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ADVOCATE THE ANIMALS'

A NEWSLETTER FOR SUPPORTERS OF THE ANIMAL LEGAL DEFENSE FUND



Dozer Boy and Kyera, who died after being poisoned by strychnine-laced meatballs left out for them by a neighbor

# Neighborhood Nightmare

*ALDF helps win justice for family of poisoned dogs*

**ALL DOG LOVERS KNOW** — dogs will eat just about anything. Sometimes a well-meaning neighbor will even sneak a doggy bone or piece of meat over the fence to treat a next-door pooch. Anyone bearing yummy gifts becomes a fast friend for most pups. And who can we trust if not our neighbors? So imagine a neighbor taking advantage of your dog's trust by intentionally feeding him poisoned meatballs.

That's just what happened to Tesla and Travis Dougherty's two pups, Kyera and Dozer Boy, in Colorado. In August of 2011, Tesla found her dogs dying in their own yard 20 minutes after being let out-

side to play. Tesla could only watch in horror as her dog Kyera struggled valiantly to survive the lethal dose of poison flooding through her body. Tesla explained that Kyera, a German Shepard, even tried to comfort her as she died. Dozer Boy, a chocolate Labrador, also died that terrible day. Outraged at this senseless cruelty, the Animal Legal Defense Fund helped build a case for Kyera and Dozer Boy, to bring the dogs the justice they deserve.

Newlyweds, Travis and Tesla Dougherty had only moved into the neighborhood  
*continued on page 6*

## LETTER FROM THE EXECUTIVE DIRECTOR

# Putting Abusers Behind Bars



FOR MORE THAN 30 YEARS, ALDF has been pushing the legal system to better protect animals and to recognize animals as more than just “property.” During that time, we have added new programs and strategies to accomplish our mission. One of the programs we added almost 20 years ago was our Criminal Justice Program, where we provide assistance and expertise to law enforcement and prosecutors handling criminal animal cruelty cases.

The results of our efforts have been remarkable. Just a dozen years ago, most states did not prosecute abuse crimes as felonies (which allows for stronger sentencing and punishment). Today, only two states lack felony provisions for animal abuse. We have also pioneered techniques for prosecuting animal abuse, resulting in convictions and sentences that would not have been possible without ALDF’s expertise and free support.

The list goes on. As this pioneering program has grown, so too have our techniques. We offer free support nationwide to animal cruelty prosecutors, including writing legal briefs, locating expert witnesses, paying for forensic work, even flying in our own attorneys to work the case shoulder to shoulder with the prosecution.

We don’t keep our expertise to ourselves either. Scott Heiser, the director of our Criminal Justice Program, and a former elected District Attorney, is one of the most nationally sought after speakers and trainers for law enforcement, prosecutors, and other legal professionals on how to successfully prosecute animal abuse crimes. Our work has led to our partnerships with the National District Attorney’s Association and the Association of Prosecuting Attorneys, through which we have expanded our training opportunities.

As a member of ALDF, you have made this extraordinary program and achievements possible. I hope you’ll proudly display our bumper sticker that puts it quite simply: “Abuse an Animal, Go to Jail!”

For the animals,

A handwritten signature in black ink that reads "Stephen Wells".

Stephen Wells  
Executive Director



Animal Legal  
Defense Fund

Stephen  
Wells  
Executive  
Director

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FOR THE  
RECORD

“This is a little dog. We’re treating it like any other human case.”

— Bartonville, Illinois  
Police Chief Brian Fengel  
about a Chihuahua named  
“Beep Beep” who died  
after being thrown against  
a wall by his owner’s  
boyfriend, who is facing  
felony charges.

# Getting Our Goat

*ALDF sues to stop Santa Cruz biotech cruelty*


**ALDF MADE NATIONAL NEWS RECENTLY** with a lawsuit against Santa Cruz Biotechnology, Inc., a testing facility accused of illegal cruelty to goats. Innately curious and trusting, goats are like dogs in their gentle affection for humans. Sweet-natured and friendly, most goats enjoy playing with toys and nuzzling with each other. Yet the goats at the California blood-harvesting facilities have been kept in shameful conditions without proper care. Sick and suffering goats were found starving, anemic, and severely malnourished, with painful skin conditions and predator bites. Animals have also been found with protruding and untreated broken bones.

