

SB

214

AMENDMENT

OFFERED IN THE HOUSE

TO:

1 Page ____, line ____:

2 Insert "relating to aggravating factors at sentencing involving assaultive behavior
3 and cruelty to animals;"
4

5 Page ____, line ____:

6 Insert a new bill section to read:

7 "* Sec. ____. AS 12.55.155(c)(8) is amended to read:

8 (8) the defendant's prior criminal history includes conduct involving
9 aggravated assaultive behavior, [OR] repeated instances of assaultive behavior,
10 repeated instances of cruelty to animals proscribed under AS 11.61.140(a)(1) and
11 (3) - (5), or a combination of assaultive behavior and cruelty to animals
12 proscribed under AS 11.61.140(a)(1) and (3) - (5); in this paragraph, "aggravated
13 assaultive behavior" means assault that is a felony under AS 11.41, or a similar
14 provision in another jurisdiction;"
15

16 Renumber the following bill sections accordingly.

ALASKA STATE LEGISLATURE

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SENATOR BILL WIELECHOWSKI

Sponsor Statement: SB 214 Animal Cruelty

The intent of SB 214 is to ensure the most heinous crimes of animal cruelty are treated as felony offenses.

Since the 1970's there has been a documented link between those who abuse animals and offenders of domestic violence and other violent crimes. FBI reports going back to the 1970's show that most serial killers had a history of killing or torturing animals as children. Most victims of domestic violence also report animal abuse in their homes by their batterer.

Felony level penalties for the worst crimes of animal cruelty exist in 46 states. Alaska currently allows perpetrators three chances to commit these horrific crimes before charging them with a felony offence. As the links between animal abuse and domestic violence and other crimes against people become more clear, this bill can help prevent additional violent attacks on members of our communities.

SB 214 will amend the current statute to ensure that the most malicious acts of animal cruelty are treated as felony offenses.

Please join me in supporting this legislation to bring the animal cruelty code in Alaska up to the same standards as 46 other states.



The Connection between Animal Cruelty and Human Violence

Research indicates that without strict intervention, people who abuse and kill animals are more likely to similarly abuse humans. Many of society's most infamous mass murderers, serial killers, and a significant percentage of spousal abusers initially target animals with their violent conduct. It is critical to interrupt the cycle of violence before it escalates. Passage of a felony-level animal cruelty law is a critical initial step in halting the progression of violent crime.

Animal cruelty is a predictor and indicator of other violent crimes.

- Acts of animal cruelty are linked to a variety of other crimes, including crimes of violence against humans, property crimes, and the commission of drug or disorderly conduct offenses (Arluke & Luke, 1997)

Animal abuse is associated with both domestic violence and child abuse.

- Pet abuse is a significant predictor of partners who will become batterers (Campbell, 2006).
- State and national surveys of domestic violence victims consistently find that as many as 71% of battered women report their partners threatened, or killed, the family pet (Ascione, 1995).
- The threat of animal abuse to silence child sex abuse victims has been a factor in a number of criminal convictions (Davidson, 1998).
- An early study found that there was animal abuse in 88% of families who were under State supervision due to the physical abuse of their children (DeViney, Dickert & Lockwood, 1983).

Animal cruelty often is an indicator that a child poses a risk to himself and or others.

- A U.S. Department of Justice supported longitudinal study beginning in 1987 found that animal abuse predicted which children would exhibit anti-social and aggressive behavior later childhood, adolescence, and then adulthood (Broidy, 2003).
- Animal cruelty is a warning sign for at-risk youth, according to the National School Safety Council, U. S. Department of Education, the American Psychological Association, and the National Crime Prevention Council.

Serial killers and school shooters have histories of abusing animals.

- Ted Bundy, Jeffrey Dahmer, Albert DeSalvo (the "Boston Strangler") and many others committed heinous acts of animal cruelty before brutally maiming and killing their human victims.
- Of 36 convicted multiple murderers questioned in an often-cited study, 46% admitted committing acts of animal torture as adolescents (Congressional Register, 1996).
- Over half of the school shooters were known to persistently abuse animals (Miner, 1999).

People want animal cruelty to be prosecuted.

- In a survey of over 1,000 representative U.S. households, 85% of those responding thought it was either "very important" or "important" to protect animals from cruelty (2006).

Forty-three states and the District of Columbia have enacted felony level penalties for egregious acts of animal cruelty. **Please help strengthen the animal cruelty laws in your state.**



PETS AND DOMESTIC VIOLENCE

WHY IT MATTERS

Pets are not immune to domestic violence. Batterers frequently threaten, injure, maim, or kill their partners' or children's pets in conjunction with domestic abuse. Because victims understand the extent of the harm that their abusers will likely inflict upon their pets, many hesitate to leave violent relationships out of concern for the safety of their pets. When batterers abused victims, victims see the animal cruelty as part of a long history of violence aimed at them and their families.¹ Recognizing this, an increasing number of shelters have added kennels or instituted "safe haven" animal foster care programs in an effort to protect victims, their children, and their pets.

DID YOU KNOW?

- 71% of pet owners entering domestic violence shelters report that their batterer had threatened, injured, or killed family pets.²
- One study found that 87% of batterer-perpetrated incidents of pet abuse are committed in the presence of their partners for the purpose of revenge or control.³
- Studies show that up to 76% of batterer-perpetrated pet abuse incidents occur in the presence of children.⁴
- 13% of intentional animal abuse cases involve domestic violence.⁵
- Women in domestic violence shelters are 11 times more likely to report animal abuse by their partner than women not experiencing violence.⁶
- 85% of domestic violence shelters report that they commonly encounter women who speak about pet abuse incidents.⁶
- 52% of victims in shelters left their pets with their batterers.⁶
- Criminals and troubled youth have high rates of animal cruelty during their childhood, perpetrators often were victims of child abuse themselves.⁷
- Investigation of animal abuse is often the first point of social services intervention for a family experiencing domestic violence.⁸

THE LINK BETWEEN PET ABUSE AND DV

- Similar to domestic abuse, abusers demonstrate power and control over the family by threatening, harming, or killing animals.⁸
- Domestic violence victims whose batterers abuse their pets report more than twice as many incidents of child abuse as compared to domestic violence victims whose batterers have not abused their pets.¹⁰
- Batterers threaten, harm, or kill their children's pets in order to coerce them into sexual abuse or to force them to remain silent about abuse.¹¹
- Abusers harm pets to punish the victim for leaving, or in attempts to coerce her/him to return.¹⁷
- Abusers may harm pets to retaliate for acts of self-determination or independence.⁹
- Animal abusers are more likely to be domestic violence abusers, to have been arrested for other violent crimes and drug-related offenses, and engage in other delinquent behavior.⁶
- Many abusers have a history of animal abuse that precedes domestic violence toward their partner.¹²
- Animals may sometimes be used as weapons against domestic violence victims.⁶

