious psychological distress. It often indicates that a child (or adult) has either experienced violence firsthand or is at risk of becoming violent toward people. Many studies in psychology, criminology, and sociology have demonstrated that violent offenders frequently have childhood and adolescent histories of serious and repeated animal cruelty. As early as the 1970s, the FBI's analysis of the lives of serial killers revealed that most had, as children, killed or tortured animals. Other research has shown consistent patterns of animal cruelty among perpetrators of more common violence, including child abuse, spouse abuse and abuse of the elderly."

Facts cited from an article, Pet Abuse Disconnect, written by Tim White of *The Fayetteville Observer*: "The FBI sees animal cruelty as a predictor of violence and considers animal abuse when profiling serial killers. More than 80 percent of families in treatment for child abuse were also involved in animal abuse."

Sometimes people will say, "So what? It's only an animal." Take a minute to tell them why it is more than that. You don't have to be an animal lover to be against animal cruelty, animal neglect or disrespect for the quality of animal life. No, you don't have to be an animal lover. But you do need to care, because there is a very obvious parallel between animal cruelty and human behavioral dysfunction in a majority of cases.

Please review The Gadsden County Humane Society's Mission Statement. "Our mission is to prevent cruelty and suffering to animals, and to create a humane world for all animals through education, advocacy and the promotion of respect and compassion." Capable professional speakers with informative Power Point Presentations are available for your club, group or organization. Additionally, a teacher certified through the Humane Society of the United States (HSUS) is also available to present humane lessons in the classroom for all age groups. Lessons can be tailored to meet State of Florida education requirements in many subjects. For more information on our local education programs write to [humaneeducation@tds.net](mailto:humaneeducation@tds.net). Please visit our website at [www.gadsdenhumane.org](http://www.gadsdenhumane.org) to learn more about us and opportunities for membership, volunteering, fostering and donating. Why don't you join us? We need you.

*Published in The Havana Herald 12/13/07*

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# Man pleads no contest to charges in attack on dogs

By JULIA O'MALLEY  
jomalley@adn.com

Published: February 12th, 2009 12:46 PM  
Last Modified: February 12th, 2009 01:04 PM

A Russian Mission man charged with stabbing four chained sled dogs, leaving two of them dead, pleaded no contest to animal cruelty Tuesday in a Bethel courtroom.

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Carl Vaska, 20, was drunk on home brew the night of Dec. 7 when he took a knife and slashed dogs chained in the yard, according to an affidavit from an investigating state trooper. Vaska's parents later found bloody gloves in his room. Troopers said he admitted the attack and told them he blacked out.

The dogs' owners, Andrew and Christine Stephanoff, told troopers that part of the knife was found in one of the dead dogs.

After the attack, Vaska called the Stephanoffs to apologize, at his parents' urging, the affidavit said.

Vaska faces up to a year in jail for each count of cruelty as well as a fine. He is scheduled to be sentenced Feb 25.

Sale and importation of alcohol are banned in Russian Mission, a village of about 300 people in Southwest Alaska about 70 miles northeast of Bethel.

Find Julia O'Malley online at [adn.com/contact/jomalley](http://adn.com/contact/jomalley) or call 257-4591.

### Crime Blog



Covering the stories and trooper reports on Alaska's crime scene.

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## **ANIMAL CRUELTY**

There are many different reasons why individuals abuse animals. Animal cruelty covers a wide range of actions (or lack of action), so one blanket answer simply isn't possible. Each type of abuse has displayed certain patterns of behavior that we can use to help understand more about why people commit the crimes we encounter today.

Animal cruelty is often broken down into two main categories: **active** and **passive**, also referred to as **comission** and **omission**, respectively.

### **Passive Cruelty (Acts of Omission)**

Passive cruelty is typified by cases of neglect, where the crime is a lack of action rather than the action itself - however do not let the terminology fool you. Severe animal neglect can cause incredible pain and suffering to an animal.



Examples of neglect are starvation, dehydration, parasite infestations, allowing a collar to grow into an animal's skin, inadequate shelter in extreme weather conditions, and failure to seek veterinary care when an animal needs medical attention.

In many cases of neglect where an investigator feels that the cruelty occurred as a result of ignorance, they may attempt to educate the pet owner and then revisit the situation to check for improvements. In more severe cases however, exigent circumstances may require that the animal is removed from the site immediately and taken in for urgent medical care.

### **Active Cruelty (Acts of Comission)**

Active cruelty implies malicious intent, where a person has deliberately and intentionally caused harm to an animal, and is sometimes referred to as NAI (Non-Accidental Injury). Acts of intentional cruelty are often some of the most disturbing and should be considered signs of serious psychological problems. This type of behavior is often associated with sociopathic behavior and should be taken very seriously.



Animal abuse in violent homes can take many forms and can occur for many reasons. Many times a parent or domestic partner who is abusive may kill, or threaten to kill, the household pets to intimidate family members into sexual abuse, to remain silent about previous or current abuse, or simply to psychologically torture the the victims, flexing their "power".