Santa Cruz Biotech's treatment of animals like inanimate objects exploited for profit isn't something ALDF will allow. Our groundbreaking lawsuit charges that the abuse and neglect of the goats violates state cruelty and competition laws. Such needless suffering includes Santa Cruz Biotech's illegal harvesting of blood from unhealthy goats and overdrawing of blood from healthy goats. In one shocking case, the facility was cited for keeping a seriously ill goat alive for more than 21 days for continued blood harvesting despite a veterinarian's recommendation of euthanasia.

ALDF's lawsuit seeks an injunction from the courts to stop Santa Cruz Biotech from causing unnecessary and illegal harm to goats. Stop Animal Exploitation Now (SAEN), an animal advocacy group committed to ending the abuse of animals in laboratories, is the plaintiff in this case. The illegal actions of Santa Cruz Biotech have required SAEN to make extraordinary efforts to publicize the laboratory's cruelty to goats.

It's not the first time the corporate Santa Cruz Biotech facility has come

under scrutiny for abusing animals. Inspections by the U.S. Department of Agriculture (USDA) have documented multiple animal welfare violations at the facilities over the past six years. In fact, the USDA has repeatedly cited the corporation for improper care of animals. In the summer of 2012, the USDA filed a formal complaint against Santa Cruz Biotech for 20 violations of the federal Animal Welfare Act (AWA) and the company could face \$200,000 in penalties. Santa Cruz Biotech, a for-profit Delaware corporation, supplies antibodies and other research materials to laboratories worldwide. It cultures the antibodies inside the 10,000 goats and rabbits it keeps at an animal testing facility in California.

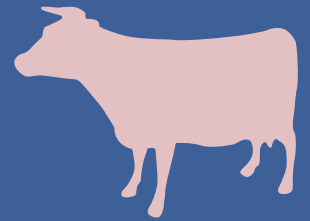
"Testing facilities like Santa Cruz Biotech act like they are above the law," says Chris Berry, ALDF Litigation Fellow. "But failing to provide minimal veterinary care and adhere to basic protocols to avoid animal suffering is not only immoral but also illegal. Countless animals are suffering from inexcusable neglect and mistreatment in the name of corporate profits. We plan to hold them accountable with this lawsuit and set an important precedent for other laboratories." 



Gentle goats are forced to suffer for profits at Santa Cruz Biotech

THE ANIMALS' ADVOCATE

PAGE 3



**"Testing facilities like Santa Cruz Biotech act like they are above the law."**

*— Chris Berry,  
ALDF Litigation Fellow*



# America's Most Wanted

*ALDF posts thousands in rewards to sniff out abusers*

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**IN RECENT MONTHS, ALDF HAS JOINED THE HUNT** in several cruelty cases for the abusers responsible for the heinous murders of animals. By offering rewards for information on the perpetrators, ALDF is hoping to bring to justice some of America's most dangerous abusers.



## CALIFORNIA HORSE-KILLER SOUGHT BY ALDF

Tragedy struck us in our own backyard last November. Just miles from ALDF headquarters, an unknown assailant shot and killed a beautiful 17-year-old male horse named Delta Fox in Santa Rosa, California. The attack took place near

Annadel State Park, a peaceful, idyllic area where several horses had been standing in a pasture. Using a high-caliber rifle, someone shot Delta Fox. The wounded and terrified horse fled back to his stable, where he collapsed and died. Local media reported that sheriff's deputies, animal control officers, and the sheriff's helicopter conducted an extensive air and ground search for the shooter to no avail.

Delta Fox's family says "it is a pity that his

killer has not been found" and hopes that justice will still be served. "Months after Delta Fox's death, we still miss his wonderful grace and beauty, his good mind, and his company," say Delta Fox's guardians. "He was a very special horse. He did not deserve a tragic ending."

Under California Penal Code § 597(a) anyone convicted of maliciously and intentionally maiming or killing an animal can be imprisoned for up to three years and fined \$20,000. In California, it is at the DA's discretion whether animal cruelty is charged as a felony. ALDF offered a \$5,000 reward for information leading to the arrest of the perpetrator(s).

ALDF Executive Director Stephen Wells was crushed to hear about Delta Fox. "Our community has a real cause for concern when criminals are on the loose who could shoot a kind and gentle horse for no reason," he said. "In story after heartbreaking story, abusers repeat their violent crimes against helpless animals, and often go on to victimize people as well. Our hearts are with the family of Delta Fox."

## HELP STOP A DOLPHIN-KILLING SPREE

Like horses, dolphins, to most of us, are kind, intelligent, loving beings who deserve our protection. The idea of harming a dol-

phin seems unimaginable – with their perpetual "smiles" and unsuspecting friendliness, dolphins hold a special place in the hearts of many animal lovers.