THE ROLE OF PETS

- Family pets are commonly viewed as family members and companions.
- 55% of domestic violence victims and their children report that their pets are very important sources of emotional support, thus violence toward pets may be especially devastating and viewed as another form of family violence.¹³
- A large majority of women residing in domestic violence shelters report being emotionally close to their pets and experience distress when their animals are abused.⁶
- Studies show that a vast majority of children who witness pet abuse become distressed and emotionally distraught.⁶
- Women without children are more likely to postpone seeking shelter out of concern for their pets' safety as compared to women with children, 33.3% versus 19.5%.⁶

BARRIERS TO SEEKING SERVICES

- 65% of women who report prior pet abuse continue to worry for their pets' welfare after entry into a shelter.⁶
- Up to 40% of domestic violence victims are unable to escape their abusers because they are concerned about what will happen to their pets when they leave.¹⁴
- Only 12% of domestic violence programs can provide shelter for pets and 24% provide referral services to local animal welfare organizations.¹⁵
- Victims of domestic violence have been known to live in their cars for as long as four months until an opening was available at a pet-friendly safe house or shelter.¹⁶

TIPS FOR VICTIMS WITH PETS⁹

- Some shelters allow pets and many others have established "safe haven" foster care programs for the animal victims of domestic violence.
- If it is not possible to take the animals when the victim leaves the home, try to arrange temporary shelter for the pets with a veterinarian, trusted friend or family member, or local animal shelter.
- When vaccinating pets against rabies and licensing them with the town or county, it is important that registrations are in the victim's name. This will serve as proof that the victim owns the pets.
- Prepare the pets for a quick departure: collect vaccination records, pet license, medical records, and other documents.
- Ask for help from animal care and control officers or law enforcement if pets need to be retrieved from the abuser. Never reclaim animals alone.

IF YOU NEED HELP

For more information or if you need help, please contact the
American Humane Association at 303-792-9900.
National Domestic Violence Hotline at 1-800-799-SAFE.
National Child Abuse Hotline at 1-800-4-A-CHILD.
National Sexual Assault Hotline at 1-800-656-HOPE.

SOURCES

- ¹ Luke, C., Arluke, A., & Levin, J. (1998). *Cruelty to Animals and Other Crimes: A Study by the MSPCA and Northeastern University*. Boston: MSPCA.
- ² Ascione, F.R., Weber, C.V. & Wood, D. S. (1997). The abuse of animals and domestic violence: A national survey of shelters for women who are battered. *Society & Animals* 5(3), 205-218.
- ³ Quinlisk, J.A. (1999). Animal Abuse and Family Violence. In, Ascione, F.R. Arkow, P., eds.: *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention*. West Lafayette, IN: Purdue University Press, pp. 168-175.
- ⁴ Faver & Strand. (2003).
- ⁵ Humane Society of the U.S. (2001). 2000 Report of Animal Cruelty Cases. Washington, DC.
- ⁶ Ascione, F.R., Weber, C.V., Thompson, T.M., Heath, J., Maruyama, M., Hayashi, K. (2007). Battered Pets and Domestic Violence: Animal Abuse Reported by Women Experiencing Intimate Violence and by Nonabused Women. *Violence Against Women*, 13(4), 354-373.
- ⁷ Flynn, C.P. (2000). Woman's Best Friend: Pet Abuse and the Role of Companion Animals in the Lives of Battered Women. *Violence Against Women*, 6(2), 162-177.
- ⁸ Arkow, P. (2003). *Breaking the cycles of violence: A guide to multi-disciplinary interventions. A handbook for child protection, domestic violence and animal protection agencies*. Alameda, CA: Latham Foundation.
- ⁹ *Animal Cruelty/Domestic Violence Fact Sheet* (2007). Humane Society of the United States. <http://www.hsus.org/hsusfield/>.
- ¹⁰ Ascione, F.R. (2001). Animal Abuse and Youth Violence. *Juvenile Justice Bulletin*. U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention, Washington, DC.
- ¹¹ Loar, L. (1999). "I'll only help you if you have two legs," or, Why human services professionals should pay attention to cases involving cruelty to animals. In, Ascione, F.R. & Arkow, P., eds.: *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention*. West Lafayette, IN: Purdue University Press, 1999, pp. 120-136.
- ¹² Weber, C.V. (1999). A Descriptive Study of the Relationship Between Domestic Violence and Pet Abuse. ProQuest Information and Learning. *Dissertation Abstracts International: Section B: The Sciences and Engineering*, 59(80-B).
- ¹³ Faver, C.A. & Strand, E.B. (2003). Domestic Violence and Animal Cruelty: Untangling the Web of Abuse. *Journal of Social Work Education*, 39(2), 237-253.
- ¹⁴ Arkow, P. (1994). Animal abuse and domestic violence: Intake statistics tell a sad story. *Latham Letter* 15(2), 17.
- ¹⁵ NCADV *National Directory of Domestic Violence Programs*, 2004
- ¹⁶ Kogan, L.R., McConnell, S., Schoenfeld-Tacher, R., & Jansen-Lock, P. (2004). Crosstrails: A unique foster program to provide safety for pets of women in safehouses. *Violence Against Women* 10, 418-434.

NATIONAL COALITION AGAINST DOMESTIC VIOLENCE



The Public Policy Office of the National Coalition Against Domestic Violence (NCADV) is a national leader in the effort to create and influence Federal legislation that positively affects the lives of domestic violence victims and children. We work closely with advocates at the local, state and national level to identify the issues facing domestic violence victims, their children and the people who serve them and to develop a legislative agenda to address these issues. NCADV welcomes you to join us in our effort to end domestic violence.



Animal Legal Defense Fund

JURISDICTIONS WITH FELONY ANIMAL ABUSE PROVISIONS (YEAR FIRST ENACTED)

1. Alabama (2000)
2. Alaska (2008) — *only on 3rd offense*
3. Arizona (1999)
4. Arkansas (2009)
5. California (1988)
6. Colorado (2002)
7. Connecticut (1996)
8. Delaware (1994)
9. Florida (1989)
10. Georgia (2000)
11. Hawaii (2007)
12. Illinois (1999)
13. Indiana (1998)
14. Iowa (2000)
15. Kansas (2006)
16. Kentucky (2003)
17. Louisiana (1995)
18. Maine (1999)
19. Maryland (2001)
20. Massachusetts (1804)
21. Michigan (1994)
22. Minnesota (2001)
23. Missouri (1994)
24. Montana (1993)
25. Nebraska (2002)
26. Nevada (1999)
27. New Hampshire (1994)
28. New Jersey (2001)
29. New Mexico (1999)
30. New York (1999)
31. North Carolina (1998)
32. Ohio (2003)
33. Oklahoma (1887)
34. Oregon (1995)
35. Pennsylvania (1995)
36. Rhode Island (1896)
37. South Carolina (2000)
38. Tennessee (2002)
39. Texas (1997)
40. Utah (2008)
41. Vermont (1998)
42. Virginia (1999)
43. Washington (1994)
44. West Virginia (2003)
45. Wisconsin (1986)
46. Wyoming (2003)

*Territories, Districts &
Possessions:*

District of Columbia (2001)
Puerto Rico (2004)
Virgin Islands (2005)

JURISDICTIONS WITHOUT FELONY ANIMAL ABUSE PROVISIONS

1. Idaho
2. Mississippi
3. North Dakota
4. South Dakota

*Territories, Districts &
Possessions:*

American Samoa
Northern Marianas
Guam

Pet hoarder hit with animal cruelty charges

CAT-RESCUE OWNER: Police say critters lived in squalid conditions.

