

LEX CANIS

ANIMAL ABUSE IS VIOLENCE.

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NEWS FROM THE
ASSOCIATION OF
PROSECUTING
ATTORNEYS

THE FIGHT AGAINST ANIMAL CRUELTY RECEIVED A BOOST AT APA & ALDF'S 6TH NATIONAL CONFERENCE IN AUSTIN

The 6th National Animal Cruelty Prosecution Conference, held in Austin, Texas, in September, drew an enthusiastic and engaged crowd of nearly 200 district attorneys, veterinary professionals, and law enforcement officials from across the country. The three-day conference, co-sponsored by the APA and the Animal Legal Defense Fund, brought the country's best and brightest together to collaborate on investigating and prosecuting animal abuse cases. The agenda consisted of 21 plenary sessions and workshops, including Essentials in Animal Abuse Prosecutions, led by the Honorable Gale Rasin, retired associate judge, Baltimore City Circuit Court; Investigations of

Animal Fighting, with Janette Reeve, manager of animal fighting investigations for the Humane Society of the United States; the Role of the Veterinarian in Animal Cruelty Cases, led by forensic veterinarian Melinda D. Merck; and Prosecuting an Animal Abuse Case, with Deborah Knaan, former deputy district attorney and animal cruelty case coordinator for the Los Angeles County District Attorney's Office. APA Board Vice-Chairman and Philadelphia District Attorney Seth Williams gave a keynote speech entitled "Why is This Important? The Role of the DA."

On the final night of the conference, the 2016 Champions of Justice Awards were presented to Dr. Merck, Assistant Commonwealth's Attorney for Botetourt County (VA) Gillian Deegan, and Supervisory Animal Care Specialist for the U.S. Department of Agriculture Dana Miller, DVM. Preliminary preparations are also being made for the 2017 conference, so check back at www.APAInc.org for updates.

Keep your eyes open for the January 2017 issue of *Scientific American*, which will feature an article about "Animal CSI." Featuring input from several Animal Cruelty Advisory Council members, this article discusses developments in veterinary forensics that are advancing the prosecution of animal cruelty cases.

David LaBahn
President and CEO



ANDREA HALE

CONFERENCE A SUCCESS FOR NEWCOMER

Jennifer Woolf, DVM, MS

ON SEPTEMBER 14-16, I had the pleasure of attending the 6th National Animal Cruelty Prosecution Conference in Austin, TX. This was my first time attending this conference and I would call it a great success. With speakers from the legal, veterinary, domestic violence, and other fields, there was a variety of interesting lectures approaching the topic of animal cruelty prosecution from myriad of angles.

On the first day, the conference kicked off with a panel discussion moderated by Judge Gale Rasin. The first speaker, Dr. Melinda Merck, is well-known in the veterinary forensics field, being the person who *literally* wrote the book on the subject. As a veterinarian with a masters degree in veterinary forensics, I was concerned I would not gain much from this first talk, but was pleasantly surprised. It was good to hear about different real-life defense tactics that have been used in court, as predicting some of these can help guide documentation and evidence collection from the beginning.

The afternoon continued with Gillian Deegan, assistant commonwealth's attorney for Botetourt County, VA, and Dr. Dana Miller, supervisory veterinarian for the U.S. Department of Agriculture's Animal and Plant Health Inspection Service, discussing pain and suffering from the perspectives of a prosecutor and a veterinarian. This emphasized the different roles the two professions play in an animal abuse case, and in particular, the need to understand how words are used differently within the two fields. It is the job of the veterinarian to document clinical signs, including behavior, that may convey pain and suffering. However, it is up to the prosecutor to interpret the law to determine how those signs relate to the criminal charges of the case.

The day ended with a great presentation by Fulton County, GA, Senior Assistant District Attorney Jill Hollander discussing how we can use technology to find incriminating evidence on suspects. Along with the more challenging methods of locating information on Facebook, Instagram, and other forms of social media, she reminded us to also be aware of the basic jailhouse phone call for its potential value. Fairfax County (VA) Detective Jeffrey Hoffman gave real-life examples of putting these methods into practice.

Day Two continued with discussions on how best to present yourself to the court. This included recommendations from spcaLA President Madeline Bernstein and Los Angeles Supervising City Attorney Don Cocek to not refer to the animal as an "it," using the animal's name whenever possible; and, most importantly, to take animal abuse cases seriously so the court will, too. Regarding domestic violence survivors, Dr. Maya Gupta reminded us that how we personally feel about an animal is irrelevant; what matters is how the woman feels about the animal. This can help us understand why she may stay in an abusive situation, especially if she feels unable to escape with her pet.