#### **Related Links (Off-site links open in a new window)**

- [The Abuse Connection \(aka "The Link"\)](#)
- [Reporting Abuse](#)

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 888-523-PETS  
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## **CRUELTY CONNECTIONS**

According to a 1997 study done by the Massachusetts Society for the Prevention of Cruelty to Animals (SPCA) and Northeastern University, animal abusers are five times more likely to commit violent crimes against people and four times more likely to commit property crimes than are individuals without a history of animal abuse.

Many studies in psychology, sociology, and criminology during the last 25 years have demonstrated that violent offenders frequently have childhood and adolescent histories of serious and repeated animal cruelty. The FBI has recognized the connection since the 1970s, when its analysis of the lives of serial killers suggested that most had killed or tortured animals as children. Other research has shown consistent patterns of animal cruelty among perpetrators of more common forms of violence, including child abuse, spouse abuse, and elder abuse. In fact, the American Psychiatric Association considers animal cruelty one of the diagnostic criteria of conduct disorder.

If you break it down to its bare essentials:

**"Abusing an animal is a way for a human to find power/joy/fulfillment through the torture of a victim they know cannot defend itself."**

Now break down a human crime, say rape. If we substitute a few pronouns, it's the SAME THING.

**"Rape is a way for a human to find power/joy/fulfillment through the torture of a victim they know cannot defend themselves."**

Now try it with, say, domestic abuse such as child abuse or spousal abuse:

**"Child abuse is a way for a human to find power/joy/fulfillment through the torture of a victim they know cannot defend themselves."**

**Do you see the pattern here?**

The line separating an animal abuser from someone capable of committing human abuse is much finer than most people care to consider. People abuse animals for the same reasons they abuse people. Some of them will stop with animals, but enough have been **proven** to continue on to commit violent crimes to people that it's worth paying attention to.

Virtually every serious violent offender has a history of animal abuse in their past, and since there's no way to **know** which animal abuser is going to continue on to commit violent human crimes, they should ALL be taken that seriously. FBI Supervisory Special Agent Allen Brantley was quoted as saying "Animal cruelty... is not a harmless venting of emotion in a healthy individual; this is a warning sign..." It should be looked at as exactly that. Its a clear indicator of psychological issues that can and often DO lead to more violent human crimes.

Dr. Randall Lockwood, who has a doctorate in psychology and is senior vice president for anti-cruelty initiatives and training for the American Society for the Prevention of Cruelty to Animals, states "A kid who is abusive to a pet is quite often acting out violence directly experienced or witnessed in the home," Lockwood said, adding that about one-third of children who are exposed to family violence will act out this violence, often against their own pets.

Others either abuse pets or threaten to abuse them as a way to control an individual.

"So much of animal cruelty... is really about power or control," Lockwood said. Often, aggression starts with a real or perceived injustice. The person feels powerless and develops a warped sense of self-respect. Eventually they feel strong only by being able to dominate a person or animal.

Sometimes, young children and those with developmental disabilities who harm animals don't understand what they're doing, Lockwood said. And animal hoarding - the practice of keeping dozens of animals in deplorable conditions - often is a symptom of a greater mental illness, such as obsessive-compulsive disorder.

Just as in situations of other types of abuse, a victim of abuse often becomes a perpetrator. According to Lockwood, when women abuse animals, they "almost always have a history of victimization themselves. That's where a lot of that rage comes from."

In domestic violence situations, women are often afraid to leave the home out of fear the abuser will harm the family pet, which has lead to the creation of *Animal Safehouse* programs, which provide foster care for the pets of victims in domestic violence situations, empowering them to leave the abusive situation and get help.

Whether a teenager shoots a cat without provocation or an elderly woman is hoarding 200 cats in her home, "both are exhibiting mental health issues... but need very different kinds of attention," Lockwood said.

Those who abuse animals for no obvious reason, Lockwood said, are "budding psychopaths." They have no empathy and only see the world as what it's going to do for them.

History is full of high-profile examples of this connection:

- **Patrick Sherrill**, who killed 14 coworkers at a post office and then shot himself, had a history of stealing local pets and allowing his own dog to attack and mutilate them.
- **Earl Kenneth Shriner**, who raped, stabbed, and mutilated a 7-year-old boy, had been widely known in his neighborhood as the man who put firecrackers in dogs' rectums and strung up cats.
- **Brenda Spencer**, who opened fire at a San Diego school, killing two children and injuring nine others, had repeatedly abused cats and dogs, often by setting their tails on fire.
- **Albert DeSalvo**, the "Boston Strangler" who killed 13 women, trapped dogs and cats in orange crates and shot arrows through the boxes in his youth.
- **Carroll Edward Cole**, executed for five of the 35 murders of which he was accused, said his first act of violence as a child was to strangle

a puppy.

- In 1987, three Missouri high school students were charged with the beating death of a classmate. They had histories of repeated acts of animal mutilation starting several years earlier. One confessed that he had killed so many cats he'd lost count. Two brothers who murdered their parents had previously told classmates that they had decapitated a cat.
- Serial killer **Jeffrey Dahmer** had impaled dogs' heads, frogs, and cats on sticks.