By JAMES HALPIN
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(10/12/09 22:03:21)

The owner of a local cat-rescue nonprofit has been charged with 33 counts of animal cruelty after Anchorage police say they found dozens of cats, dogs and birds sick and wallowing in their own waste at her home and shelter.

Police say Deborah Ann Allen, 54, has for years hoarded cats and dogs, turtles, birds, lizards and a rabbit, cramming the critters in her cluttered Sand Lake home that reeked of feces and urine and had swarms of flies inside.

When police searched her home at 7101 Kitlisa Drive last Tuesday, they found 23 cats, eight dogs and one bird, many of them malnourished, dirty and with untreated injuries, according to an affidavit filed in court by Detective Jackie Conn. At the Chateau Pampered Purr shelter in Midtown, a nonprofit run by Allen, authorities found 50 or more cats in similar straits.

"It's not unusual for (animal hoarders) to present themselves as rescuers," Conn said Monday. "Typically, I'd have to say most, if not all, of them have good intentions. But when you get so many animals in a small space, it's almost impossible to keep above the illnesses and that kind of thing. It's a difficult situation."

According to Conn's affidavit, city Animal Care and Control began citing Allen for neglecting her animals in October 2004. Since then, Animal Control has received at least eight complaints about unclean living conditions and five more for loose dogs and cats at the Allen properties.

"In multiple complaints animal control officers and sometimes APD officers have described a foul urine and feces smell that can be detected from outside of the house on Kitlisa. The house is described as having feces outside and inside on the ground," Conn wrote. "At least twice officers commented on swarms of flies in the house."

INSIDE THE HOUSE

Conn got a search warrant for the home Sept. 30 and served it last week. Officers entering the 3,500-square-foot home found it cluttered and dirty, some rooms so full of personal property they "could not be entered," according to the affidavit. Everything was covered in animal hair and kennels were strewn about the home.

Police say all the animals were found in a dimly lit two-car garage. There was no air circulation and a small animal door leading to an enclosure outside, the flooring of which was spattered in feces.

Many cats had respiratory problems, including eye and nose discharges, sneezing, coughing and labored breathing, according to police. Some appeared undernourished and one had a bad infection around its left ear, Conn wrote.

Dogs had matted, dirty fur and eye problems, and a cockatoo was missing all the feathers from its

chest, police said. There was a large amount of food left in a communal feeder for the animals and the water was filthy.

One dog, a bull terrier, appeared in very poor health, with hair missing from his chest and belly, pus coming from his eye and red skin on his face. The affidavit said, "this dog matches the description of a dog that had skin issues in 2006 that Allen was not treating properly."

The animals were seized and brought to animal control. Lab tests were still pending on some of the animals from the home, so whether some or all will be euthanized was not known Monday.

50 MORE CATS, 2 LIZARDS

Police then went to search Chateau Pampered Purr at 611 Tudor Road on Tuesday. Allen's license to operate the nonprofit Chateau Pampered Purr expired in December 2007 but its operation continues, according to police.

"In contacts with Allen, she has told officer that she takes in strays," police Lt. Dave Parker said. "Apparently she operates a cat adoption clinic at Petco."

At the chateau, police found 50 or more cats and two lizards in filthy conditions and with similar health problems. The animals remain there because animal control, besieged by the influx of animals from the first round, had nowhere to put them, animal control spokeswoman Brooke Taylor said.

"We don't have facilities here for that many animals, so we're trying to decide what's the best course of action," Taylor said. "There's an issue with, if there is sickness, we can't have these animals in a location where our healthy population here at the center could be exposed to something, so that's a concern of ours. (Also) just basic space."

In the meantime, Conn hopes Allen is feeding them.

THE OLDER SISTER

Conn has dealt with a similar situation before.

Allen's sister, Krystal Renea Allen, 55, was convicted in an animal hoarding case from 2004 in which police found 165 cats covered in filth, many of them sickly. In that house there were also at least a dozen exotic birds in cages and a couple of dogs, and, out in the yard, chickens.

Krystal Allen told officers she meant well by taking in strays but it had gotten out of hand. She later pleaded no contest to two animal cruelty charges, was sentenced to 30 days in jail and ordered to pay a \$1,000 fine.

Since her arrest Thursday, Deborah Allen has been freed on \$750 bail. Allen did not return messages seeking comment. There was no answer at her home at the end of a dead-end, wooded street Monday night. Several cat-themed pieces of art decorated the cluttered porch. The smell of animal urine was noticeable.

Each misdemeanor animal-cruelty count carries a maximum penalty of one year in prison and a fine of up to \$10,000. Allen, if convicted, could also be ordered to reimburse animal control for the cost of housing, feeding and veterinary care.

Find James Halpin online at adn.com/contact/jhalpin or call him at 257-4589.

Animal Abuse and Domestic Violence

Concern that acts of animal abuse are connected with or are predictors of domestic violence prompted a number of specific research studies in the 1990s. This early work focused on describing interviews with women in battered women's shelters and highlighted the frequency with which women reported abuse of pets by their partners. The interviews documented a high rate of pet abuse and appeared to indicate that animal abuse in the home and concern for pets affected *if* and *when* a woman sought assistance at a shelter—particularly because shelters did not normally accept pets.

As more attention was given to animal abuse and its impact in the context of domestic violence assaults, additional studies were undertaken. Frank Ascione discussed the limitations of some of these past studies in his article, "Emerging Research on Animal Abuse as a Risk Factor for Intimate Partner Violence" in the Civic Research Institute's 2007 publication, *Intimate Partner Violence*. He noted that although twelve different studies found (1) a high rate of pet ownership by domestic violence victims in shelters, (2) a substantial rate of children's exposure to pet abuse, and (3) clear indications that domestic violence victims' concern for pets affected their decision to stay in or leave a relationship with a batterer, more research is needed that includes women in domestic violence situations who have not chosen to go to a shelter, in addition to women in shelters. In response to the concern expressed by battered women for their pets, many areas developed "safe haven" programs for free fostering of pets of victims of domestic violence. Anchorage is currently the only area in Alaska with a "safe haven" program. It is administered by Friends of Pets, a local nonprofit animal welfare group, in collaboration with the Abused Women's

Aid in Crisis (AWAIC) shelter. Another local nonprofit, the Eva Foundation Pet's Program, provides post-shelter transition services to domestic violence victims and their pets.

In addition, since 2006 ten states have enacted domestic violence protective orders covering pets: California, Colorado, Connecticut, Illinois, Louisiana, Maine, Nevada, New York, Tennessee, and Vermont.