Senior Trial Consultant Rich Matthews gave an interesting talk on choosing a jury. I feel the most surprising information given was that, in research to soon be published, people who said they were *not* animal people would convict defendants of animal cruelty charges at the same rates or higher than those who did self-identify as animal people.

After lunch was a panel discussion on officer-involved shooting of dogs. As was stated, a

cultural shift in attitude within law enforcement agencies will be necessary to see a decrease in these horrific incidents. In addition, *appropriate* education of the officers is also required. Like with all aspects of animal cruelty, the tide is slowly turning for the better.

Thursday ended with Sherry Ramsey and Tracey Cusick looking at some of the unusual victims we may see, such as rabbits, ferrets, and in particular, livestock. Because the laws can differ dramatically with livestock compared to companion animals, convictions may require some creative thinking, including utilizing state and federal *regulations* in addition to the state animal cruelty *laws*.

The conference came to a close on Friday. The morning began with a discussion of what kind of outcome is considered a “win” and how to address sentencing guidelines with the court. The final talks summarized two high-profile cases, Michelle Welch’s cockfighting case and Adam Lippe’s starvation abuse case (*starvation abuse* being the term Dr. Martha Smith-Blackmore recommends using instead of *neglect* when discussing extreme instances of malnutrition and weight loss).

Inside and outside the lecture rooms were fabulous attendees enjoying each other’s company, terrific networking opportunities, and good food provided by the Animal Legal Defense Fund. Overall, I am very glad I attended. I look forward to sharing what I have learned with my cohorts in the Alameda County Animal Cruelty Taskforce, and I hope I can return next year.



THIS YEAR'S LOVE

BALTIMORE'S ANIMAL ABUSE LEADERSHIP SUMMIT

..... *Caroline A. Griffin*

Our GPS directed us off the Baltimore beltway and through the peaceful Loch Raven watershed. The last vestiges of fall foliage were everywhere when we arrived at Hillendale Country Club for the Animal Abuse Leadership Summit, sponsored by the Baltimore County State's Attorney's Office.

Law enforcement officials and animal control officers from across Maryland had already started filling the parking lot that was devoid of golfers on that windy Friday. After registering and getting coffee, attendees began to mingle in a ballroom more typically reserved for wedding receptions.

Even with several national speakers on the agenda, this well-organized conference was presented on a shoestring budget of only \$1,000. The Professional Animal Welfare Association (PAWS), an organization of animal control agencies and shelters across Maryland, recognized the value of such training and donated the money to cover basic travel and conference expenses. Everything else was donated.

The Summit is the work of paralegal April Doherty. She and Assistant Baltimore County State's Attorney Adam Lippe have created a highly effective animal abuse prosecution unit. In 2014, April applied for and received a grant to attend the APA/ALDF National Animal Abuse Prosecution Conference in Atlanta. She returned to her job not only with a renewed vigor, but also with the contact information of every conference speaker!

APA/ALDF's annual three-day animal abuse conference is the premier training ground for prosecutors nationwide, and April and Adam have brought an abbreviated version of the conference to Maryland. John Thompson, deputy executive director and chief operating officer of the National Sheriffs' Association, welcomed the attendees and discussed how a lifetime in law enforcement, as well as his beloved muse Mr. PO, led him to create the National Coalition on Violence Against Animals (NCOVAA) and the National Law Enforcement Center on Animal Abuse (NLECAA).

The underlying theme of the day was the internet and social media, and it became clear that their impact on animal cruelty cases takes many forms. After Adam Lippe set the stage for the conference, Jill Hollander, chief senior assistant district attorney for the Fulton County State's Attorney's Office; Nancy Blaney, senior policy advisor at the Animal Welfare Institute; and Mark Kumpf, director of Montgomery County Animal Control in Dayton, Ohio, discussed the role of social media in animal cruelty investigations. All of these speakers are members of APA's Animal Cruelty Advisory Council. Cornell-educated veterinary pathologist Dr. Jodie Gerdin and wildlife rescuer Melissa Goodman rounded out the panel. Those who have attended APA/ALDF's conferences know that prosecutor Jill Hollander is perhaps the nation's leading expert on tracking animal abusers on social media sites. She discussed how well-intentioned advocates do more harm than good by reposting photos and reporting pages to Facebook and explained the nuts and bolts of preserving this critical evidence.