More recently, high school killers such as 15-year-old **Kip Kinkel** in Springfield, Ore., and **Luke Woodham**, 16, in Pearl, Miss., tortured animals before embarking on shooting sprees. Columbine High School students **Eric Harris** and **Dylan Klebold**, who shot and killed 12 classmates before turning their guns on themselves, bragged about mutilating animals to their friends.

As powerful a statement as the high-profile examples above make, they don't even begin to scratch the surface of the **whole truth** behind the abuse connection. **Learning more about the animal cruelty/interpersonal violence connection** is vital for community members and law enforcement alike.

#### **Related Links** (Off-site links open in a new window)

[The Whole Picture](#)

[Pet-Abuse.Com Cruelty Connection Cases](#)

[American Humane: The Link](#)

[NCPC: Screening Animal Cruelty Cases for Domestic Violence](#)

[Factors in the Assessment of Dangerousness in Perpetrators of Animal Cruelty](#)

[First Strike: The Connection Between Animal Cruelty and Human Violence](#)

[HSUS: Animal SafeHaven Directory](#)

[Society & Animals Forum: Articles on the Link](#)

[The Abuse of Animals and Domestic Violence](#)

[Battered Women's Reports of Their Partners' and Their Children's Cruelty to Animals](#)

[Animal Welfare and Domestic Violence](#)

[The Latham Foundation for the Promotion of Humane Education](#)

[Animal Abuse and Human Abuse: Partners in Crime](#)

[Bibliography of Materials about Animal Abuse, Child Abuse and Domestic Violence](#)

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## THE WHOLE PICTURE

The fact is that the serial killer examples are only the ones that are sensational enough to make the news. These are the high-profile cases that some animal welfare organizations use to drive their point home, but the reality is that this pattern has shown itself over and over again in much less "news-worthy" cases. One might argue that they in fact, *lessen* the impact, because it makes this connection appear to be something that only exists in serial killers and "psychos", when in fact its very likely that everyone reading these words knows *someone* who has abused animals.

Surely you know at least one person who suffers from child-abuse, or is beaten by their spouse...

- In **88 percent** of 57 New Jersey families being treated for child abuse, animals in the home had been abused.
- Of 23 British families with a history of animal neglect, **83 percent** had been identified by experts as having children at risk of abuse or neglect.
- In one study of battered women, **57 percent of those with pets said their partners had harmed or killed the animals**. One in four said that she stayed with the batterer because she feared leaving the pet behind.

Because the household pet is often used as a control device to keep the abused from seeking help, some shelters have developed programs to assist in these situations. Programs like Rancho Coastal Humane Society's Animal Safehouse Program allows victims to leave their animals in foster care while they seek medical attention, counseling and help. For a national listing of Animal Safehouse/Safe Haven organizations, visit the [HISUS Safe Haven Directory](#).

### What Can be Done?

Children who have abused animals should learn through teachers, social situations, and good parenting that abuse is wrong, and correct their behavior. This is a critical time, and if any one of those corrective elements is missing, that child is high risk for potentially becoming more abusive later on. As said by Anthropologist Margaret Mead, "One of the most dangerous things that can happen to a child is to kill or torture an animal and get away with it".

There are things that can be done. Be sure to stop by the **Prevent** section to read some of our suggestions on how you can get involved, and how small things you can do now will help to **raise your children to be caring adults** - and be sure to **educate others about the abuse connection**.

While animal abuse is an important sign of child abuse, the parent isn't always the one harming the animal. Children who abuse animals may be repeating a lesson learned at home; like their parents, they are reacting to anger or frustration with violence. Their violence is directed at the only individual in the family more vulnerable than themselves: an animal. One expert says, "Children in violent homes are characterized by ... frequently participating in pecking-order battering," in which they may maim or kill an animal. Indeed, domestic violence is the most common background for childhood cruelty to animals.

### Related Links (Off-site links open in a new window)

[Silent Witness](#)

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**Dana Strommen**

---

**From:** Christine Cikan [ccikan@hotmail.com]  
**Sent:** Wednesday, April 08, 2009 11:19 AM  
**To:** Rep. Jay Ramras  
**Subject:** HB138 Testimony



Dear Representative Ramras,

I support HB138, the animal cruelty bill, and I hope you will see this issue through my eyes as I tell you my experience.

A few years ago I pulled into Russian Jack Park's parking lot right next to another parked car. I saw no one in the car and thought nothing of it. I opened my door and one dog, Sammy, jumped out. I could hear barking from inside the other car. The dog's owner jumped up and out of the car swearing and swinging as he charged me. I pulled away but Sammy looked up at the man quizzically and for that he was punched in the face. My other dog, still in the car went wild and the man then threw his Doberman pincher at my car perhaps hoping he would bite me or fight my dog. I was safe but Sammy lost vision in one eye and later the eye had to be removed. He also had migraines for a year. Sammy has never been the same and we think there was brain damage.