Research involving a larger sample population of women was reported by Ascione, et al. in 2007 in *Violence Against Women*, "Battered Pets and Domestic Violence: Animal Abuse Reported by Women Experiencing Intimate Partner Violence and Nonabused Women." The findings of this study agreed with earlier research about the high rate of pet abuse reported by victims of intimate partner violence (IPV). Responses showed that women in domestic violence shelters were nearly 11 times more likely to report that their partner had engaged in pet abuse than women who said they had not experienced intimate partner violence. This study again stressed the need for further research on co-occurring pet abuse and IPV with larger and more diverse populations, i.e., urban, suburban, and rural victims of intimate partner violence, as well as non-victims of IPV.

Catherine Simmons and Peter Lehman addressed some of these issues in a 2007 *Journal of Interpersonal Violence* article, "Exploring the Link Between Pet Abuse and Controlling Behaviors in Violent Relationships." In their study of 1,283 women who owned pets and were sheltered at an urban domestic violence center in Texas between 1998 and 2002, they concluded that "[m]en who abuse the family pet appear to be more dangerous than men who do not." The authors did not find that pet abuse was always

a form of controlling behavior in incidents of domestic violence assault. However, they did conclude:

Despite the limitations of this study, it is clear that animal cruelty is an important factor for domestic violence workers to address in assessment and treatment of both victim and perpetrator populations. Batterers who also abuse their pets are both more controlling and use more dangerous forms of violence than batterers who do not. Therefore, addressing whether pet abuse has occurred in the home can help workers in the domestic violence field better understand the behavior of the batterer and the overall risk they present to their partner.

Animal abuse is one factor in the complex dynamic of intimate partner violence, and can be used by law enforcement and domestic violence advocates in assessing risk. In 2008, the Anchorage Police Department (APD) began a program to target animal abuse and to look at its connection to domestic violence. Detective Jackie Conn was assigned as the liaison to the Anchorage Animal Care and Control Center and received training from the Law Enforcement Training Institute National Cruelty Investigations School and from the First Strike program developed by the Humane Society of the United States to raise awareness about the connection between animal cruelty and other violent crime. Detective Conn now trains APD personnel in recognizing animal abuse, and relating it to the possible presence of other types of abuse in the home. She works closely with Alaska Department of Law Assistant District Attorney Joan Wilson who is regularly assigned the prosecution of animal abuse

Further Reading about Animal Abuse and Domestic Violence

Arkow, Phil. (Summer 2007). "Expanding Domestic Violence Protective Orders to Include Companion Animals." *American Bar Association Commission on Domestic Violence ENewsletter* 8. (<http://www.abanet.org/domviolnewsletter/vol8/expertArkow.html>).

Ascione, Frank R. (2007). "Emerging Research on Animal Abuse As a Risk Factor for Intimate Partner Violence." In Kathleen A. Kendall-Tackett and Sarah M. Giacomini, editors, *Intimate Partner Violence*, pp. 3-1 - 3-17. Kingston, NJ: Civic Research Institute. (<http://amrric.org/sites/default/files/docs/resources/Chapter%203%20Intimate%20Partner%20Violence%20Ascione.pdf>)

Ascione, Frank R.; Weber, Claudia V.; Thompson, Teresa M.; Heath, John; Maruyama, Mika; and Hayashi, Kentaro. (Apr 2007). "Battered Pets and Domestic Violence: Animal Abuse Reported by Women Experiencing Intimate Violence and by Nonabused Women." *Violence Against Women* 13(4): 354-373. (<http://vaw.sagepub.com/cgi/content/abstract/13/4/354>).

Ascione, Frank R.; Weber, Claudia V.; and Wood, David S. (1997).

"The Abuse of Animals and Domestic Violence: A National Survey of Shelters for Women Who Are Battered." *Society & Animals: Journal of Human-Animals Studies* 5(3). (<http://www.psyeta.org/sa/sa5.3/Ascione.html>).

Faver, Catherine A. and Strand, Elizabeth B. (Dec 2003). "To Leave or to Stay: Battered Women's Concern for Vulnerable Pets." *Journal of Interpersonal Violence* 18(12): 1367-1377. (<http://jiv.sagepub.com/cgi/content/abstract/18/12/1367>).

Lockwood, Randall. (2006). *Animal Cruelty Prosecution: Opportunities for Early Response to Crime and Interpersonal Violence*. Alexandria, VA: American Prosecutors Research Institute. (http://www.ndaa.org/pdf/animal_cruelty_06.pdf).

Simmons, Catherine A. and Lehman, Peter. (Sep 2007). "Exploring the Link Between Pet Abuse and Controlling Behaviors in Violent Relationships." *Journal of Interpersonal Violence* 22(9): 1211-1222. (<http://jiv.sagepub.com/cgi/content/abstract/22/9/1211>).

cases. For the period 2002–2009, 121 misdemeanor animal cruelty cases under Alaska Statute 11.61.140 and 11.61.145

were referred and 94 prosecuted. During the same period, one felony case was referred and prosecuted. Case statistics are also

being compiled to better understand the relationship between domestic violence and animal abuse.

Leading Causes of Death

A look at recent data on leading causes of death in Alaska and the U.S. shows that malignant neoplasms (cancer) and heart disease rank as the top two causes. Although intentional self-harm (suicide) and assault (homicide) do not rank in the U.S. top ten leading causes of death, they have ranked as leading causes of death in Alaska for many years. A comparison of rankings of suicide and homicide as causes of death for specific age groups in Alaska and the U.S. reveals some similarities in trends.

In 2008 in Alaska, suicide was ranked number 6 among the top ten causes of death for the entire population. Suicide has been ranked number 5 or 6 consistently for the past decade. Homicide has been reported as the number 8 cause of death in 1999, number 10 in 2001, and number 10 again in 2007. The rankings for the leading causes of death by specific age group in Alaska show that suicide and homicide are in the top five for each age group up to the age of

44. In Alaska, and the nation as a whole, people aged 15–34 are more likely to die in an accident, at the hands of another, or by suicide, than by cancer or heart disease. For the period 2005–2007, suicide and homicide were the second and third leading causes of death for both 15–24 and 25–34 year olds. Suicide was the second leading cause of death for 35–44 year olds, and homicide was fifth. Among 45–54 year olds, suicide was the fourth leading cause of death.

Nationally, suicide and homicide are not among the ten leading causes of death according to the most current final data available: 2006. However, suicide ranked number 11 in causes of death for the overall population for 2006; homicide ranked 15.

In the U.S. in 2006, homicide and suicide were the second and third leading causes of death, respectively, for 15–24 year olds, while for 25–34 year olds, suicide ranked second and homicide third. Suicide was the fourth leading cause of death for 35–44 year

olds, and the fifth leading cause for 45–54 year olds. These rankings mirror those of Alaska for those aged 15–44, where both suicide and assault were in the top five leading causes of death. Suicide was one of the top five causes of death for 45–54 year olds.

This high ranking of suicide as a cause of death for 15–44 year olds is also seen globally. According to the World Health Organization, suicide is among the top three leading causes of death in 15–44 year olds. For the worldwide population, the top two leading causes of death are coronary heart disease, and stroke and other cerebrovascular diseases.

The leading causes of death for the overall population continue to be related to diseases of the body; however, the growing rate of suicide among young people and the suicide rate among other age groups, as well as the rate of homicide, are the focus of national and international study and prevention programs.

