

CREATING SYNERGY FOR GANG PREVENTION: TAKING A LOOK AT ANIMAL FIGHTING AND GANGS

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Abstract

Animal fighting is one of many gang activities that threaten families and neighborhoods. Animal fighting, like drugs, gambling, weapons, and other violent behavior, is one manifestation of the same problem – gangs. Until recently, there have not been systematic and coordinated strategies by law enforcement bodies and other agencies responsible for gang prevention and animal fighting reduction. That is changing. Project SAFE, recently launched in Chicago, is based on the successful gang prevention models that identify members of the community in order to “interrupt” violent behavior before it starts. A combination of violence interruption, community mobilization, public education, criminal justice participation, and faith-based leader involvement, Project SAFE already has seen success in the Austin neighborhood of Chicago.

In addition to describing Project SAFE, this discussion details the empirical evidence for the link between animal fighting/cruelty with other crimes. Next, state and federal policies – introduced, recently signed into law, and established – that address gangs and animal fighting are described. Creating synergy between public agencies and private citizens concerned about gangs and animal fighting could, it is proposed, bring more resources to the problem and contribute to the safety of families and communities.

Introduction

The U.S. Office of Juvenile Justice and Delinquency Prevention (OJJDP) established the National Youth Gang Center (NYGC) in response to the rapid increase in gangs and gang activity. The proliferation of gangs since 1980 has alarmed local government officials, law enforcement, and community organizations. Some have gone so far as to call the growth of gangs an epidemic (Maxson 1998).

Highlights of the National Youth Gang Survey (Egley & Ritz, 2006) reveal that in 1999, 25 percent of jurisdictions classified their gang problem as “getting worse,” and in 2002, this number increased to 42 percent. In part, the growth of gangs seems to be associated with size of the community. Compared with the 1999-2001 survey period, in the 2002-2004 survey period, the average percentage of agencies that report gang problems was slightly higher in smaller and larger cities, and slightly lower in rural counties; in suburban counties the rates are unchanged.

Testifying on February 15, 2007, before the Subcommittee on Crime Terrorism and Homeland Security on Gang Violence, Paul A. Logli, State’s Attorney of Winnebago County, Illinois and Chairman of the Board of the National District Attorney’s Association emphasized that “numbers don’t tell the full story” (Logli 2007, 2). He pointed out that law enforcement is seeing younger children recruited into gangs such as the 6-year-old child who claimed to be a member of a gang in Wichita, Kansas.

Like gangs, animal fighting is a serious and growing problem. Law enforcement recognizes that animal fighting is closely linked to gang activity. Superintendent of the Chicago Police, Philip Cline has reported that dog fighting is directly connected to the violent world of gangs, drugs and weapons. Reinforcing Superintendent Cline's observation, the Animal Crimes Unit of the Chicago Police Department conducted a statistical review of offenders arrested by the Chicago Police Department for the period of July 2001 through July 2004. They found that "when compared to offenders arrested for non-animal related offenses, persons who act violently toward animals are much more likely to carry and use firearms in the commission of other crimes, and are involved in the illegal narcotics trade. Further, a strikingly large percentage is members of criminal street gangs" (Degenhardt, 2005, p. 1). For example, 59 percent of offenders arrested for animal cruelty crimes either admitted or were established to be gang members; 70 percent of those arrested for animal crimes have also been arrested for other felonies.

The link between animal fighting and gangs can be seen in the recent arrest of a leading San Diego gang in October, 2006 (see <http://www.sandiego.gov/police/about/media/pdf/061006.pdf>):

At the scene, officers seized five pit bulls being trained for dog fighting, cash, and narcotics. "The arrests have resulted in the dismantling of the leadership of one of the largest street gangs in southeastern San Diego," said San Diego Police Chief William Lansdowne (personal communication with Media Office, San Diego Police Department, August 14, 2007).

Another experienced law enforcement officer and street gang specialist, Scott Giacoppo of the Massachusetts Society for the Prevention of Cruelty to Animals, said that in many cases, a gang member's dogs are literally sitting on top of a stash of drugs hidden in the base of the dogs' cages. These same dogs are often used to intimidate neighborhood residents to keep them from going to the police (personal communication, August 12, 2007).

In Los Angeles, City Attorney Delgadillo initiated efforts to target gang members who used dogs to intimidate, harass, and assault Los Angeles residents and their pets. His strategy of amending existing gang injunctions is described in detail in the section on Changes in Federal, State, and Local Legislation, below.

The Larger Context: Gang Membership, Delinquent Behavior, and Animal Cruelty

What We Know About Gangs and Delinquency

We know that gang members account for a disproportionate share of delinquent acts, particularly the more serious offenses (Thornberry & Burch, 1997). We also know that gang membership has a greater association with delinquency than associating with delinquent peers (Pearson, Thornberry, Hawkins, & Krohn, 1998). The most serious offense, homicide, is linked to gang activity, especially in cities with populations of 100,000 or more. In addition, there has been relative stability in gang homicides from 1999 to 2001 at the same time that the overall numbers of homicides in cities with 100,000 or more fell dramatically (Egley, Howell, & Major, 2006).