I reported the incident to the police. The officer I made my report to knew the man by name. He is a brutal man who had recently served 15 years in prison with no time off for good behavior. The car he emerged from had been reported as stolen but when the person learned who had taken his car he withdrew his complaint...he was too afraid to press charges.

I was very angry and I wanted to file a complaint but the officer said my complaint would not get this man off the street. My dog was considered property and below the cost that would have put this man back in jail. The officer was very sorry because he expected this man to hurt someone soon.

I have two thoughts on this. People who injure animal are highly likely to injure people too. That's why the Anchorage Police Department is now becoming pro-active on animal abuse. A co-dependant woman might not report her abusive partner and a child might be too afraid to complain but neighbors with injured animals could get the brute off the street and save human suffering.

My other thought is this...Sammy's injuries were meant for me. Had I been the victim, this man would be in jail. But my poor Sammy, who did nothing but stand still, is worth next to nothing under the law. How can this be justice?

Please pass HB138 out of Judiciary. It can save animal lives and humans too.

Thank you for reading my testimony.

Christine Marie Cikan  
2100 Ivan Drive  
Anchorage, Alaska 99507

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Sec. 11.61.140. Cruelty to animals.

(a) A person commits cruelty to animals if the person

(1) knowingly inflicts severe and prolonged physical pain or suffering on an animal;

(2) with criminal negligence, fails to care for an animal and, as a result, causes the death of the animal or causes severe physical pain or prolonged suffering to the animal;

(3) kills or injures an animal by the use of a decompression chamber;

(4) intentionally kills or injures a pet or livestock by the use of poison; or

(5) knowingly kills or injures an animal, other than as provided in (1) or

(3) of this subsection, with the intent to intimidate, threaten, or terrorize another person.

(b) Each animal that is subject to cruelty to animals under (a) of this section shall constitute a separate offense.

(c) It is a defense to a prosecution under this section that the conduct of the defendant

(1) was part of scientific research governed by accepted standards;

(2) constituted the humane destruction of an animal;

(3) conformed to accepted veterinary or animal husbandry practices;

(4) was necessarily incidental to lawful fishing, hunting or trapping

activities;

(5) conformed to professionally accepted training and discipline standards.

(d) In (a)(2) of this section, failure to provide the minimum standards of care for an animal under AS 03.55.100 is prima facie evidence of failure to care for an animal.

(e) This section does not apply to generally accepted dog mushing or pulling contests or practices or rodeos or stock contests.

(f) Except as provided in (g) of this section, cruelty to animals is a class A misdemeanor. The court may also

(1) require forfeiture of any animal affected to the state or to a custodian that supplies shelter, care, or medical treatment for the animal;

(2) require the defendant to reimburse the state or a custodian for all reasonable costs incurred in providing necessary shelter, care, veterinary attention, or medical treatment for any animal affected;

(3) prohibit or limit the defendant's ownership, possession, or custody of animals for up to 10 years.

(g) Cruelty to animals is a class C felony if the person has been previously convicted on two or more separate occasions within 10 years of the date of the present offense of a crime under this section, AS 11.61.145(a)(1) or (2), or a law or ordinance of another jurisdiction having elements similar to those offenses. The court may also

(1) require forfeiture of any animal affected to the state or to a custodian that supplies shelter, care, or medical treatment for the animal;

(2) require the defendant to reimburse the state or a custodian for all reasonable costs incurred in providing necessary shelter, care, veterinary attention, or medical treatment for any animal affected;

(3) prohibit or limit the defendant's ownership, possession, or custody of animals for up to 10 years.

Sec. 11.61.145. Promoting an exhibition of fighting animals.

(a) A person commits the crime or offense, as applicable, of promoting an exhibition of fighting animals if the person

(1) owns, possesses, keeps, or trains an animal with intent that it be engaged in an exhibition of fighting animals;

(2) instigates, promotes, or has a pecuniary interest in an exhibition of fighting animals; or

(3) attends an exhibition of fighting animals.

(b) The animals, equipment, vehicles, money, and other personal property used by a person in a violation of (a)(1) or (2) of this section shall be forfeited to the state if the person is convicted of an offense under this section.

(c) In this section, "animal" means a vertebrate living creature not a human being, but does not include fish.

(d) Promoting an exhibition of fighting animals

(1) under (a)(1) or (2) of this section is a class C felony;

(2) under (a)(3) of this section is a violation for the first offense, a class B misdemeanor for the second offense, and a class A misdemeanor for the third and each subsequent offense.