That's why it is even more grotesque to learn of a brutal killing spree in which someone (probably more than one person) is mutilating and killing dolphins off the northern coast of the Gulf of Mexico.

Marine authorities believe the offender(s) are on a killing spree. A team from the Institute for Marine Mammal Studies (IMMS) found a dol-

THE ANIMALS'

## WHAT YOU CAN DO

If you have information relating to the identity of the person or persons responsible for any of these crimes, please contact the Animal Legal Defense Fund at 707-795-2533, x1010.

Mutilated dolphins have been washing ashore throughout the Gulf of Mexico



phin with her lower jaw missing. Another dolphin was shot through his abdomen by a 9mm gun; other dolphins have been stabbed. In Louisiana, a dolphin washed up with her tail cut off. In Alabama, a dolphin was stabbed with a screwdriver and killed. The National Oceanic and Atmospheric Administration (NOAA) has put law enforcement and coastal service teams on “heightened awareness,” asking agencies to document every dolphin found as they build a case to prosecute offenders.

Cruelty to dolphins, which includes harassing, harming, or feeding wild dolphins, is a federal crime. Under the provision of the Marine Mammal Protection Act that provides for penalties - 16 USC § 1375 (a) - offenders can be fined civil penalties up to \$10,000 per violation. Criminal penalties include up to \$20,000 per violation and/or one year in prison for each violation. Feeding wild dolphins is included in the act because it causes them to become trusting of humans and to approach fishing boats for food. Recreational and commercial fishermen are asked for especially increased vigilance and to report anyone harming dolphins.

“Vulnerable populations like dolphins and other marine mammals are frequently targeted for abuse,” says Jenni James, ALDF litigation fellow. “The Animal Legal Defense Fund is giving the public the incentive to help protect these creatures, and prosecute those that bring them harm.” ALDF offered a \$5,000 reward for information leading to the arrest and conviction of the perpetrator(s) responsible for brutally slaughtering these poor dolphins.

#### **A DOG NAMED PEARL – TRAPPED AND KILLED IN INDIANA**


People who share our small-town neighborhoods rely on an inherent trust of neighbors to build a community. When that trust is broken, animals become vulnerable targets.

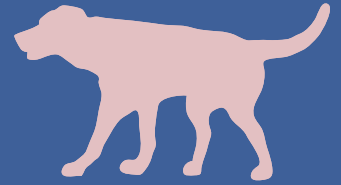
In addition to the Colorado dogs poisoned by their neighbor in this month’s cover story, an Indiana dog named Pearl was recently the victim of heinous cruelty, in her own yard. In a town about an hour southeast of Chicago, Pearl’s human family found their dog struggling in the yard, with her head caught in the metal jaws of an animal trap - similar to the type used to trap groundhogs. After trying unsuccessfully to pry the trap jaws from her head, the distraught owner witnessed her dog suffocate and die.

As reported in the *Indiana Post-Tribune*, Police Chief Steven Sibbrell said the trap was set deliberately. Having been called to the home several times in the past for complaints of the dog’s barking, Sibbrell suggests that someone took the matters into his own

lante hands. The investigation is being assisted by the Porter County Sheriff’s Department.

Under the Indiana penal code, the perpetrator of this crime could face felony animal cruelty charges. Indiana code § 35-46-3-12(c) makes it a class D felony to knowingly or intentionally torture or mutilate a vertebrate animal. It is also a felony to knowingly or intentionally kill a domestic animal without lawful consent of the owner. In Indiana, such a felony carries a maximum penalty of three years in prison and a \$10,000 fine, according to § 35-50-2-7(a).

“Such callous disregard for the suffering of animals, and for the law, is a dangerous indicator of recklessness and cruelty,” says ALDF Executive Director Stephen Wells. “The person responsible for this crime must be brought to justice, for everyone’s safety.” ALDF put up a \$1,000 reward for any information leading to the arrest and conviction of the perpetrator(s). 



**Pearl, a beloved pet, was savagely killed by a steel-jawed trap that had been set for her**





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# Nightmare

*continued from page 1*

two weeks prior to their dogs' deaths. In a terrible twist of fate, they moved next door to a 73-year-old man, Joseph Losinski, who would become their worst nightmare. They couldn't have known that Losinski had previously been accused of poisoning animals, back when he lived in Minnesota. According to media reports, a neighbor filed a restraining order against Losinski for using poisoned meat to kill animals on his property. This same neighbor reported his cat missing soon after he filed charges of harassment.