Nancy Blaney focused on the staggering impact of the media in animal abuse cases. While it typically magnifies the public's outrage against both animal abusers and law enforcement officials charged with using excessive force in dog encounters, it can also generate

tremendous goodwill for those officers who diffuse these encounters with non-lethal methods. Equipped with videotape footage of cases from Baltimore City and Meridian, Idaho, Nancy shared prime examples of officers who have been in the national spotlight for their patience in responding to animals that were more scared than vicious.

Mark Kumpf focused on effective animal cruelty investigations and profiled the protracted case of a hoarder in his jurisdiction. Aside from severely neglecting multiple animals, this incorrigible defendant has refused to recognize the authority of both law enforcement and the courts and has embarked upon a campaign of defamation on Facebook. It was a stark example of how social media compounds the already punishing demands of animal control.

At a time when the grind of daily life limits our ability to socialize with colleagues, conferences provide a needed change. We attend primarily to learn, but we forge connections that are equally valuable. As with all the speakers that preceded him, Mark shared his contact information and even provided his cell phone, telling the audience, "You can call me anytime." These gatherings remind us that APA's experts are available to help when we are overwhelmed and that we are not alone in our efforts to protect animals from neglect and violence.



Jodie Gerdin, DVM, DACVP, a board-certified veterinary anatomic pathologist with expertise in forensic pathology, particularly abuse and neglect of cats and dogs, addressed the conference on documenting animal cruelty for court.



April Doherty of the Baltimore County's State's Attorney's Office and investigator for its Animal Abuse Unit, organizes this conference every year. Here she is introducing John Thompson from the National Sheriffs' Association and his beloved Mr. PO.

MILITARY FINALLY IMPROVES APPROACH TO ANIMAL ABUSE

Sherry Ramsey, Esq.



NEAL FOWLER

A GREAT HIGHLIGHT of 2016 for me was the signing of an Executive Order by President Obama, which created for the first time in history, a provision within the Uniform Code of Military Justice to protect animals from abuse. It is hard to imagine that for so long, there was no specific crime of animal abuse within the UCMJ, but in fact there was none. There was a patchwork of provisions that allowed for charges to be filed for abuse of “public animals” and for certain wildlife animals, or a soldier could be charged with “conduct unbecoming an officer” or best case scenario, under an assimilation of state law, but as the Cox Commission report noted back in 2009, there existed a loophole that made it difficult for those who abused animals on bases in other countries to be adequately charged.

Further, the lack of a specific charge for animal abuse certainly sent a message that animal abuse was not taken seriously within the

military. After a number of high profile and disturbing animal cruelty cases highlighted this problem, the military started to look at ways to correct this problem. Over the last five years or more, the Office of the Judge Advocate General has worked to first review laws around the country and then to draft a proposed provision to the code to protect all animals from abuse. Although it was a long road to move through the various departments within the Government to finally reach the President in the form of an Executive Order, it finally arrived this past September and was thankfully signed by the President and is now law.

The provision creates crimes of neglect, intentional cruelty, bestiality, and abandonment of animals. It carries penalties similar to those around the country in comparable ways as in many states, in the form of both misdemeanor and felony laws. Due to the great work of the OJAG, the military can be proud that they now have strong laws to protect animals from abuse.

To read the law go to: <http://jsc.defense.gov/Portals/99/Documents/EO13740.pdf?ver=2016-09-22-091609-837>

Sherry is a licensed attorney in NY and NJ. She served as a prosecutor and also in private practice. She is also an adjunct professor teaching animal law at NYLS and CUNY law. A national speaker, she has also written numerous articles for judicial and prosecutorial publications and for the Army Lawyer on prosecuting animal abuse in the military. Sherry has taught classes at the Army JAG school in Charlottesville, VA, on the importance of prosecuting animal cruelty.

ANIMAL CRIMES A PRIORITY FOR RHODE ISLAND ATTORNEY GENERAL

Caroline A. Griffin

IN some respects, animal cruelty prosecutors in Rhode Island are luckier than most. Rhode Island has some of the best laws in the country (ALDF ranks them 7th nationwide), animal fighting is nonexistent, and prosecutors have access to pathologists at Tufts University and the University of Connecticut who perform necropsies.

