Only is animal cruelty one of society’s most heartbreaking crimes, but once an abuser has been convicted, sentenced and released, there is no system in place to ensure public awareness and safety. Offenders often simply move to another city — or another state — where they may continue to prey on animals. Animal abusers find work in myriad fields and no profession or income level is immune from their presence. You, your family and your beloved pets could be living next door to someone who has been convicted of torturing and killing animals, and currently there is no practical way for you to know.

The Animal Legal Defense Fund is working to change that. ALDF has drafted a comprehensive model law that would empower states to publicly document those convicted of felony animal cruelty by requiring them to register with the sheriff for the county in which they are residing. The sheriff would then contact every residence, school, humane society, animal shelter and business within a half-mile radius of the animal abuser’s residence or location and provide them with information about the offender’s criminal conviction and current status. States would also make this information available on a web-accessible registry. Such a law would help keep offenders away from potential victims by allowing animal shelters and humane societies to more thoroughly screen prospective adopters and flag animal abusers whose histories might include violence.

ALDF campaigns for animal abuser registries

continued on page 5
Sometimes it’s hard not to react with despair to the heartbreaking stories of animal abuse and neglect that we hear all too often. It can cause us to wonder whether we will ever see the day when the law – the institution we trust to enshrine and uphold our values – will adequately reflect the fundamental fact that animal abuse is wrong and that animals deserve and need its protections.

I want to assure you that day is on the horizon. The future is taking shape within law schools across the U.S. and Canada. At the forefront are the members of ALDF’s 145 student chapters at law schools throughout North America. These are the nation’s future lawyers, prosecutors, judges and politicians – the very people who will make and enforce the laws of the future.

Meanwhile, while still attending law school they are increasing awareness among their fellow students and faculty about the deficiencies within our current legal structure and creating even more momentum for change. Academically, the burgeoning young field of animal law has become one of the hottest new fields of study, with more than 100 schools now offering an animal law class and many offering even more advanced curricula. Students from many of these universities will gather at Harvard Law School this April where ALDF will host our weekend-long Future of Animal Law conference, featuring dozens of expert panelists and keynote speaker Bob Barker (see animllawconference.com for details and to register).

As if this weren’t inspiring enough, I recently read a wonderful news article from the University of Kansas School of Law about Katie Bray, the founder of ALDF’s 145th student chapter there. In the article, Bray talks about how animal law is “blazing a trail” for her as a career opportunity. But what touched me most was her own inspiration – her dog, Leonidas, a victim of abuse as a puppy that cost him one of his legs. “Every time Leonidas pulls himself up on the couch or paces himself up the stairs, I am inspired to keep working to ensure laws protect animals like him,” says Bray.

For Leonidas, and for all animals, the future looks very bright indeed.

For the animals,

Stephen Wells, Executive Director

LETTER FROM THE EXECUTIVE DIRECTOR

Need Inspiration? Meet Katie & Leonidas

FOR THE RECORD

“Hawaii has been designated as one of the five worst states in preventing cruelty to animals, a distinction state legislators began to recognize in their last session... In its upcoming session, Hawaii’s Legislature should take a comprehensive look at its animal abuse laws... Making cockfighting a felony should be at the top of the agenda.”

— Editorial in the Honolulu Star-Bulletin about ALDF’s report which cited Hawaii as having some of the weakest animal protection laws in the nation.

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Sometimes a little creative thinking can make a world of difference. When the Oregon Humane Society (OHS) removed a five-month-old puppy from the home of a man who had been assaulting her, she was temporarily safe from the constant beatings that left her with fractures to her eye sockets, skull, ribs and right front leg. Both OHS and the Animal Legal Defense Fund recognized that it was vital Sierra’s abusive owner, George Davis, not have further contact with the little pit bull. But they’d have to act fast.

Before you could say “Abuse an animal, go to jail,” ALDF attorneys placed a lien and filed a foreclosure action on the dog for the cost of helping her recover from her injuries — a legal maneuver that allowed OHS to quickly obtain custody of Sierra and move her into a permanent, loving home (see sidebar). The lien also helped avoid a battle for the custody of Sierra between OHS, Davis and Davis’ former girlfriend, who claimed that the puppy was actually hers.

