Defining Justice

Criminal Justice Program and Animal Victims

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Opinions are personal and not necessarily representative of those of the Animal Legal Defense Fund or any clients.
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Acknowledgment

Thank you to the Oregon Humane Society for case photos and case details referenced in this presentation.
Overview

- About Me
- About ALDF’s Criminal Justice Program
  - Sam the Ram and 2021 Top Animal Defenders
  - Approach to Animal Cruelty Cases
  - Collaborative Response Project
About me

Previously:

**Law Student**
Vermont Law School
Student Animal Legal Defense Fund, Co-chair

**Humane Investigations Supervisor**
Oregon Humane Society

Currently:

**Managing Attorney**
Oversee active case intake, triage, and response trainings

**Author**
*Animal Cruelty Investigations: A Collaborative Response from Victim to Verdict*

**Adjunct Professor**
University of Florida, Veterinary Forensic Sciences Graduate Certificate Program - *Animal Crime Scene Processing*
About the Criminal Justice Program

Provide assistance and improve the legal landscape for victim animals.

- Case consultation
- Grants
- Training
- Resources
- Expertise
- Innovative partnerships and projects
Top Animal Defenders 2021

Samuel the Jacobs Ram

Susan Norris
Champaign County Veterinarian and general practitioner at Good Friends Animal Hospital

Alyssa Rabulinski
Assistant State’s Attorney, DuPage County State Attorney’s Office

Stephanie Kendrick
Public Policy Advocate at the Hawaiian Humane Society
Approach to Animal Cruelty Casework

- Every case is unique
- Multi-faceted approach
  - Training
  - Assistance
  - Educating the public
  - Legislation
  - Citation and Sentencing
    - Position Statement: aldf.org/sentencing
- Focus is on the victim animals at each phase
Collaborative Response Project

What is a Collaborative Response? (and why is it important?)

A collaborative response makes use of all the experts and results in a comprehensive animal cruelty investigation.

These entities contribute their expertise to effectively work the case through to resolution.

What Does “Resolution” Look Like?

- Education and Monitoring
- Access to Services
- Criminal Citation
Collaborative Response Project

Key Collaborators in Animal Cases:

**Enforcement agency**
Police, Sheriff, Animal Control, Humane Investigators

**Veterinarian**

**Animal Care Entity**
Humane Society, Animal Control, Rescue, Foster, Sanctuary

**Prosecutor**
District Attorney, City Prosecutor, Attorney General
Collaborative Response Project

Launched this year by ALDF’s Criminal Justice Program

- Creating partnerships between veterinarians, law enforcement, and prosecutors
- Providing training and resources for veterinary forensics and case investigation within a specific jurisdiction
- Introducing concepts of education, monitoring, and access to resources as a pathway to compliance in place of criminal citation when appropriate

aldf.org/crp
Thank you!

Emily Lewis
Managing Attorney

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Defining Justice

Animal Legal Defense Fund’s Efforts to Effectuate Justice for Animals Through the Lawmaking Process

Brian R. Hackett
Legislative Affairs Manager
Animal Legal Defense Fund
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WHY WORK ON LEGISLATION?

To protect the lives and advance the interests of animals through the legal system.
Animal Legal Defense Fund’s Legislative Affairs Team is on the ground around the country fighting to pass critically needed new laws on the local, state, and federal level. This work is crucial to assist animals and the criminal justice process to successfully address, litigate, and prevent animal cruelty crimes.
STATE LEGISLATION
Victories since Jan. 1, 2021

36 WINS YTD

ANIMAL STATUS
22

WILDLIFE
10

FARMED ANIMALS
4
Report of animal cruelty concerns

What's the scoop?
Communication between various entities which regularly encounter animals is critical to helping ensure multiple forms of abuse — including animal abuse — are exposed and addressed. Cross-reporting is a multi-disciplinary approach to reporting suspected abuse. Laws requiring that agencies responsible for investigating various forms of abuse regularly communicate with one another and report suspected abuse to the proper authorities are crucial to protecting both humans and animals.

Who could cross-reporting legislation cover?

• Certain employees at residential health care facilities
• Child protective services employees
• Division of Developmental Disabilities employees designated to investigate abuse of people with developmental disabilities
• Department of Human Services Division of Aging employees designated with investigating abuse in violation of the “Adult Protective Services Act
• Law enforcement officers investigating domestic violence
• Veterinarians and veterinary technicians.
Courtroom Animal Advocate Programs

What’s the scoop?

Courtroom Animal Advocate Program (CAAP) laws allow advocates – supervised law students or volunteer lawyers – to advocate for animal victims in criminal cruelty cases. Volunteers appear in court and assist the judge by drafting briefs, conducting research, gathering information from veterinarians, animal control officers, and law enforcement officials, and making recommendations on behalf of the animal victim’s interests.

What states have CAAP programs?

Currently, Connecticut and Maine have laws on the books with active programs. There are currently CAAP bills pending in New York, New Jersey, and Florida.
Cost of Animal Care laws

What's the scoop?

In animal cruelty investigations, animal victims may be lawfully seized and placed in the temporary custody of an animal care agency, such as a municipal animal shelter or nonprofit rescue organization.

• The cost of caring for animal cruelty victims can be significant — especially in lengthy or large-scale cases, such as those involving animal fighting rings.

• Veterinary and other expenses can become financially devastating.

• 35 U.S. states have enacted legislation that enables animal care agencies to file for reimbursement of court-approved “reasonable costs of care” for animals held as evidence awhile their criminal animal cruelty cases proceed.
Post Conviction Possession Bans

What’s the scoop?

After a person is convicted of animal cruelty, the court may prohibit the defendant from owning or possessing any animal for a period of time. In many states, this prohibition is statutorily authorized, or even mandated.

These possession bans are one of the most effective ways to prevent repeat offenses. They restrict an abuser’s access to animals, drastically limiting the pool of potential victims. They also allow law enforcement to intervene quickly to protect at-risk animals.
What's the scoop?

Court-ordered treatment is an effective way to address the roots of animal cruelty and provide sustainable solutions and rehabilitation for convicted offenders. Such treatment will often entail a psychological evaluation and, if deemed necessary, further counseling. Treatment may also take the form of anger management or educational courses.
Thank you!

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