Moreover, prosecutors in the Attorney General's Office work for a boss who not only has made animal protection a priority, but who also understands the link between animal abuse and interpersonal violence. Attorney General Peter F. Kilmartin has organized the office so that animal abuse cases are handled by the Domestic Violence and Sexual Assault Unit; he has stated publicly, "The nature of this crime and the senseless violence against a weaker person or animal are deplorable and will continue to be prosecuted aggressively by this Office."

Kilmartin is a retired police captain who served 10 terms in the Rhode Island House of Representatives before he was elected attorney general in November 2010. He's been the driver behind legislation to increase penalties against the most violent offenders and successfully introduced a bill this year that increased penalties from two to five years for the malicious injury or killing of an animal. Kilmartin's office also supported "Moses Law," which was enacted after defendant Brian Kenney was sentenced to only 11 months of probation and a \$100 fine for starving his dog so severely that he had to be euthanized. The law now permits prosecutors to charge defendants such as Kenney with a felony, punishable by up to five years in prison and a \$1,000 fine.

As is often the case, animal protection is a collaborative effort. Kilmartin's interest in animal protection started after several state agencies noticed an influx of sick dogs, some infected with canine parvovirus, who were being transported into Rhode Island and other northeastern states from the South. Kilmartin created an Environmental Crimes Task Force that, together with the RI Department of Environmental Management (DEM), issued a training guide in 2012 to assist law enforcement in identifying and investigating unscrupulous transporters and rescue organizations that import sick dogs. The rules and regulations require those participating in these transports to register and hold a valid certificate from DEM and provide proof of veterinary inspection and vaccinations, or risk fines and a year in jail.

Against this backdrop, special assistants in Kilmartin's office have taken up the mantle of protecting animals from crime. Special Assistant Mark Benjamin, who is assigned to the Pre-Arrest Calendar, screens every animal abuse felony that comes into the office and zealously prosecutes cases perpetrated against companion animals and wildlife alike. A 15-year veteran of the office, Benjamin worked closely to build a relationship with the RISPCA and cemented a relationship with officers who investigate these cases. These cases "cry out for justice," but nonetheless demand the exercise of prosecutorial discretion. Benjamin notes, "You can't scream jail in every case in order to maintain credibility with the defense bar and judiciary." In one case that garnered significant media attention, a former Salve Regina University student reached a plea



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agreement that spared him jail time for killing a wild rabbit with the hockey stick, and instead served two months of home confinement. Benjamin often turns over cases to Kim Ahern, his colleague in the Domestic Violence and Sexual Assault Unit, who has conducted animal cruelty trainings for police recruits and veterinarians. In November 2014, Ahern secured—for the first time in Rhode Island’s history—the maximum sentence in an animal abuse case against a defendant who not only killed his ex-girlfriend’s Chihuahua puppy, but also threw the dead puppy at her as she drove away. Last year, Ahern prosecuted another violent offender, Westley Desrochers, who maliciously injured his dog so severely that his leg had to be amputated. A Rhode Island couple adopted the injured dog and subsequently named him Roo (short for kangaroo).

Animal advocates have become allies to Benjamin and Ahern by serving as court watchers and by reporting abuse. In Roo’s case, a neighbor reported hearing Desrochers beating his dog, contradicting his claim that Roo had been hit by a car. In another case that is currently pending, an advocate reported a defendant who had posted a You Tube video of himself viciously beating his dog. As a result of greater reporting, Benjamin and Ahern have seen a steady increase in their caseloads and now prosecute approximately a dozen cases at any given time.

While Special Assistant Attorneys General Mark Benjamin and Kim Ahern work in a favorable environment, they deserve much credit for their successes. In addition to careful preparation, they are passionate about their work and have forged relationships with critical partners, such as veterinarians, police officers, and the RSPCA. In only a few short years, they have created an effective and successful unit that has rightfully earned them the respect of the judiciary, the legislature, and the public.

Editor’s note: In August, RI Governor Gina Raimondo signed legislation increasing the penalty for malicious cruelty (Section 4-1-5) from 2 years’ to 5 years’ imprisonment (or a fine of \$1000, which is unchanged), and from 10 hours to 50 hours of mandatory community service. If the animal belonged to someone other than the defendant, the defendant would also be liable for triple damages (also unchanged). Section 4-1-2, which covers other forms of cruelty such as overwork, mistreatment, failure to provide food or shelter, etc., was also amended. Anyone who inflicts cruelty covered in this section that results in the death of the animal is subject to the newly enhanced punishment set out in Section 4-1-5. http://wpri.com/2016/08/04/new-animal-cruelty-law-in-rhode-island/?utm_source=twitterfeed&utm_medium=twitter