Charges of Cruelty to Animals (For both AS 11.61.140 and AS 11.61.145)

- 2002 – 10 cases referred for prosecution  
5 cases accepted for prosecution
- 2003 – 25 cases referred for prosecution  
22 cases accepted for prosecution
- 2004 – 15 cases referred for prosecution  
11 cases accepted for prosecution
- 2005 – 10 cases referred for prosecution  
7 cases accepted for prosecution
- 2006 – 12 cases referred for prosecution  
7 cases accepted for prosecution
- 2007 – 18 cases referred for prosecution  
10 cases accepted for prosecution
- 2008 – 2 cases referred for prosecution  
2 cases accepted for prosecution

Office: State Wide

Charges: Statutes beginning with AS 11.61.140, AS 11.61.145

Exceptions: No exceptions selected

Case Status: Screening, Active, Inactive, &amp; Closed

Court: All Courts

Case Flag: All

Sort Option: A - By Defendant

Charge Set: Convicted

Severity: All (Felony and Misdemeanor)

Charge Modifier: All Cases (Modified or Unmodified)

**LIST OF DEFENDANTS AND SENTENCES – BASED ON PRIMARY CHARGE**  
1/ 1/2002 - 12/31/2008

DEFENDANT	DA FILE #	CRT DOCKET	PRIMARY STATUTE	TYPE	PRIMARY CHARGE	MODIFIER	JAIL	UNITS	JAIL SUSP	UNITS	SIS	CONS
<b>Anchorage</b>												
Constantine, Keith	AN03-04897	3AN-S03-10164	AS 11.61.140	M	Cruelty To Animals		100	Days			N	N
Sorenson, Jayme	AN07-04725	3AN-07-8111	AS 11.61.140(a)(2)	M	Cruelty To Animals- fail to care		60	Days	60	Days	N	N
<b>Anchorage Charges: 2</b>												
<b>Barrow</b>												
Rexford-Brown, Miranda	BA04-90169		AS 11.61.140(a)(2)	M	Cruelty To Animals- fail to care		10	Days	10	Days	N	N
<b>Barrow Charges: 1</b>												
<b>Bethel</b>												
Aloralrea, Tyrell	BE03-00439	4CH-S03-27	AS 11.61.140(a)(2)	M	Cruelty To Animals- fail to care		45	Days	45	Days	N	N
Mike, Bernadette	BE03-00912	4SM-S03-108	AS 11.61.140(a)(1)	M	Cruelty To Animals-inflict severe pain		30	Days	30	Days	N	N
Spencer, Martha	BE03-00934	4SM-S03-109	AS 11.61.140(a)(1)	M	Cruelty To Animals-inflict severe pain		30	Days	30	Days	N	N
Waska, Bruce	BE03-00680	4EM-S03-52	AS 11.61.140(a)(1)	M	Cruelty To Animals-inflict severe pain		0	Days	0	Days	Y	N
<b>Bethel Charges: 4</b>												
<b>Dillingham</b>												
Zimin, Joan	DI05-90207	3NA-S05-19	AS 11.61.140(a)(2)	M	Cruelty To Animals- fail to care							
<b>Dillingham Charges: 1</b>												
<b>Fairbanks</b>												
Burk, Julia	FA06-01050	4FA-S06-945	AS 11.61.140(a)(2)	M	Cruelty To Animals- fail to care		60	Days	58	Days	N	N
Farrell, Ricardo	FA07-05018	4FA-07-3739	AS 11.61.140(a)(1)	M	Cruelty To Animals-inflict severe pain		30	Days	29	Days	N	N
Frolov, Svetlana	FA05-04117	4DJ-S05-151	AS 11.61.140(a)(2)	M	Cruelty To Animals- fail to care		10	Days	10	Days	N	N
Kulikovskiy, Ruslan	FA05-04117	4DJ-S05-152	AS 11.61.140(a)(2)	M	Cruelty To Animals- fail to care		10	Days	10	Days	N	N
Martin, John	FA05-04286	4FA-S05-3105	AS 11.61.140(a)(1)	M	Cruelty To Animals-inflict severe pain		60	Days	0	Days	N	N
Mercer, Rex	FA03-01141	4FA-S03-1139	AS 11.61.140(a)(1)	M	Cruelty To Animals-inflict severe pain							
Vent, Warner	FA08-00922	4GA-07-92	AS 11.61.140(a)(2)	M	Cruelty To Animals- fail to care		30	Days	20	Days	N	N
<b>Fairbanks Charges: 7</b>												
<b>Juneau</b>												
Brown, Frank	JU03-00558	1HN-S03-37	AS 11.61.140	M	Cruelty To Animals		0	Days	0	Days	Y	N
Hughes, Mark	JU03-00056	1HA-S02-78	AS 11.61.140(a)(1)	M	Cruelty To Animals-inflict severe pain		90	Days	90	Days	N	N