While it might have seemed easier to simply let Davis’ ex-girlfriend take Sierra, doing so likely would have put the dog in harm’s way, explains Scott Heiser, director of ALDF’s Criminal Justice Program. “There was the very real possibility of her getting back together with the offender, and placing both herself and the dog at high risk,” he says. As an adult human, she’s able to exercise free will, but there would be no way to protect Sierra from Davis. “There are almost always multiple victims in an animal abuse situation,” adds Bonnie Helzer, lead investigator for the Oregon Humane Society. “If the animal is being harmed, there is a very good chance that the people living with that abuser are also being manipulated. OHS could not risk returning Sierra to someone who may still have contact with Davis and take the chance that Davis may again have access to Sierra.”

Davis pleaded guilty to animal abuse in the second degree and animal neglect in the first degree. Dr. Kris Otteman, the veterinarian who examined Sierra, found evidence of constant, chronic abuse. Davis admitted to slamming a sliding-glass door into Sierra’s head, and he told investigators he knew the dog was injured and was suffering but did not seek treatment for her. He was sentenced to 30 days in jail and is prohibited from possessing a domestic animal for five years.

“On one hand, I am very happy with the judge’s decision to give the suspect 30 days, because that is actually a pretty considerable sentence for an animal crime,” says Helzer. “On the other hand, it saddens me that this is a ‘considerable’ sentence. Animals hurt in the same way people do, and many animal abusers move on to abuse people. If there were harsher punishments for animal abuse, people might think twice about doing it again.”

Though Heiser agrees the sentence is light, he has nothing but praise for OHS’s investigations unit. “The investigators provide a free and very important service to this state at no cost to the taxpayers. I feel more than a little fortunate to have the occasional opportunity to assist them with their important work.”

Now, says Helzer, “Sierra is one happy little dog. She found her forever home with an OHS volunteer. Sierra sleeps on the couch, has new jackets and toys, goes to the beach and is loved. I get updated emails from her guardians frequently, and those emails remind me why I do this job.”

Sierra—ready for her close-up after her rescue!

How did ALDF save Sierra?

Because animals are considered property under the law, expenses incurred for their care can be considered a lien. In this case, ALDF was confident Davis would not pay Sierra’s medical expenses, so we were able to foreclose on the lien and give OHS ownership of the puppy.
For the Love of Manny

ALDF fights for disabled woman’s right to keep her dog

SHE HELPED HIM, HE’S HELPING HER—and now the Animal Legal Defense Fund is helping both of them. Last year, Theresa Huerta brought an abandoned, severely injured dog back to her mobile home in Concord, Calif., and nursed him back to health. He had been struck by a car and surely would have been euthanized were it not for Huerta, who bonded with the mixed-breed dog and named him Manny. His unconditional love and companionship has helped Huerta cope with the post-traumatic stress disorder and major depression that resulted after she was brutally beaten in a late-night assault three years ago.

“If it wasn’t for this dog,” she says, “I don’t think I’d be alive.”

The owners of her mobile home park, however, have told Huerta that either Manny goes or they will evict her. According to managers of the Willow Pass Mobile Home Park, rules enacted in 2005 prohibit dogs of certain breeds, including “pitt bull” [sic] mixes; though Manny’s parentage is unknown, management claims he appears to have at least some aspect of what are commonly called “pit bulls.” Huerta, who has lived at the same mobile home community for 19 years, isn’t about to give Manny up without a fight, and the Animal Legal Defense Fund agrees she should be allowed to keep him. Represented by ALDF, Bay Area Legal Aid and attorney David Grabill, Huerta has filed a lawsuit in federal court against the owners of Willow Pass, insisting that Manny provides important treatment for her illnesses by removing stress, comforting her and helping her feel safe in her home. She had to leave her job of 13 years because of the PTSD and depression, as diagnosed by her doctors, and rarely ventures out. Thanks to Manny, she has an improved sense of security and self-worth.