Table 1. Five Leading Causes of Death by Age Group, U.S. (2006) and Alaska (2005–2007)

U.S. (2006)		Alaska (2005–2007)		U.S. (2006)		Alaska (2005–2007)		
Rank	Cause	Deaths	Rank Cause	Deaths	Rank Cause	Deaths	Rank Cause	Deaths
0–4 years								
1	Congenital anomalies	6,334	1	Conditions originating in the perinatal period	68	1	Malignant neoplasms	328
2	Short gestation	4,841	2	Unintentional injury	49	2	Diseases of the heart	204
3	Unintentional injury	2,757	3	Congenital malformations	43	3	Unintentional injury	184
4	SIDS	2,323	4	SIDS	18	4	Intentional self-harm (suicide)	78
5	Maternal pregnancy complications	1,683	5	Assault (homicide)	7	5	Chronic liver disease and cirrhosis	59
5–14 years								
1	Unintentional injury	2,258	1	Unintentional injury	48	1	Malignant neoplasms	546
2	Malignant neoplasms	907	2	Congenital malformations	6	2	Diseases of the heart	309
3	Homicide	390	3	Malignant neoplasms	5	3	Unintentional injury	93
4	Congenital anomalies	344	4	Intentional self-harm (suicide)	4	4	Chronic lower respiratory diseases	73
5	Heart disease	253	5	Assault (homicide)	3	5	Diabetes	69
			5	Diseases of the heart	3			
15–24 years								
1	Unintentional injury	16,299	1	Unintentional injury	150	1	Malignant neoplasms	1,347
2	Homicide	5,717	2	Intentional self-harm (suicide)	101	2	Diseases of the heart	1,249
3	Suicide	4,189	3	Assault (homicide)	34	3	Cerebrovascular	390
4	Malignant neoplasms	1,664	4	Malignant neoplasms	14	4	Chronic lower respiratory disease	358
5	Heart disease	1,076	5	Diseases of the heart	10	5	Alzheimer's disease	179
25–34 years								
1	Unintentional injury	14,954	1	Unintentional injury	162	1	Malignant neoplasms	2,341
2	Suicide	4,985	2	Intentional self-harm (suicide)	79	2	Diseases of the heart	2,055
3	Homicide	4,725	3	Assault (homicide)	22	3	Cerebrovascular	979
4	Malignant neoplasms	3,656	4	Malignant neoplasms	19	4	Chronic lower respiratory disease	506
5	Heart disease	3,307	5	Diseases of the heart	17	5	Unintentional injury	467
35–44 years								
1	Unintentional injury	17,534	1	Unintentional injury	161	1	Malignant neoplasms	2,341
2	Malignant neoplasms	13,917	2	Intentional self-harm (suicide)	85	2	Diseases of the heart	2,055
3	Heart disease	12,339	3	Malignant neoplasms	82	3	Cerebrovascular	979
4	Suicide	6,591	4	Diseases of the heart	68	4	Chronic lower respiratory disease	506
5	HIV	4,010	5	Assault (homicide)	26	5	Unintentional injury	467
			5	Chronic liver disease and cirrhosis	26			

 Homicide
 Suicide

Source of data: National Vital Statistics System, National Center for Health Statistics, Centers for Disease Control (2006); Alaska Bureau of Vital Statistics (2005–2007)



**State of Alaska
Department of Public Safety
Council on Domestic Violence & Sexual Assault**

**Sean Parnell, Governor
Joseph A. Masters, Commissioner**

February 11, 2010

The Honorable Bill Wielechowski
Alaska State Senate
State Capitol, Room 115
Juneau, Alaska 99811-1182

Dear Senator Wielechowski:

We are writing in support of SB214, an Act relating to penalties for cruelty to animals which acknowledges the strong correlation between animal abuse and family violence by holding perpetrators accountable who hurt or kill animals in order to intimidate, threaten, or terrorize another person.

Animals are often used as a tool of control in family violence situations where the threat of harm or killing the pets is used to coerce or terrorize victims. A 1997 national Survey of Shelters for Women Who are Battered (Utah State University, Ascione, et.al.) included these findings:

- 85.4% of women coming to shelter talked about incidents of pet abuse.
- 63% of children coming to shelter talked about incidents of pet abuse.
- 83% of advocates working in the shelter say they have observed the coexistence of domestic violence and pet abuse.

Alaska shelter directors and advocates tell us that these high correlations apply to Alaska. Often victims will try to bring animals with them to the shelter or board them at a humane society (if there is one in their community) in order to protect them. However, many also refuse to leave their home for the safety of a shelter due to the fear of harm or death of their pets while they are gone.

It is time to make it a crime in Alaska when someone uses or hurts an animal in order to control the actions of another person, especially when that person is a spouse, household member or child. Thank you again for recognizing and addressing this important issue.

Sincerely,

Sandy Samaniego
Executive Director

**Council on Domestic Violence & Sexual Assault
P.O. Box 111200 - Juneau, Alaska 99811 - Phone (907) 465-4356 - Fax (907) 465-3627**



**THE HUMANE SOCIETY
OF THE UNITED STATES**

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David O. Wiebers, M.D.

February 1, 2010

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 S.B. 214, to make the worst types of animal cruelty a felony on the first offense.

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. These crimes are so serious that allowing offenders a second and third chance to commit their atrocities is irresponsible and dangerous to society.

Just last month, "machete murderer" Christopher Erin Rogers, Jr., was sentenced to 498 years in prison for his horrific crimes. Charges against Rogers included misdemeanor animal cruelty charges for brutally slashing the dog that intervened, saving Elann Moren's life. While there can be no comparison between crimes against animals and such horrific murders, Rogers' acts have been described as "one psychotic episode." The same tendencies that motivated Rogers' murders also drove him to attack the dog. Accordingly, when other individuals brutally torture or maim animals, that same tendency should not be allowed to go essentially unchecked until it happens, is witnessed, and is successfully prosecuted three separate times.

Forty-six states have enacted felony level penalties for the most malicious acts of animal cruelty. Alaska is alone in requiring a third offense to trigger the felony clause.

Passage of a first offense felony animal cruelty law is an essential initial step in halting the progression of violent crime—against humans as well as animals. Enactment of S.B. 214 would bring Alaska's cruelty code in line with the rest of the country, and would protect Alaskan communities from the very worst animal abusers.

Sincerely,

Tami Santelli

Tami Santelli
Director of State Legislation
(202) 955-3661
tsantelli@humanesociety.org

Celebrating Animals, Confronting Cruelty

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February 2, 2010

Senator Bill Wielechowski
Alaska State Senate
State Capitol
Juneau AK 99801-1182

Dear Senator Wielechowski:

On behalf of the Alaska Peace Officers Association (APOA), I would like to thank you for introducing Senate Bill 214, an act relating to penalties for cruelty to animals.

The APOA State Board of Directors 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,

John Lucking, Jr.
State President

LETTER IN SUPPORT
OF SENATE BILL 214

February 10, 2010



Senate Judiciary Committee
State Capitol
Juneau, AK 99801

Dear Chairman French and Members of the Committee:

I am the Director of Legislative Affairs and an attorney for the Animal Legal Defense Fund (ALDF).¹ ALDF was established as a national non-profit law organization in 1979, and is committed to protecting the lives and advancing the interests of animals through the legal system. We have over 100,000 supporters nationwide – many of whom call Alaska home.