## LIST OF DEFENDANTS AND SENTENCES – BASED ON PRIMARY CHARGE

1/ 1/2002 - 12/31/2008

DEFENDANT	DA FILE #	CRT DOCKET	PRIMARY STATUTE	TYPE	PRIMARY CHARGE	MODIFIER	JAIL	UNITS	JAIL SUSP	UNITS	SIS	CONS
<u>Juneau</u> Ragonese, Giovanni	JU02-01375	1SK-S02-57	AS 11.61.140(a)(1)	M	Cruelty To Animals-inflict severe pain		150	Days	120	Days	N	N
<b>Juneau Charges: 3</b>												
<u>Kenai</u> Boughton, Carolyn	KN02-90316	3KN-S02-384	AS 11.61.140(a)(2)	M	Cruelty To Animals- fail to care		365	Days	365	Days	N	N
James, Jon	KN04-02436	3KN-S04-1888	AS 11.61.140(a)(2)	M	Cruelty To Animals- fail to care		60	Days	55	Days	N	N
Jones, Christopher	KN04-01234	3KN-S04-1017	AS 11.61.140(a)(2)	M	Cruelty To Animals- fail to care		30	Days	25	Days	N	N
<b>Kenai Charges: 3</b>												
<u>Ketchikan</u> Mann, Mary	KE06-01293	1KE-06-1180	AS 11.61.140(a)(2)	M	Cruelty To Animals- fail to care		0	Days	0	Days	Y	N
Rue, William	KE02-00384	1WR-S02-49	AS 11.61.140(a)(1)	M	Cruelty To Animals-inflict severe pain		40	Days	40	Days	N	N
<b>Ketchikan Charges: 2</b>												
<u>Kodiak</u> Calibo, Angel	KO06-00181	3KO-S06-137	AS 11.61.145(a)(1)	M	Exhibit Fighting Animals-own or train	Attempted	0	Days	0	Days	N	N
Stormo, Sigmund	KO04-00722	3KO-S04-599	AS 11.61.140	M	Cruelty To Animals		2	Days	2	Days	N	N
<b>Kodiak Charges: 2</b>												
<u>Kotzebue</u> Melton, Matthew	KB07-00874		AS 11.61.140(a)(1)	M	Cruelty To Animals-inflict severe pain		90	Days	0	Days	N	N
<b>Kotzebue Charges: 1</b>												
<u>Palmer</u> Cahill, Jessica	PA07-03673	3PA-07-2853	AS 11.61.140(a)(2)	M	Cruelty To Animals- fail to care							
Dunning, Thomas	PA04-04435	3VA-S04-242	AS 11.61.140(a)(1)	M	Cruelty To Animals-inflict severe pain		200	Days	190	Days	N	N
Fank, Gary	PA06-01407	3PA-06-1100	AS 11.61.140(a)(2)	M	Cruelty To Animals- fail to care		0	Days	0	Days	N	N
Gregorieff, Adrian	PA08-01693	3VA-08-137	AS 11.61.140(a)(1)	M	Cruelty To Animals-inflict severe pain		30	Days	30	Days	N	N
Johns, Vickie	PA07-00120	3GL-06-250	AS 11.61.140(a)(2)	M	Cruelty To Animals- fail to care		0	Days	0	Days	Y	N
Jones, Edward	PA03-02043	3VA-S03-178	AS 11.61.140(a)(1)	M	Cruelty To Animals-inflict severe pain		90	Days	90	Days	N	N
Mccracken, Samantha	PA07-00265	3PA-07-289	AS 11.61.140(a)(2)	M	Cruelty To Animals- fail to care		0	Days	0	Days	N	N
Mccracken, Terry	PA07-00265	3PA-07-287	AS 11.61.140(a)(2)	M	Cruelty To Animals- fail to care		0	Days	0	Days	N	N
Mckee, Daniel	PA07-01192	3VA-07-53	AS 11.61.140(a)(1)	M	Cruelty To Animals-inflict severe pain		28	Days	0	Days	N	N
Nardini, Deborah	PA06-01407	3PA-06-1099	AS 11.61.140(a)(2)	M	Cruelty To Animals- fail to care		0	Days	0	Days	Y	N
<b>Palmer Charges: 10</b>												

## LIST OF DEFENDANTS AND SENTENCES -- BASED ON PRIMARY CHARGE

1/ 1/2002 - 12/31/2008

DEFENDANT	DA FILE #	CRT DOCKET	PRIMARY STATUTE	TYPE	PRIMARY CHARGE	MODIFIER	JAIL	UNITS	JAIL SUSP	UNITS	SIS	CONS
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**Total Charges: 36**

To Whom It May Concern:

In October 2008, I asked that I be a point of contact for Animal Cruelty investigations and I was allowed to do this. I work closely with Anchorage Animal Care and Control to try to insure that Animal Cruelty complaints are followed up on and the suspects are prosecuted if at all possible.

There have been several studies that have shown that Animal Cruelty is statistically related to other crimes. Someone that commits cruelty to animals is also more likely to commit other crimes such as domestic violence or other violent crimes. It is also been statistically shown that people who commit animal cruelty will also more likely commit other crimes such as property crimes, drug crimes, and disorderly conduct. In a large majority of the cases I have investigated I have seen this in practice. They have many other police contacts and other criminal convictions.

Animal Cruelty is an important issue in our community. When there have been higher profile cases it is obvious by the response from the public, that this issue is important to our community. People are thankful that more is being done but some are also aware that more still needs to be done. There are statistics that show that in communities with better animal cruelty laws and better enforcement and prosecution of animal cruelty laws, the over all crime rate is lower. This makes sense taking into account the statistics that show the relationship between people who commit animal cruelty and other crimes.