“The issue is whether Manny is a reasonable accommodation for her disability,” says Bruce Wagman, ALDF’s chief outside litigation counsel and the lead attorney in this suit. “There is a lot of precedent for the notion that animals are emotional support, and if a physician says you need one, they are proper and reasonable accommodations for disabled persons. The question here is whether a landlord can exclude a dog just because he’s a particular breed.”

Huerta believes the owners are singling her out because she has complained about problems at the park. Notably, for 10 years she had owned another mixed-breed dog — who looked like Manny — and many other residents of the park live with dogs of a range of breeds, including those appearing to be on the park’s “prohibited” list.

Unlike the unfair stereotype often associated with dogs who look like him, Manny has a very friendly disposition, is obedient to commands and has never exhibited aggressive behavior toward people or other animals.

Wagman explains that Huerta is suing under the federal Fair Housing Act, the California Unruh Civil Rights Act and Fair Employment and Housing Act. All three prohibit discrimination based on disability.

“But they all come back to the same basic issue,” he says. “Whether Manny is a reasonable accommodation—as opposed to the park’s claim that you can substitute a bonded dog with whom you have a relationship with just any dog. Manny provides what she needs and their relationship is particularized and individual. That’s the end of the story for this inquiry.”

As she fights for the right to keep her beloved canine companion, Huerta is clearly under tremendous stress brought on by her landlord. “I feel like my body’s giving out,” she says. “It was just one thing on top of another. They’re purposefully putting salt on an open wound.” Whatever happens, though, she is standing by Manny. “He has brought a little bit of hope back into my life.”
(torture, mutilation, intentional killings, fighting, etc.), sexual abuse and neglect (such as hoarding).

“The goal is to reduce the number of victims and make the community safer for animals and people alike,” says ALDF’s director of legislative affairs, Stephan Otto, who first drafted the model law (language for proposed legislation) in 2001. Our model law is based on the statutory equivalents of Megan’s Law, which requires that anyone convicted of sex crimes against children register in their communities and that law enforcement authorities make this information available to the public.

Several states have made attempts to get an animal abuser registry law passed, including Colorado, Rhode Island and Tennessee. “It passed the Tennessee Senate in 2008, but was not successful getting through the House,” says Otto. “It’s been reintroduced there during the current session and is still pending.” Tennessee’s treatment of this legislation is very encouraging, as is the news that Senator Dean Florez of California is sponsoring an animal abuser registry bill in his state this year.

PREDICTOR OF HOMICIDAL BEHAVIOR

Eric Harris and Dylan Klebold bragged about mutilating animals before they gunned down 21 people, killing 13, in the massacre at Columbine High School. Henry Lee Lucas, one of America’s most deviant murderers, went from bestiality to killing animals before he began preying on humans.

Animal cruelty is so common among violent offenders that the FBI and other law enforcement agencies have linked it to domestic violence, child abuse and murder. The belief among many criminal profilers is that animal abusers graduate to violence against people when animals no longer meet their needs. As a key predictor of aggression toward humans, harming animals can desensitize abusers to the suffering of others while also giving them a feeling of power. Like other serial offenders, chronic animal abusers have high rates of recidivism, especially among animal hoarders.

The undeniable connection between crimes against animals and crimes against people is one reason the Animal Legal Defense Fund is leading this initiative to establish public registries comprised of anyone convicted of felony animal abuse. Otto says that other ALDF model laws have made an impact for animals and humans.

As a result of one of our draft laws, Oregon and Puerto Rico, for instance, now have a stronger penalty for those who commit animal cruelty in front of a minor or have a prior domestic-violence or child-abuse conviction,” he says.

ALDF has created a new website to help promote this push for abuser registration. Launched during ALDF’s recent National Justice for Animals Week (February 21-27), the site for the new campaign is ExposeAnimalAbusers.org. Here you’ll find a petition to sign and a sample letter you can send to your state’s lawmakers, urging them to support — and consider sponsoring — a law that mandates registration, with the goal of reducing the repeat-offense risk animal abusers pose.