In the Colorado case, Losinski was convicted for feeding Kyera and Dozer Boy strychnine-laced meatballs. To rub salt in open wounds, after killing the Dougherty's dogs, Losinski began a campaign of terror against them and several other neighbors – many of whom armed themselves and installed security cameras.

In December, 2012 Losinski was sentenced to nine and a half years in prison. He pleaded guilty to charges of felony aggravated animal cruelty and intimidating a witness. Losinski was sentenced on an "Alford" plea – a guilty plea in which a defendant concedes there is enough evidence to convict, and avails of a plea bargain, but still claims his innocence. Losinski plead to two charges: (1) one count of felony aggravated animal cruelty and (2) one count of witness intimidation for sending a threatening letter to a witness in the case. He received one and a half years for the animal cruelty charge and eight years for witness tampering. These sentences will be served consecutively, in light of Losinski's refusal to accept responsibility for his crimes and the risk he presents to the community.

Most animal abuse cases do not receive such justice, and abusers all too often walk away with barely a fine. Thus the tragic conclusion to this horrific story of cruelty ends with justice – and is remarkable due to a diligent judge, and the case built by investigators and prosecutors. ALDF helped every step of the way.

ALDF's Diane Balkin assisted Detective Pattie Dixon with the local Firestone Police Department by writing the search warrant, ensuring that crucial lab work was completed, and helping the dogs' human family understand the developments in case proceedings. ALDF also helped speed the case along by footing the bill for the expensive lab tests at the VGL Lab at U.C. Davis Veterinary School. These tests confirmed that the meat found in the stomachs of the dogs was indeed ground pork laced with strychnine.

"I am proud of Diane for what she accomplished on this case. She worked long and hard in assisting the investigator to secure felony convictions on a heinous set of facts," says ALDF's Scott Heiser, Director of the Criminal Justice Program. "All too often we see dangerous offenders, like the defendant in this case, walk out of court with what can only be considered a slap on the wrist. That did not happen here."

Weld District Judge Todd Taylor was convinced beyond doubt that Losinski was responsible, and he expressed concern that the defendant seemed to be "motivated by cruelty and some sort of sadistic pleasure." And that, Judge Taylor said, "is as real as any other crime." This sad case reminds us that with due diligence, animal abusers can be locked away, like they deserve. "We are pleased that the court both recognized the threat posed by the defendant and sentenced him accordingly," says Scott Heiser. 

**"All too often we see dangerous offenders, like the defendant in this case, walk out of court with what can only be considered a slap on the wrist. That did not happen here."**

— Scott Heiser,  
ALDF director of the  
Criminal Justice Program




## You Make the Call

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authorities or triaged through a dedicated call center. Our first-of-its-kind app was unveiled in February during ALDF's National Justice for Animals Week 2013, and was downloaded by more than 15,000 in the first two weeks alone.

"While never a substitute for 9-1-1, this app allows citizens to get the undisputed facts (e.g. photos and video) into the hands of law enforcement in short order," says Scott Heiser, director of ALDF's Criminal Justice Program. "Anything that helps prevent delay in these investigations is welcome improvement."

### HOW IT WORKS

When you submit a photo, video, or audio tip, a report is automatically sent to your local authorities. If you live in a jurisdiction that is already connected with ALDF Crime Tips—many areas across the nation already are—then the tip goes direct to your local law enforcement. If your local authorities are not yet connected, the tip goes to a call center that will quickly send the tips to the correct authorities. Because the app was built by the same creators of a national app for general crime reporting, there is already a well-established structure in place that makes sure tips will quickly get to your local authorities. 

ALDF's "Crime Tips" App can be downloaded for free from the iTunes App and Google Play stores.



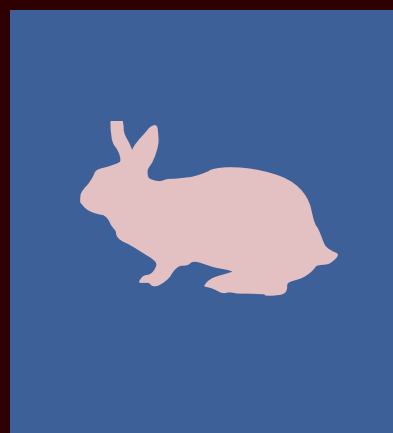
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PHOTO: MIKE STOUGH



# A Smashing Success


*SALDF Hosts the first California Annual Animal Law Symposium*

On March 2, 2013, students from Golden Gate University's Student Animal Legal Defense Fund (SALDF) hosted the first California Annual Animal Law Symposium (CAALS) in San Francisco, California. The student-organized Symposium consisted of eight back-to-back panels with seven different California law school SALDF chapters. Guest speakers included the Animal Legal Defense Fund's own Joyce Tischler, Carter Dillard, Matthew Liebman, and Diane Balkin.