I have been frustrated in some of the cases that I have investigated, that the ending result can only be a misdemeanor crime. My main job duty is investigating thefts. If I have a theft case in which someone steals something that is valued at \$500 or more or if someone breaks a window of a vehicle and/or damages a vehicle to get into it to steal something, and the damage is \$500 or more, I can charge that person with a C felony. If someone beats their pet to death, starves their pet to death, tortures their pet etc. the most I can charge them with is an A Misdemeanor. If someone accidentally runs into a dog with their car and kills it and they do not stop to try to render aid and find an owner, they can be charged with an A misdemeanor. Again if they torture their pet and kill it etc., the most I can charge them with is an A Misdemeanor.

I support the passage of this HB 138 and SB214. Animal Cruelty is a problem in our state. Having a felony level law will allow the worst offenders to have a possibility of a punishment that fits the crime better then it currently is. Because of the connection between Animal Cruelty and Domestic Violence and other crimes, I feel it will also help in identifying the people committing other crimes and hopefully help in intervening before innocent citizens became victims.

Thank you,

Detective Jackie Conn

## Jane Pierson

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**From:** lindalance@gci.net on behalf of Linda Lance [lindalance@gci.net]  
**Sent:** Thursday, February 25, 2010 10:48 PM  
**To:** Jane Pierson  
**Subject:** Support of HB138 - Please share with the Judiciary Committee

February 25, 2010

To the Honorable Alaska Legislators of the Judiciary Committee,

I support HB 138, Cruelty to Animals. The Board of the Kodiak Humane Society, of which I am a member, has worked locally to try to enhance city codes to address animal cruelty and abuse. HB 138 would strengthen cruelty laws state-wide; not only protecting our animal friends, but, as stated in Rep. Gatto's Statement, would go after those individuals that have propensity for abuse of children, spouses, and others.

Alaska has fallen behind other states in recognizing the seriousness of animal cruelty. Stronger laws in Alaska means protection for those that are vulnerable and ultimately making our communities safer.

I urge you to pass HB 138.

Sincerely,

Linda Lance  
1338 Mountain View Drive  
Kodiak, AK 99165  
907-486-5044

THINK IT WAS MASSACHUSETTS Sen. Scott Brown's bad fortune to have what was billed as his first national television interview since taking office with the smoke from the Austin IRS offices as his backdrop.

The Republican who won the late Ted Kennedy's seat with a strong pickup-driving, regular-guy appeal was asked by Fox News's Neil Cavuto about those who "invariably" are going to blame the Texas tragedy on "populist rage." Brown agreed with Cavuto that such an assumption was Brown saw similarities between those that troubled Stack, "agic, and I feel for the families are being affected by it," he now if it's related, but I can't in my election but since begotten, people are frustrated. Transparency. They want their be accountable and open about the things that are y lives. So I'm not sure if on. I certainly hope not. But gs better."

pect to Brown, I don't think the real victims in this tragedy people killed and injured by ough he almost sounded like to a radio program on which mplained, "Someone needs ing to violently attack the ould. As a man who worked Austin TV news reporter: . These are our friends, our all, inside every government e's a human being. They

on the fringes of the new an- of extreme anti-tax resis- uthern Poverty Law Cen- roject has counted five rrorist plots against the IRS s, including a plot against an stin in 1995. "There's been h of anti-government mili- Patriot groups" over the past irector Mark Potok, "and many of them is that taxes gitimate." called such attacks nec- re noble principles of the ie says. No, thanks. I'm old- or the days when we defined one who supports our coun- think we should attack our e it.

nist for The Chicago Tribune. E-mail,

cing year round.

Maybe it's the endorphins they get from bicycling, maybe its just that they feel great, maybe they are saving money by not using a car, but they are out there, typically heading from their homes to Downtown, Midtown, the U-Med district and shopping centers — places that our greenbelt trails don't go directly. It is safe to assume that every adult "utility"

ouldport and the new Elmoro road crea- sion are examples of roads where this ap- proach can work well.

Even without this plan Anchorage is recognized as a Bicycle Friendly City with a bronze designation, but this plan, created with the help of the ad hoc group, "Bicycle Commuters of Anchorage" promises a safer future for bicycling in Anchorage. It will help

through all seasons t trail system — just a 40 years ago.

It is time to take it adopting the new An

Lanie Feischer is a longtime The trail along Chester Cree

# Letters to the Editor

## Lawmakers to be commended for animal cruelty measure

I write to commend Sen. Bill Wielechowski and Rep. Bob Lynn for their efforts to treat animal cruelty, in all its many forms, as a felony.

It's almost a foregone conclusion that those who abuse and torture animals inevitably don't treat their human counterparts any better. Many of us remember the case in Anchorage wherein a young man broke into a woman's home and stabbed her German Shepherd to death after the woman managed to escape. What might have happened to her if she was unable to get away?

Studies of serial killers (Ted Bundy, Jeffrey Dahmer, and others) have shown that they were animal torturers in their early years.

