

# DEFENDING THE DEFENSELESS

Experts talk about animal abuse and how to  
combat it in communities nationwide

**A**nimal abuse covers a range of offenses from neglect to torture, and it is present in every part of the country. The National Sheriffs' Association has long championed the rights of animals to be treated humanely, making the enforcement of laws against animal cruelty and the prosecution of animal abuse crimes priorities. And with the discovery that such crimes can often signal other antisocial behaviors, it's now more important than ever for sheriffs' offices to watch out for and prevent such heinous acts.

*Sheriff & Deputy* asked six experts about animal cruelty and why it's important to enforce the laws against such crimes: Lorain (Ohio) Police Officer Richard "Doc" Broz; Brevard County (Florida) Sheriff Wayne Ivey; Harris County (Texas) Constable's Office, Precinct 5 Sgt. Jantzen; Butler County (Ohio) Sheriff Richard Jones; Genesee County (Michigan) Sheriff Robert J. Pickell; and Atlanta Senior Police Officer Amy Soeldner. Here's what they had to say:

### When we say animal abuse, what kinds of crimes are we talking about?

**Officer Broz:** Anything that harms an animal, from neglect in food, water, shelter, or veterinary care to deliberately causing injuries, such as beating an animal or dogfighting.

**Sheriff Ivey:** The crimes we see range from outright physical abuse of animals to neglect, hoarding, and abandonment. The offenses may be serious felonies over long periods of time or one-time misdemeanors. Based on mitigating circumstances, we sometimes clear up minor offenses of a civil nature with a citation and education of the offender.

**Sgt. Jantzen:** Animals require food, water, shelter, medical care, and humane confinement methods. When the basic staples of life are not provided, the animal's owner or caretaker is in violation of the penal code. Additional criminal activity would include fighting, overworking, killing, and torturing.

**Sheriff Pickell:** To knowingly kill, torture, mutilate, maim, or disfigure an animal. To knowingly administer poison to an animal, or knowingly expose an animal to any poisonous substances.

**SPO Soeldner:** Animal abuse can be defined on a broad spectrum. On the low end, we have inadequate shelter, as well as lack of access to fresh water and food. We have abandoned animal cases where the tenant/resident moves out and the animal is chained to a tree or [left] inside a house. The chaining/tethering of animals long-term is mental abuse, since the animal is not with his or her pack, usually lacks socialization, and can become aggressive. They can also hang themselves and have ingrown collars. On a bigger scale, animal abuse is the kicking, throwing, punching, poisoning, starvation, stabbing, and the fighting of them for thrill or profit.

## Education is the best form of prevention in protecting animals from abuse.

—Genesee County (Michigan) Sheriff Robert J. Pickell

### What brings animal abuse within the sheriff's jurisdiction?

**Sheriff Ivey:** Florida law provides a fairly robust set of laws covering both misdemeanor and felony crimes, which include acts of cruelty, neglect, abandonment, and fighting of animals.

**Sheriff Pickell:** In the State of Michigan, appellate court rulings and the constitution state that the sheriff is the chief law enforcement officer of the county. As such, the sheriff has jurisdiction over all felony crimes, including animal abuse.

**SPO Soeldner:** Any law enforcement officer should be able to charge for any animal abuse crime if it falls in their county or municipality. Many sheriffs may not realize it, but if they have arrest powers and understand the statutes, they can make the charge. They can also work with their local animal agency to seize the animal as evidence in an upcoming court case if the situation warrants it.

### What organizations do sheriffs partner with in cases of animal abuse?

**Officer Broz:** Your county humane officers are your best ally. They are often based out of humane societies or animal protective leagues, which have the resources to care for and house seized animals, as well as expertise in the animal sections of your state statutes.

**Sheriff Ivey:** Our partnerships extend across many areas, but one of the most successful has been [with citizens] via social media. Animal abusers have been held accountable because of citizens engaging [with] the sheriff's office. On a more direct, law enforcement level, we partner with local veterinarians, staff veterinarians, state agricultural labs, and the state's attorney's office to bring criminal cases to a successful conclusion.

**Sgt. Jantzen:** The main partner is the animal rescue community. Generally speaking, most jurisdictional authorities do not have the available resources to transport, medically evaluate, and house animals subject to criminal abuse.

**Sheriff Jones:** Butler County dog wardens are employees of the Butler County Sheriff's Office. If anyone calls our agency to report animal abuse, we follow up if it is within our jurisdiction.



## If you scratch the surface of the animal crime, you will find more crimes.

—Atlanta Senior Police Officer Amy Soeldner

**Sheriff Jones:** Unless we come across something or it is reported, there aren't a lot of options to prevent abuse before it starts. We use social media as a platform to ask the public to report abuse to us. We work closely with Animal Friends Humane Society, [and] dog wardens patrol areas proactively, checking on animals during their shifts.

**Sheriff Pickell:** Education is the best form of prevention in protecting animals from abuse. My office actively promotes anti-abuse initiatives through public meetings [and] television, radio, and print media.

**SPO Soeldner:** Education! This is a generational or early-childhood exposure problem. Many don't see anything wrong with how they treat an animal, and that was learned somewhere, either by example or apathy on the part of the adults. We teach animal safety and animal cruelty to children ages 5 to 14. Kids naturally love animals and don't want to see them hurt or mistreated.