Among those supporting an offender registry is the Toole family, whose dog Karley was the victim of a brutal attack in 2008. Readers may recall our last Animals’ Advocate, in which we detailed how Karley, a six-month-old puppy, was beaten by neighbor Glynn Johnson. Johnson punched Karley with his fists and struck her in the head with a 12-pound rock so viciously that the Toole family had to have Karley euthanized. Johnson, a former assistant fire chief with Los Angeles County, was arrested, and we’re pleased to report that at his January trial he was found guilty of felony animal cruelty and using a deadly weapon. As this newsletter goes to press, he is scheduled to be sentenced on March 8 and faces up to four years in prison.

“We are very excited about ALDF’s model law,” says Jeff Toole, who adds that a public registry will help prevent deaths like Karley’s. “People moving into a neighborhood could be able to check to see if anyone convicted of felony animal cruelty was living in the area. Since Johnson has been convicted, he’d have to register as an animal abuser, and a person with animals in the neighborhood could be forewarned.” Moreover, says Jeff’s wife, Shelley, “This would not cost the taxpayers much money, since the model is already in place with Megan’s Law.”

Otto explains: “The financial analyses we’ve seen from Tennessee and Colorado suggest that they’ll have a minimal fiscal impact because what we’re doing is using the existing structure that’s in place in every state as a result of their sex offender registries. There will be some upfront investment to create a database, but after that, the year-to-year cost shouldn’t be that much. Indeed, this will potentially save states money in the long run because if we can help stop recidivism and reduce the number of new victims, then we’ll be saving money that would have gone toward prosecution and taking care of abused and neglected animals.”

Shelley Toole is already anticipating the day a registry law is passed in California, and she knows what it needs. “We would like to see Glynn Johnson be the first name on the list.”

WHAT YOU CAN DO

Please visit ExposeAnimalAbusers.org to learn more about ALDF’s model law for animal abuser registries and to contact your legislators and urge them to support public registries of convicted animal abusers.

Watch the video, created especially for ExposeAnimalAbusers.org, that makes a dramatic case for animal abuser registries, and share it with your friends via email, Facebook, and Twitter.

Please consider making a tax-deductible donation to the Animal Legal Defense Fund. Without your generous support, we couldn’t do this important work — and animal abusers like Glynn Johnson might never answer for their crimes.
 WHEN SAN FRANCISCO FILMMAKER  Geralyn Pezanoski learned how Hurricane Katrina had devastated not just New Orleans and its displaced citizens, but the animals left behind, she organized a volunteer crew to film the efforts of animal rescue teams. “I couldn’t believe the condition of the animals they were pulling out of the flood waters and from destroyed homes,” she says. “I felt like not only did our country completely fail its people, but now we left all these helpless animals to die in an empty city. And these animals were people’s pets — pets they weren’t allowed to evacuate with. It was infuriating.”

After creating some public service announcements for the Humane Society of Louisiana and adopting Nola, a dog rescued from the disaster, Pezanoski asked herself, “What would I do if someone came forward to claim Nola?” That question led her to produce and direct MINE (minethemovie.com), the award-winning 2009 documentary that tells the stories of people whose canine and feline companions had been saved and bonded with new families. “As a result of this unprecedented tragedy, you have thousands of people who have been separated from their companions, and thousands of animal lovers who have rescued, adopted and nurtured these animals back to health,” she says. “All of them are deeply invested and many have differing views about what’s best for the animals. Having witnessed the devastation and spent time with distraught residents as well as having fostered one of these traumatized ‘Katrina pets,’ I understood some of the complexities involved in this situation. I empathized with people on both sides of the custody battles, and I felt compelled to tell their stories.”

Even before Katrina, the Animal Legal Defense Fund recognized that pet custody disputes were a growing issue. Today, many divorcing couples are more concerned about who gets the family pet than who drives off with the luxury car. But after a natural disaster, with thousands of companion animals being rescued and potentially adopted out all over the country, legislation that addresses large-scale evacuation becomes critical. One positive result of Katrina was the Pets Evacuation and Transportation Standards Act (PETS), a 2006 law requiring states to accommodate pets and service animals in their evacuation plans if they want relief assistance from the Federal Emergency Management Agency (FEMA). While PETS is a step in the right direction, we have yet to see how agencies will implement it in the face of a calamity.