These bills do not put animals on a par with humans, but try to curtail or punish appropriately what should be unacceptable, criminal behavior in our society. Such behavior, if given "a pass," will lead to the equivalent of a jury setting free a repeat offender, just so that offender can repeat and accelerate his/her crimes. Everyone should be in support of these bills.

— Lynn Mitchell  
Palmer



## We are all human in the end

The fact that a man or woman serving their country and defending our freedom can be discharged from service if their sexual orientation is either discovered or disclosed seems rather nonsensical. Homosexual/bisexual/transsexual Americans deserve the same rights as heterosexual Americans. I fail to see how someone's sexual orientation, no matter what it may be, impedes their ability to serve their country.

"Don't ask, don't tell" states that one could be discharged for disclosing information of a homosexual nature (i.e., marriage, relationships, family conditions). If this is so, it should be the same for heterosexuals who are serving. However, since everyone is assumed at birth to be heterosexual, we see it as accept-

able to discuss openly about relationships of those nature.

Last time I checked, I was a human being just like everyone else attempting the American dream and the pursuit of happiness. I ask you, should it really matter if another fellow American's pursuit of happiness differs from yours?

— Arielle J. Zarr  
Anchorage

## Is community spirit dead?

On Feb. 9 I had the unfortunate incident of my car completely quitting on Minnesota Boulevard at 6:45 a.m. It just quit with no power at all; I could not even put on flashers. It was a dark and dangerous situation. Fire Chief Mark Hall stopped, set out flares and waited with me until APD Officer James Williams arrived.

I am deeply grateful to both men for their kindness and patience. I am deeply saddened by the people who drove rapidly by offering suggestions and obscenities. I grew up in Anchorage and there once was a time when other motorists would have stopped and given assistance. We could have had the car moved out of the way and not wasted the time of other commuters or public safety officers.

Come on, Anchorage, we can revive our community spirit.

— Lynnette Shaw  
Anchorage

## Begich didn't reply to letters

In response to Sen. Begich's Anchorage press secretary (Feb 7) on my complaint about writing three letters to the senator concerning President Obama's health care bill and receiving one "form" letter in reply:

All my correspondence was sent to the senator's Washington address on July 30, Sept. 21, and on Oct. 18, 2009.

Copies of the July letter were also sent to

Sen. Murkowski and though the letter wa received specific rep

The Nov. 4 call to office was my last Soon after, the form ured "why bother?"

## Oil, gas produc hearing; Jenkin

I agree with you and gas producers s hearing regarding o They deserve resp their contributions a

Recent articles . ments in the same p ing them a fair shake

I agree that oil c honestly respond to The same should b who writes his opinio Gov. Parnell and De its effects.

Admitted and cc owned the Anchora paper to promote hi Paul Jenkins was ed works at influencing ments with regard t

Gov. Parnell imp governor who has th at heart. Paul Jenkin to honestly answer lieve his opinions.

## SUBMIT YOU

• Send letters of 175 words letters@adn.com and incl a daytime phone number verify authorship and hom submissions become the the Daily News. By submit represent that you are aut and that we may use it in a compensation to the owne

Distributed by Rep. Groenberg

# HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: February 18, 2009

FURTHER REFERRALS: Finance

Date of Committee Action: 2/26/10

The JUDICIARY Committee considered:

HOUSE BILL NO. 138

"An Act relating to cruelty to animals."

HB 138 CRUELTY TO ANIMALS

Recommends it be replaced with  HCS or  CS for HB 138 (JUD)  
 For Senate Bills with new title:  Technical Title  New Title: HCR \_\_\_\_\_  Same Title  New Title

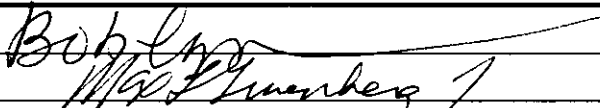
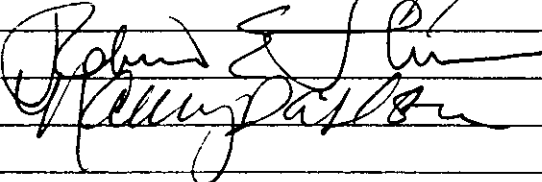
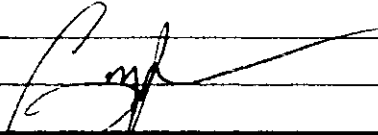
- attach amendments
- add new referral to \_\_\_\_\_ Committee
- Letter of Intent \_\_\_\_\_ Committee

List of Abbrev for Depts.:

- ADM
- CED
- COR
- CRT
- EED
- DEC
- DFG
- GOV
- DHS
- LWF
- LAW
- LEG
- MVA
- DNR
- DPS
- REV
- DOT
- UA

<u>NEW FISCAL NOTES</u>				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero
LAW	1		✓	
DOC	2			✓

<u>PREVIOUS FISCAL NOTES</u>				
List by Dept(s):	FN#	Fiscal	Indet.	Zero

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	LYNN Grewer	X			
	HERRON Danst			X	
Chair: 				X	
Chair:					