### What kinds of laws can sheriffs promote to prevent abuse and/or punish offenders?

**Officer Broz:** State statutes will provide sheriffs with the elements of the crimes involving animals. A good public education program to develop informants to report animal abuse will be a monumental help. A close partnership with local prosecutors will go a long way in understanding how to maneuver through the proceedings from search warrants to seizures to court trial.

**Sheriff Ivey:** Elevating the most serious animal abuse crimes and multiple convictions to a higher felony level would be a desired outcome—instituting laws requiring mandatory reporting with immunity from civil and criminal liability.

**Sheriff Pickell:** I worked closely with state representatives and testified before the state senate Judiciary Committee on animal abuse. My testimony centered on stricter penalties for abusing animals, including torture, killing, maiming, or poisoning animals. As a result, animal abuse in the first degree is now a 10-year felony, along with a \$5,000 fine. Killing or torturing animals in the second degree is punishable by imprisonment for not more than seven years and a \$5,000 fine. Killing or torturing animals in the third degree is now a four-year felony and a \$5,000 fine.

**SPO Soeldner:** The laws are probably already on the books; they just have to be enforced. Sheriffs can promote accountability on the part of the prosecutors and courts to demand jail time for some of these offenders. A fine and community service with nothing on a permanent record is no deterrent. Harness the news, general public, and animal rights groups to raise awareness, and put pressure on the courts to send a strong message that there are painful consequences to committing a crime against animals. Jail time is the only thing many offenders will understand.

**Sheriff Pickell:** In case of animal abuse, the sheriff interfaces with the county prosecuting attorney, animal control including veterinarians, and other police agencies.

**SPO Soeldner:** The sheriffs may come into contact with local police or state patrol. They may also work with the local animal control officers and of course, the courts—prosecutors, judges. It is important for them to follow up with the courts. Here in Atlanta, if our unit doesn't follow up, cases just go into a vortex, not to be heard from again.

### What can sheriffs do to prevent animal abuse before it starts?

**Officer Broz:** Public education and assigning specific officers to study and train in animal abuse law enforcement. The Humane Society of the United States offers training in these matters.

**Sheriff Ivey:** As with many crimes, education is the key to success. Not only should we bring more education to our children at an early age relative to treating animals humanely, we need to educate all law enforcement officers to recognize animal abuse and apply community standards. Such approaches will reduce acceptance of animal abuse. Promoting animal treatment programs in elementary schools and incorporating animal abuse recognition training in law enforcement academies are areas that serve to prevent and punish animal abuse.

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## Is there a link between animal abuse and other violent crimes?

**Officer Broz:** Animal abuse is one leg of the “serial killer triad.” Animal abuse is often present in domestic violence, narcotic trafficking, and other violent crimes.

**Sheriff Ivey:** Without a doubt, studies have shown a direct correlation between crimes of domestic violence, child abuse, rape, and serial murders as related to animal abuse offenders.

**Sgt. Jantzen:** Animal cruelty is routinely linked with other forms of crime. When investigating cases of animal abuse, LEOs find violations of Texas law in the form of possession of controlled substances, gambling, weapons, assault-type crimes, etc.

**Sheriff Jones:** Years of research by the FBI, criminal profilers, and psychologists indicate that yes, there is a direct connection [between] abuse to animals and violent crime. Domestic violence is a big one.

**Sheriff Pickell:** The simple answer is yes. We almost always find dogfighting, drugs, and gambling attendant to animal abuse. Other crimes that may be present include child abuse, where animal abusers teach children to abuse animals.

**SPO Soeldner:** 100 percent. We run criminal histories on those charged/arrested with animal-related crimes in Atlanta. The vast majority have a criminal record, and a fair percentage have previous charges of aggravated assault, cruelty to children, domestic violence, obstruction of law enforcement, weapons possession of a convicted felon, fleeing and attempting to elude, etc. We’ve had individuals with previous charges of armed robbery and even a couple of murders.

## Why is this issue so important to law enforcement today?

**Officer Broz:** Social media brings these once unnoticed crimes to the public eye. Enforcing animal cruelty laws—just like training officers to handle dog incidents without lethal force—can be a tremendous public relations boost, resulting in increased public support of your agency.

## Community standards of civility are gauged by how we treat one another, as well as our animals.

—Brevard County (Florida) Sheriff Wayne Ivey

**Sheriff Jones:** Animals have no voice; they are defenseless. We can represent them and save some of them by removing them from the abusive situation or punishing those doing the abusing.

**Sheriff Pickell:** Dogs and other animals are companion animals, and in the state of Michigan, considered property. They have no rights, and unless we enforce the laws, they have no one to protect them.

**SPO Soeldner:** It’s important because the correlation between crimes against animals and crimes against humans has been established. Many LEOs don’t realize that, and think “It’s just an animal.” If you scratch the surface of the animal crime, you will find more crimes. When law enforcement gets a suspected animal abuser off the streets, they usually end up sparing humans from harm.

**Sheriff Ivey:** The importance is obvious given the direct relationship of animal abuse and other violent crimes. Preventing, recognizing, and punishing acts of animal abuse serves to reduce violent crime in our communities, thus providing a better quality of life. Community standards of civility are gauged by how we treat one another, as well as our animals.

**Sgt. Jantzen:** Enforcement of animal cruelty laws is important to the community. Besides the previously noted link between animal cruelty and violent crime, the community suffers when members are engaged in unaddressed criminal activity. The victims—in this case, the animals—do not have a voice to ask for help. If our law enforcement community does not provide animals a voice and the protection that the law provides against their abusers, who will? 🐾