THE ROUND-UP

A compilation of news on laws, court decisions, and cruelty cases

DEPARTMENT OF JUSTICE HOSTS SESSIONS ON ANIMAL WELFARE

In September, Ron Davis, director of the U.S. Department of Justice’s (DoJ) Office of Community-Oriented Policing Services, and John Thompson, deputy executive director and chief operating officer of the National Sheriffs’ Association, held a day-long session to examine the phenomenon of officer-involved dog shootings. Mr. Davis opened by referring to the need for law enforcement to build and rebuild trust and legitimacy and the strains that have been placed on that lately, with unjustified killings of people’s pets contributing to that strain. Presentations were made by members of law enforcement, trainers, animal control, and others. A white paper will be produced.

In July, DoJ’s Animal Cruelty Working Group sponsored a Roundtable on Federal-State-Local Cooperation in Animal Welfare Enforcement. Participants heard from DoJ’s environmental crimes unit, the Virginia Attorney General’s Office, the U.S. Department of Agriculture, the

FBI, the Queens (NY) District Attorney’s Office, Delaware Animal Services, and others who discussed examples of cross-jurisdictional cooperation, changes in law enforcement’s approach to animal crimes, and other topics. ♦

UNSATISFACTORY DECISION IN CAT KILLING CASE

“Veterinarian Kristen Lindsey, who cold-bloodedly shot a pet cat named Tiger through the head with a bow and arrow, received a slap on the wrist from the Texas Board of Veterinary Medical Examiners,” reports ALDF. Even calling it a slap is a stretch. In October, the Board suspended her license only for a year, rather than revoking her license as many had demanded, and put her on four years’ probation, during which period she will have to be supervised by another veterinarian approved by the state board. She is also required to undergo additional animal welfare education. Her attorney, who said Lindsey plans to appeal, lashed out at the board and “animal rescue zealots” in an email to The Washington Post (https://www.washingtonpost.com/news/animalia/wp/2016/10/19/the-case-of-the-veterinarian-who-shot-a-cat-with-a-bow-and-arrow-then-posed-with-its-body/?utm_term=.8d48cbaab0ac). ALDF wrote (<http://aldf.org/wp-content/uploads/2016/11/TX-Lindsey-DVM-Nov2016aldfLetterToDAKoehn-2015.pdf>) to urge Austin County District Attorney Travis Koehn to reopen the case against Lindsey based on “substantial and undeniable” new evidence of Lindsey having committed animal cruelty uncovered during the Texas Board of Veterinary Medical Examiner’s hearings. ♦



Varu Chilakamarri of DoJ’s Environment and Natural Resources Division; Katherine Darke Schmitt, Office of the Assistant Attorney General and an early force behind the creation of the Animal Cruelty Working Group; and Michelle Welch, Senior Assistant Attorney General and head of the Attorney General’s Animal Cruelty Unit, Commonwealth of Virginia, and co-chair, APA’s Animal Cruelty Advisory Council.

ALASKA GOES FURTHER THAN PETS ON PROTECTION ORDERS

Alaska is the newest state with a law allowing pets to be included on protection orders. But HB 147 (<https://legiscan.com/AK/text/HB147/2015>), signed by Gov. Bill Walker in October, does even more:

- It amends Alaska’s definition of “domestic violence” and “crime involving domestic violence” to include cruelty to a pet.
- It allows courts to consider the well-being of animals when making custody or joint ownership decision in divorce cases.
- The protective order may require the abuser to pay support for the pet.
- It allows a court on its own or in response to a filing by the custodian or owner of an animal (in order to prevent the pet from being euthanized or adopted), to enter an order for the cost of care of an animal. The order may include a required bond or security. Failure to comply may result in forfeiture of the animal.
- The new law holds owners liable for the cost of care when a companion animal is legally seized due to neglect or cruelty.

- In a significant word change, it also amends the definition of cruelty to include “knowingly inflicts severe OR (replacing “and”) prolonged physical pain or suffering on an animal...”

The definition of pet in HB 147 does *not* include dogs used for mushing or pulling contests or in rodeos or stock contests. The new law becomes effective January 17, 2017.