I am writing to you today to express our strong support for Senate Bill 214, a bill to increase the penalties for the most serious forms of animal cruelty to the felony level. Currently, 46 states have enacted laws that include felony penalties for the very worst types of animal cruelty. Of these states, only 5, including Alaska, do not have felony penalties for first offenses – no matter how extreme the crime. SB 214 will ensure that the penalty fits the horrendous nature of these crimes. Not only are strong anti-cruelty laws important for the safety of our animals, they can also help to reduce other forms of violence in our communities. There is a strong correlation between those who engage in animal cruelty, and those who commit violence against humans. A seminal study by Northeastern University found that when compared to their neighbors, animal abusers were five times more likely to commit violent crimes against people, four times more likely to commit property crimes, and three times more likely to have a record for drug or disorderly-conduct offenses.²

Alaskans support laws to ensure that animals are treated humanely. SB 214 is an important, yet measured, step forward in this regard. It increases the penalties where appropriate and needed, yet preserves all existing exemptions for lawful activities.³

In addition, for the past four years, ALDF has published an annual ranking of all states and territories on the strength and comprehensiveness of their animal protection laws – and Alaska has consistently scored in the bottom tier of this report.⁴ Passage of SB 214 will help improve Alaska's position, yet more importantly, its passage will send a strong message that Alaska is not a safe harbor for those who choose to torture and maliciously abuse animals. Please support this important bill.

Sincerely,

Stephan K. Otto, Esq.
Director of Legislative Affairs

¹ <http://aldf.org>

² Arluke, A., Levin, J., & Luke, C. "Cruelty to Animals and Other Crimes" Massachusetts Society of the Prevention of Cruelty to Animals & Northeastern University (1997).

³ Current exemptions to Alaska's animal cruelty laws include scientific research, humane animal destruction, animal husbandry practices, training, veterinary practices, hunting, fishing, trapping, dog mushing or pulling contests rodeos and other exhibitions. Alaska Stat. § 11.61.140(c)

⁴ 2009 State Animal Protection Laws Rankings (<http://aldf.org/article.php?id=1142>)

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February 10, 2010

Office of Senator Wielechowski
State Capitol, Room 413
Juneau, Alaska 99801

Subject: Support passage of SB 214

I heartily support passage of Senator Wielechowski's SB 214, "An Act relating to penalties for cruelty to animals".

The values of a society are reflected in many ways, not least of which, by its laws. The more highly we have evolved as a society, the more we have sought to protect the most vulnerable and the disenfranchised. It is a mark of our progress as a culture and as a species. No longer is it permissible to own slaves, for wives to be beaten, for children to spend their childhood laboring in factories. These laws have not just protected the most vulnerable; they have strengthened the society as a whole, by recognizing and disallowing exploitation and cruelty. With laws outlawing certain despicable acts, society's bar for an acceptable standard of behavior is raised.

But here in Alaska, we have not set the bar adequately high with regard to treatment of helpless animals. The Animal Legal Defense Fund ranks Alaska in the bottom tier in the nation in terms of laws that protect animals. Is it just a coincidence that we also have among the highest rates of domestic violence, rape, and child abuse?

Treating a helpless animal cruelly is not a small crime, a petty offense, akin to a parking violation or a speeding ticket. It is a crime against another sentient animal that feels fear and pain. And some of these crimes against animals are so heinous they truly make you sick. It is wrong to consider these heinous crimes trivial, small, petty; misdemeanors.

Animals cannot speak out on their own behalf, lobby their representatives, cast a vote, or donate to a political campaign. But we need to protect them anyway. It is the right thing to do. Doing the right thing shows our strength and, in turn, makes us stronger as individuals and as a society. Please do the right thing and pass SB214.

Sincerely,



Andrea Veach

Shelly Morgan

From: Sally Clampitt [sclampitt.sPCA@alaska.net]
Sent: Wednesday, February 10, 2010 10:45 AM
To: Shelly Morgan
Subject: Alaska SPCA Endorses SB 214

Importance: High

Dear Senator Wielechowski:

Please accept this letter of strong support for Senate Bill No. 214, "An Act relating to penalties for cruelty to animals." The Alaska Society for the Prevention of Cruelty to Animals (Alaska SPCA) is a statewide animal welfare organization dedicated to the humane treatment of animals. In addition to the ongoing spay-neuter, rescue, and education-outreach programs that we and other animal welfare groups conduct, is the need for stronger anti-cruelty laws at the state level. We believe that the proposed felony provisions of SB214 are much needed and would be a significant deterrent to animal cruelty and abuse. They would also bring Alaska's state law more in line with many other states who have successfully made animal cruelty a felony. It is well-known that there is a strong link between domestic violence and animal cruelty. If passed, the provisions of SB214 have the potential to benefit domestic violence victims as well as animal victims.

Thank you very much for your commitment to this proposed legislation. We urge the Alaska Legislature as a whole to enthusiastically endorse and pass SB214.

Respectfully,

Sally Clampitt
Executive Director

Alaska SPCA

549 W. International Airport Rd. #B2

Anchorage, AK 99518

Office Tel: 907-562-2999

Cell: 907-350-0945

<http://www.alaskasPCA.org/>

Shelly Morgan

From: mail4jj@aol.com
Sent: Sunday, February 07, 2010 6:04 PM
To: Shelly Morgan
Subject: SB 214

Hello Shelly,

Please forward my written comments in support of SB214.

I am an Animal Shelter Assistant, and a resident of the state of Alaska , and I am in support of Alaska following suit with those states that consider cruelty against animals an unforgivable offense. Many people live with both physical abuse, and mental abuse when these offenders strike. Even if the abuse is not physical toward a human, it becomes a controlling measure in a household when the violence is directed toward a beloved animal of the victim. These acts are a definite link to the violence in our society, and can no longer be ignored.

Sincerely,

Julie Johnson
8151 N Palmer Fishhook Rd
Palmer AK 99645

(907) 351-1385

Shelly Morgan

From: Bridget Coombs [snidge@clearwire.net]
Sent: Wednesday, February 10, 2010 11:31 AM
To: Shelly Morgan
Subject: Support for SB214

I am writing in order to voice my strong support of the anti Animal Cruelty act in SB 214. It is a testimony to society's decency that its citizen's be held accountable for cruel and tortuous treatment of helpless animals. The disregard for animal welfare is strongly correlated to more deep seated psychological maladjustment and a true menace to the surrounding society at large. I vehemently urge your Office to approve the Bill under consideration which would increase the cruelty to animals penalty from the current misdemeanor status to the more serious rung of felony. Misdemeanors penalty does little to dissuade negative behavior, whereas a felony count would provide greater deterrent. Please do the right thing and see that this bill proceeds towards law.

Thank you very much
Colleen B Coombs
Anchorage, AK

Shelly Morgan

From: Sen. Bill Wielechowski
Sent: Wednesday, February 10, 2010 12:38 PM
To: Athena Ennenga
Cc: Shelly Morgan
Subject: RE: Support of Bill SB214

Thank you Athena. I am the sponsor of this bill, and will continue to push for its passage.