Speakers addressed topics like Equine Abuse, Humans as Guardians Instead of Owners, Breed Specific Legislation, and How Prosecutors Develop Anti-Cruelty Cases. The event opened with a vegan breakfast and welcoming remarks from Golden Gate University's Dean Rachel Van Cleave and well known animal advocate and Schiff Hardin attorney Bruce Wagman. Also featured was Wayne Pacelle of the Humane Society of the United States, who presented a keynote address during the luncheon. Attendees were pleased with the all-vegan menu and complimented the selections. During meals, a slide show portrayed chapter members with their animal companions or at SALDF events.

The Symposium was a smashing success, according to attendees, who provided overwhelmingly "excellent" reviews about the event. Speakers were given a customized CAALS t-shirt, along with baked homemade vegan cookies by event organizers and SALDF leaders Rachel Brockl and Camilla Glover. A new California SALDF chapter president, Natalie Keeve, attended as a guest and said she was so inspired by the Symposium that she

would like to be a panel host at the next CAALS.

ALDF provided funding for this event through the SALDF Project Grant Program and supports SALDF chapters across the nation with project grants, clerkships, and scholarships. "This student-run, first-of-its-kind event completely surpassed our expectations" says Pamela Hart, director of ALDF's Animal Law Program. "We look forward to the next event in 2014!" 


## Save the Date!

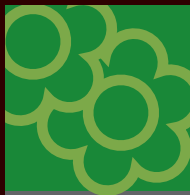
### Looking Forward to the 2013 Animal Law Conference

**THIS FALL, THE ANNUAL ANIMAL LAW CONFERENCE** will be held at the Stanford Law School in Palo Alto, California. Excitement about the conference is already heating up! As the largest and most popular event of its kind, the conference series has featured some of the most respected voices in the field of animal law. From ALDF's own executive director Stephen Wells and founder Joyce Tischler, previous speakers have also included noted founder of the Center for the Expansion of Fundamental Rights Steven Wise and acclaimed animal law professor Kathy Hessler.

The conference is a central gathering point for the global animal law community, and gives attorneys, law students, professors, and activists from around the world a place to share ideas, knowledge, and practical skills about advancing the interests of animals through the legal system.

ALDF is co-hosting the conference with the Center for Animal Law Studies at Lewis & Clark Law School, and the Lewis & Clark Student Animal Legal Defense Fund (SALDF). The event is co-sponsored by Stanford University Environmental and Natural Resources Law & Policy Program, and the Stanford Student Animal Legal Defense Fund.

More information will be found in our next issue. Until then, save the date! The conference will be held on October 25-27, 2013. To register, and to check for updates and announcements, visit [AnimalLawConference.org](http://AnimalLawConference.org). 




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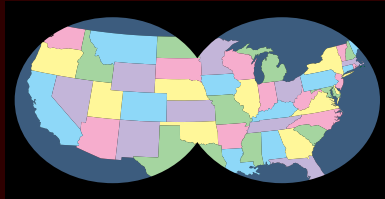
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## INSIDE



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# You Make the Call

## ALDF's "Crime Tips" App Makes it Easy to Report Animal Abuse

**EVER WORRY ABOUT A DOG** left out all night? Or a neighbor who seems to be hoarding animals? Perhaps you've driven by emaciated-looking cows or horses — or maybe someone in your own household is harming an animal. When we see animals in danger, we're not always sure what to do, or who to call. Without evidence, there's little that can be done, even if we do know who to call.

That is why ALDF is excited to announce its new mobile "Crime Tips" app, which takes the guesswork out of reporting crimes against animals. Smartphone users in the U.S. now have an easy tool at their fingertips to protect animals. This app is a safe, easy way to help law enforcement help animals. Thousands of cruelty cases make headlines each year, but there is no national reporting system for animal abuse. ALDF's app aims to change that.

"ALDF Crime Tips" — now available for iPhone and Android — allows anyone to submit audio, video, picture, and GPS information of any animal abuse. Using its tracking device, the evidence is automatically sent to the nearest law enforcement

*continued on page 6*



**Introducing ALDF Crime Tips**  
Report animal abuse from your mobile phone.



Take action for National Justice for Animals Week, install the app: [aldf.org/CrimeTips](http://aldf.org/CrimeTips)