Background research for this bill referred in particular to a 1992 divorce case, *Juelfs v. Gough*, in which joint custody was awarded for the pet dog, Coho. “This case is unique in that the lower court initially awarded visitation rights for what it legally considers to be an item of property. It was among the early examples of a nascent trend in U.S. jurisprudence—a court employing the concept of pets as ‘living property.’” (Research Brief, Chuck Burnham to Rep. Max Gruenberg, Alaska Legislative Research Services, January 7, 2015.) ♦

DOING NOTHING = MALICE

The Supreme Court of Virginia affirmed the Court of Appeals’ denial of an appeal by an individual of his conviction for felony cruelty to animals under Code §3.2-6570 for “maliciously depriv[ing] any companion animal of necessary food, drink, shelter or emergency veterinary treatment.” In 2014, the Circuit Court of the City of Portsmouth tried Robert Justin Baker on a charge of felony cruelty for failing to provide vet care for his dog who had been hit by a car. From the day after the accident, Baker had been warned repeatedly to seek care for the dog, who was paralyzed, had other injuries, and was in pain. Seven weeks later, with no care having been provided, animal control seized the dog;

a veterinarian euthanized her due to the extent of her injuries. After the trial, the circuit court denied the defendant’s motion to strike on the grounds that “the evidence was insufficient to establish that he maliciously deprived Majesty of emergency veterinary care.” The court convicted him of the charge and sentenced him to two years in jail. In 2015, the Court of Appeals denied Baker’s petition, stating that “the record supports the trial court’s conclusion that [Baker] acted maliciously.” In 2016, the Supreme Court granted the appeal “to determine whether the Court of Appeals erred in affirming the circuit court.” It found that it had not and established that absence of action constitutes malice. http://www.courts.state.va.us/courts/scv/orders_unpublished/151120.pdf ♦

ANOTHER COURT WEIGHS IN ON PETS AS PROPERTY

There has been another addition to this growing body of thought regarding the status of animals. As characterized by the Toledo Blade (<http://www.toledoblade.com/Courts/2016/10/21/Appeals-court-remands-Toledo-dog-case.html>), “The 6th District Court of Appeals has taken a stand by placing a higher value on companion animals.” The case involved an attack on one dog by another dog (actually the younger dog’s own father). The appeals court sent the case back to the municipal court for another hearing on damages after determining that “substantial justice was not done” by the trial court’s awarding of only \$400, or the puppy’s market value. The three judge panel wrote, “We agree with and acknowledge that pets do not have the same characteristics as other forms of personal property, such as a table or sofa which is disposable and replaceable at our convenience.” ♦

STUDY DOCUMENTS EFFECT OF DOMESTIC VIOLENCE AND ANIMAL ABUSE ON CHILDREN

In June, the Graduate School of Social Work at the University of Denver and the Colorado Coalition Against Domestic Violence (CCADV) released *Colorado’s Research Project on Domestic Violence, Children, and Pets: A Report to the Community*. In 2010, Dr. Frank Ascione received a grant from the National Institute of Child Health and Human Development. Partnering with CCADV as well as Colorado domestic violence programs and survivors, the researchers set out to interview 300 mothers and their children in order to document “the impact on children who witness both animal abuse and domestic violence.” It is an extensive report with heart-breaking comments from both

the mothers and the children. Among its findings:

- 30 percent of mothers reported that their abusers had threatened to harm their pets; 26 percent reported that their partners had harmed or killed their pets.
- Children exposed to animal cruelty were five times more likely to be profiled as having “severe problems” and three times more likely to be “struggling” than were their peers who did not witness animal cruelty.
- Children were more than twice as likely to harm an animal when the mother’s partner had harmed the animal.
- The report also includes a section on Practice and Research Implications.

<https://ccadv.org/wp-content/uploads/2016/06/Executive-Summary.pdf> ♦

VETERINARY FORENSICS FACILITATES GUILTY VERDICT

A judge in Ascension Parish, LA, sentenced a man to five years in prison for beating his dog with a baseball bat (“to knock it unconscious so it could be relaxed after getting stuck in the barbed wire fence”), causing injuries that led to the dog’s death. This case is notable for two things: First, the fact that the defendant received jail time; five years is a significant sentence, although he faced ten years on the charge. The judge said he believed it was a case of criminal negligence and that intent was not proven. The second is the role of veterinary forensics. The defense contended that injuries the dog sustained when she got caught in the fence contributed to her death, but “three doctors classified as experts in veterinary medicine and veterinary pathology” (as they were called by numerous news sources) testified that the injuries from which she died were caused by blunt force trauma. It took the jury a little over an hour to deliver a guilty verdict on aggravated cruelty. <http://www.pelicanpostonline.com/?p=16769> ♦

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