Warmly,
Bill

Senator Bill Wielechowski
State Capitol
Juneau, Alaska 99801
(800) 550-2435

-----Original Message-----

From: Athena Ennenga [mailto:athena.ennenga@gmail.com]
Sent: Wednesday, February 10, 2010 12:26 PM
To: Sen. Bill Wielechowski
Subject: Support of Bill SB214

Hello there!

I just wanted to send a quick note before Friday's Senate judiciary meeting to pledge my wholehearted support of bill SB214 that would make it a felony to abuse animals.

Please feel free to call me at 907-301-3577 if you have any questions or concerns.

Best regards,

Athena Ennenga
341 Fireoved Dr, Unit 1
Anchorage, AK, 99508

Shelly Morgan

From: fpromick@gci.net on behalf of Francis Romick [fpromick@gci.net]
Sent: Sunday, February 07, 2010 2:45 PM
To: Shelly Morgan
Subject: re-SB 214 (animal cruelty penalty bill)

Please pass the Animal Cruelty penalty bill, SB 214. Those who are cruel to animals are usually, also, cruel to humans and need federal penalties.
Thank you so much, Frances Romick (Anchorage)

Shelly Morgan

From: Sen. Bill Wielechowski
Sent: Tuesday, February 09, 2010 11:17 AM
To: lafleur@ascalaska.net
Cc: Shelly Morgan
Subject: RE: Senate Bill 214

Thank you Ed and Nickel. The bill has a hearing on Friday, and I will continue to push for its passage.

Warmly,
Bill

Senator Bill Wielechowski
State Capitol
Juneau, Alaska 99801
(800) 550-2435

From: lafleur@ascalaska.net [mailto:lafleur@ascalaska.net]
Sent: Tuesday, February 09, 2010 10:54 AM
To: Sen. Bill Wielechowski
Subject: Senate Bill 214

Thanks you Senator Wielechowski for sponsoring Senate Bill 214..... Making it a felony to abuse animals! This is a very worthy bill and we send our support to make this bill happen. We have lived in Alaska for over 30 years and are aware of the Domestic violence cycle as well as animal abuse cycle and BELIEVE something needs to be done... Your bill is a step in the right direction.
Please go forth with this bill knowing you have our FULL support.
Ed & Nickel LaFleur 2420 Tagalak Drive, Anchorage, AK 99504

Shelly Morgan

From: Sen. Bill Wielechowski
Sent: Tuesday, February 09, 2010 11:19 AM
To: dianadanna@alaska.com
Cc: Shelly Morgan
Subject: RE: SB 214

Thank you Diana. I am the sponsor of SB 214.

Warmly,
Bill

Senator Bill Wielechowski
State Capitol
Juneau, Alaska 99801
(800) 550-2435

From: dianadanna@alaska.com [mailto:dianadanna@alaska.com]
Sent: Tuesday, February 09, 2010 6:46 AM
To: Sen. Bill Wielechowski
Subject: SB 214

Dear Sen. Wielechowski:

I strongly support SB 214. The people who commit acts of cruelty against animals should be more severely punished to deter them and others from committing the same acts against not only other animals, but against their fellow human beings. Acts of violence and cruelty against another living being should never be tolerated. Please pass SB 214.

Diana L. Cramer
4331 Constellation Ave. #40
Anchorage, AK 99517
(907) 245-7663

(907) 744-5518
DianaDanna@alaska.com

Shelly Morgan

From: Sen. Bill Wielechowski
Sent: Tuesday, February 09, 2010 11:22 AM
To: Kacie Jossart
Cc: Shelly Morgan
Subject: RE: Support for SB214

Thank you Kacie. I am the sponsor of SB 214.

Warmly,
Bill

Senator Bill Wielechowski
State Capitol
Juneau, Alaska 99801
(800) 550-2435

From: Kacie Jossart [mailto:k.jossart@mtaonline.net]
Sent: Monday, February 08, 2010 10:40 PM
To: Sen. Bill Wielechowski
Subject: Support for SB214

Mr. Wielechowski,
SB 214 is a bill that's long overdue. Thank you for introducing this legislation and working hard to move Alaska's laws on animal cruelty into the 21st century. Please let me know if there is anything I can do to help support this bill and its passage.

Best,
Kacie Jossart
Eagle River, Alaska

Shelly Morgan

From: April Warwick [awarwick@ak.net]
Sent: Monday, February 08, 2010 1:57 PM
To: Shelly Morgan
Subject: I support SB 214

Hello:

I'm writing to show you my support of SB 214 to make animal cruelty a felony. The link between abuse of pets and humans is real. SB 214 is good because in protecting people's pets you'll also be able to investigate the safety of humans. Animal abuse is not pretty and it should be addressed. Please vote for SB 214. Please forward my comments to those voting on this issue.

Thank you,

April Warwick
Animal Daycare & Boarding
5716 Kennyhill Drive
Anchorage, AK 99504
907 338-7777

Dear Ms. Morgan-

I understand that SB 214 is up for public hearing tomorrow afternoon. I won't be able to testify on the bill as I have a doctor's appointment at that time but I would like to convey our position in support of the bill. The Municipal Animal Control Advisory Board formally supported passage of this bill last year and, as the bill hasn't changed, our position hasn't either. We continue to support this proposal. The one reservation we had at the time is one I still have. There should be a specific exemption for licensed veterinarians performing euthanasia procedures. As currently written, a veterinarian can raise medical necessity as an affirmative defense against a cruelty charge arising from euthanizing an animal but could still be charged for having performed the procedure. While the likelihood of that occurring is pretty remote, we don't think Alaska's veterinarians should have that hanging over their heads. As such, we would recommend adding a protective exemption for veterinarians who are licensed and practicing in Alaska. We hope this input is helpful in considering the merits of the bill. If further information is desired, please feel free to contact me.

Neil Koeniger, Chair
Animal Control Advisory Board
Municipality of Anchorage

February 10, 2010

Dear Senator Wielechowski,

I wanted to take this opportunity to tell you thank you for sponsoring this much needed bill...SB 214. It is a long time coming and I wanted to send my support to make this bill happen. I have lived in Alaska for over 50 years and am well aware of the domestic violence cycle and animal abuse link. Your bill is a step in the right direction.

Thank you

Cynthia Liggett
8339 Spruce Street
Anchorage, AK 99507



February 9, 2010

Senator Bill Wielechowski
State Capitol, Room 115
Juneau, AK 99801-1182

SENATE BILL 214

Dear Senator Wielechowski,

As Alaska residents and members of the Alaska State Veterinary Medical Association Executive Board we lend unanimous support to Senate Bill 214.

We know the association between animal abuse and other forms of societal violence are nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow. This bill will help guarantee such actions will be properly reported, investigated and prosecuted as a crime with serious consequences.

Innocent animals need strong voices like yours to speak for them. Thank you for your efforts and work on this legislation.