With no such law to benefit New Orleans residents and their pets in August 2005, rescued animals were scattered across the US, leaving people like Jessie Pullins miserable to be separated from his dog J.J. “Jessie’s story was incredibly compelling to me,” says Pezanoski. “He had once been homeless and an addict, and it took many years for him to turn his life around. Raising J.J. from a puppy was instrumental in Jessie’s life. J.J. meant the world to him, and he took his responsibility as J.J.’s guardian very seriously. To hear his regret as he imagined what J.J. must have gone through without him after Katrina and his desire to live out the commitment he had made to J.J. left a deep impression on me.”

It’s this kind of message that has viewers pondering and animal organizations cheering.

continued on next page
Dear Joyce:

I’m new to the internet, but I want to be able to participate in all of ALDF’s online resources on Facebook and other social networks—how do I get started?

—Newbie

Dear Reader:

In the old days, the only way you heard from ALDF was when our newsletter arrived in your mailbox. Today, you can get so much more, and it’s interactive! It’s also a lot easier than you think. Start by signing up for a Facebook account at facebook.com. It’s free. Once you’re on Facebook, type “Animal Legal Defense Fund” in the “Search” box on the upper right hand corner of the page. That will take you to ALDF’s Facebook page. Once you’re there, click “Become a Fan,” and you’re on your way.

Check the “buttons” at the top of ALDF’s page: “Info” (about ALDF); “Twitter” (do you tweet?); “YouTube,” “Causes” and “Link.” Click each of those buttons and you will be amazed by the resources at your fingertips; you can ask us questions and we will answer you quickly; you can make comments, chat and compare notes with animal advocates from all over the world and read up-to-the-minute animal news from ALDF. Click our “YouTube” button and you can view moving and informative videos that will help increase your knowledge and effectiveness in our mutual efforts to protect animals from harm.

So, overcome that “I can’t possibly do this” mental hurdle and join us online—let’s keep in touch.

If you have a question you would like to see answered in The Animals’ Advocate newsletter, email Joyce Tischler, ALDF’s Founder and General Counsel, at: askjoyce@aldf.org, or write to “Ask Joyce,” Animal Legal Defense Fund, 170 East Cotati Avenue, Cotati, CA 94931. We regret that we are unable to publish answers to all questions. This column provides general information only. Each state and, in some cases, each county has its own rules and procedures, so please consult a local attorney to assure that you receive advice specific to your jurisdiction.

Pet Custody

continued from previous page

“MINE really becomes a powerful tool for animal protection groups in that it reaches mainstream audiences who don’t identify themselves as ‘animal people’ in many cases, and certainly not as animal activists,” Pezanoski explains, adding that she wants her film to be a fundraising tool for animal rescue, welfare and rights organizations. “We’ve already started organizing shelter screenings, using the draw of MINE to make a tangible difference in the lives of animals and to make life a little easier for those who love and protect them.”

Pezanoski sees the work being done by ALDF as crucial to the protection of animals in the event of future disasters. “ALDF is a trailblazer in advancing the interests of animals, and I respect their pragmatic approach of working within the current legal system to that end. I think their legitimacy makes them so successful and able to achieve tangible results in bettering the lives of animals. If animals were recognized as sentient beings and afforded basic legal rights, they would have been evacuated along with their people. It’s the work that ALDF does that could prevent another animal tragedy like Katrina from happening.”

PHOTO BY HEIDI STUMP
Back to the Future of Animal Law

Whether you’re an attorney, a law student or an animal advocate interested in how the legal process impacts our non-human friends, you won’t want to miss ALDF’s Future of Animal Law conference at Harvard Law School this April. In addition to covering such cutting-edge issues as companion animal law, veterinary forensics, toxicity testing without animals and much more, this year’s conference will feature Bob Barker as our keynote speaker. So mark your calendar for April 9-11, and visit animallawconference.com today to register!