Respectfully,

Katy Versteeg, DVM
President
Alaska State Veterinary Medical Association

Nelson Priddy, DVM
Past President
Alaska State Veterinary Medical Association

Linda Chang, DVM
Treasurer
Alaska State Veterinary Medical Association

Honorable Senator Bill Wielechowski,

Thank you for your time and assistance in defending the rights of the State to make our laws pertaining to animal care resemble our society's current mood of treating animals with respect.

An act of animal cruelty law is a slap to mankind. The State of Alaska shouldn't bare the costs, if the perpetrator is found guilty. So my wife (Amanda Jensen) and I would appreciate the guilty abuser(s) pay all costs attributed to the care of the animal abused and in need of rescue.

Obviously those who are found to be guilty, ironically shouldn't be allowed to legally be able to repeat the pattern. So the State should impose a cooling off period of separation and instate counseling for those who cant understand the correlation of their actions. Perhaps obtain a psychological evaluation to present to a judge for future involvement with animals [other then hunting or subsistence].

I question euthanasia by mean of slow [lethal] painful means to also be considered abusive on a case by case basis. When the animals health is worse then the outcome of death and could be confirmed under autopsy.

My wife and I appreciate the opportunity to speak and would hope that this bill could have been more heavily advertised so as to respond more candid and also share with our other acquaintances to join in the discussion of this particular bill.

So in close we support any endeavors to give law enforcement every opportunity to thwart animal cruelty. How we interact with animals is vital to the sanity of our way.

Sincerly
Brian Jensen
331-B Fischer Ave
Anchorage Alaska 99518
907-244-0721

Dear Senator French:

I strongly support SB 214 - Animal Cruelty sponsored by Senator Bill Wielechowski.

It is appalling to learn that the State of Alaska lags behind 46 other states that have felony penalties for first time animal cruelty offenders. It's hard to believe that in our state a perpetrator of malicious animal abuse is allowed to repeat animal cruelty three times before being convicted of a felony.

It is a well known fact as shown in case after case, animal abuse can escalate to domestic violence. The bully takes it out on those who are vulnerable. We need to break the abuse cycle before the perpetrator becomes a repeat offender.

Please support SB 214 which will amend the current statute to ensure that malicious acts of animal cruelty be treated as felony offenses.

Thank you.

Sincerely,

Penelope Wells
Tel: 907 743-1960

Senator Ellis,

I support SB214 and would like you support it also. It is my understanding 42 other states have stronger legislation than AK when it comes to cruelty against animals. Please support SB214.
Thank you,

Laura Baldwin

Anchorage 99507

SB 214 –Animal Cruelty

Fact Sheet

PROBLEM:

- Currently, animal cruelty is a misdemeanor offense and only a Class C felony on the 3rd offense within 10 years. Alaska is the only state requiring a 3rd offense prior to triggering the felony clause and one of 5 states without felony on the first offense.
- 46 other states have felony level animal cruelty penalties.
- For the period 2002-2009, 121 misdemeanor animal cruelty cases under the Alaska Statute 11.61.140 and 11.61.145 were referred and 94 prosecuted- an average of 72 cases per year.
- SB 214 will amend the current statute to ensure that the most heinous acts of animal cruelty are a felony on the first offense.

STATUTORY SOLUTION:

- SB 214 creates a felony animal cruelty provision for:
 - Knowingly inflicting severe and prolonged physical pain or suffering on an animal, and
 - Killing or injuring an animal by the use of a decompression chamber or poison.
- In comparison, the punishment for serious injury of a person is typically a Class A or Class B felony and that for poisoning a person to death is an unclassified felony.
- SB 214 creates a Class A misdemeanor for first offense & Class C felony for second offense within 10 years for:

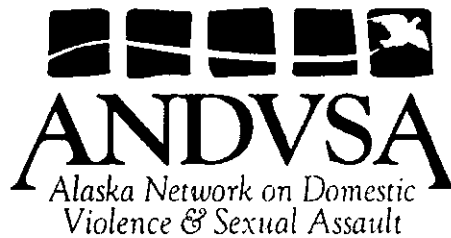
- Failing to care for an animal with criminal negligence resulting in death, severe pain or suffering, and
 - Knowingly killing or injuring an animal with the intent to intimidate, threaten, or terrorize another person.
- Negligent child endangerment is a Class C felony and stalking is a Class A misdemeanor on the 1st offense and a Class C felony on the 2nd offense.

LINKING DOMESTIC VIOLENCE & ANIMAL CRUELTY:

- The link between animal cruelty and domestic violence and other violent crimes has been well documented since the FBI made a strong correlation in the 1970's.
- Over 70% of pet owners entering domestic violence shelters report that their batterer had threatened, injured, or killed family pets.
- Nearly 90% of violent attacks on animals are committed in the presence of a partner or family member to seek revenge or control.
- During 2008, over 8,000 Alaskans sought help in victim service programs due to domestic violence in their homes.
- Animal cruelty often is an indicator that an individual poses a risk to oneself and or others. Studies show that animal abuse often predicts which children will exhibit anti-social and aggressive behavior later in childhood, adolescence, and adulthood. Serial killers and school shooters often have histories of abusing animals.
- Acts of animal cruelty are linked to a variety of other crimes, including crimes of violence against humans, property crimes, drug dealing or other disorderly conduct offenses.

- Women in domestic violence shelters are 11 times more likely to report animal abuse by their partner than women not experiencing violence.
- SB 214 provides an opportunity to prevent further violent acts in our community by identifying these individuals before they can do more harm to humans.

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February 10, 2010

Senator Bill Wielechowski
State Capitol, Room 413
Juneau, AK 99801

Re: Letter of Support
SB 214 – An Act Relating to Animal Cruelty

Dear Senator Wielechowski:

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 SB 214 - An Act Relating to Cruelty.

SB 214 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.¹

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:

Member Programs

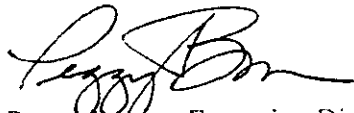
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Fairbanks IAC Homer SPHH Juneau AWARE Kenai LeeShore Center Ketchikan WISH Kodiak KWRCC
Kotzebue MFCC Nome BSWG Seward SCS Sitka SAFV Unalaska USAFV Valdez AVV

"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.ⁱⁱ

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 SB 214. 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

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

ⁱⁱ "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.

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Alaska Statutes.

Title 11. Criminal Law

Chapter 61. Offenses Against Public Order Section 140. Cruelty to Animals.

previous: Section 130. Misconduct Involving a Corpse.

next: Section 145. Promoting An Exhibition of Fighting Animals.

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

(b) Each animal that is subject to cruelty to animals under (a)(1) - (4) 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) 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.

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Note to HTML Version:

This version of the Alaska Statutes is current through December, 2007. The Alaska Statutes were automatically converted to HTML from a plain text format. Every effort has been made to ensure their accuracy, but this can not be guaranteed. *If it is critical that the precise terms of the Alaska Statutes be known, it is recommended that more formal sources be consulted.* For statutes adopted after the effective date of these statutes, see, Alaska State Legislature If any errors are found, please e-mail Touch N' Go systems at E-mail. We hope you find this information useful.

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