In addition to the link to homicide, gang membership is linked to other violent offenses, including firearm use and drugs. One problem for accurate measurement is that more than half of reporting agencies do not record criminal offenses as "gang-related." Given that limitation of the agencies that regularly record offenses as gang-related, the types of criminal offenses most often recorded were violent crimes (85 percent), property offenses (75 percent), and drug offenses (74 percent) (Egley, Howell, & Major, 2006).

Delinquency, Other Deviant Behavior, and Animal Cruelty

Just as the lack of consistent reporting of “gang-related” offenses attenuates the tracking of these crimes, the tracking of animal cruelty crimes suffers a similar, and more serious, problem. Egregious acts of animal cruelty are a felony in 43 states and the District of Columbia. Dog fighting is illegal in all 50 states and the District of Columbia; 48 states, the District of Columbia, Puerto Rico, and the Virgin Islands have made dog fighting a felony offense. There also is federal legislation that addresses animal fighting. However, animal cruelty/fighting are not assigned a separate category by the Federal Bureau of Investigation (FBI), so that when local and state police agencies report their crime statistics to the FBI, animal cruelty/fighting offenses fall into the category of “Other offenses,” making them impossible to disaggregate and track. Until the FBI institutes a policy of assigning animal cruelty to a separate category in the agency’s crime date reporting system, there is no way to obtain reliable data to track these crimes in a systematic fashion (Randour, 2004).

Despite the lack of national leadership in the collection of animal cruelty statistics, research in the last twenty years has confirmed a close link between animal abuse and family violence. Animal abuse has been determined to be an early marker of children at risk for continued delinquency and adult criminality.

It appears that there is an association between animal abuse and the development of aggressive and antisocial behavior in children. “The Pittsburgh Study,” an ongoing longitudinal study of the causes and correlates of antisocial behavior, began in 1987. One finding from this study is that cruelty to people and animals was one of four factors associated with the persistence of aggressive and criminal behavior. Another important finding of this study was that the development of disruptive and delinquent behavior takes place in a progressive fashion (Kelley, Loeber, Keenan, & DeLamarate, 1997), emphasizing the importance of early identification of aggressive behavior.

Moreover, one of the first symptoms of conduct disorder often is cruelty to animals. In a meta-analytic review of the symptoms for conduct disorder, cruelty to animals was considered to be one of the earliest reported symptoms (at 6 years and 9 months of age) (Frick, et al 1993). In addition, children who are cruel to animals exhibit more severe conduct disorder problems than other children (Luk, Staiger, Wong & Mathai, 1999). Retrospective studies of incarcerated offenders, taken together, suggest that animal abuse is characteristic of the developmental histories of between one in four and nearly two in three violent adult offenders (Miller & Knutson, 1997; Schiff, Louw, & Ascione, 1999; Tingle et al. 1986).

Regarding animal cruelty and family violence, for example, an early study found that there was animal abuse in 88 percent of families who were under state supervision for the physical abuse of their children (DeViney, Dickert & Lockwood, 1983). Animals may be used by perpetrators to coerce children into silence. As noted by Davidson (1998), the threat of animal abuse to silence child sex abuse victims has been a factor in a number of criminal convictions. For example, courts in Maine and Idaho affirmed child sex abuse convictions, noting that the defendant had threatened, as well as actually killed, animals in front of the child victims.

A recent study of the ownership of high-risk dogs as a marker for deviant behavior demonstrates the importance of the link between animal cruelty and child abuse and neglect, as well as other crimes (Barnes, Boat, Putnam, Dates, & Mahlman, 2006). This study found the following:

Owners of cited high-risk (“vicious”) dogs had significantly more criminal convictions than owners of licenses of low-risk dogs....(suggesting) that the ownership of a high-risk...dog can be a significant marker for general deviance and should be an element considered when assessing risk for child endangerment” (p. 1,616).

State and national surveys of domestic violence victims consistently find that as many as 71 percent of battered women report that their male partners had threatened to or had, in fact, harmed or killed their pets

(Ascione, 1997). Another result from this study points clearly to the deleterious effect on children who witness animal abuse in families – 32 percent of the women with children reported that one of their children also had committed acts of animal cruelty. Other studies reinforce the findings that animal abuse often is a child's maladaptive response to witnessing domestic violence and that children exposed to domestic violence are at significantly increased risk for behavior problems (Baldry, 2003; Currie, 2006; Moss, 2003).

Of most significance, an authoritative research study found that animal cruelty was one of four predictors for engaging in intimate partner violence (IPV) (Walton-Moss, Manganello, Frye, & Campbell, 2005). The case-control study of 3,627 women and 845 controls was conducted from 1994 to 2000 in 11 USA metropolitan cities sought to identify risk factors for intimate partner violence. The finding that pet abuse was one of four risk factors identified with IPV supports the findings that animal cruelty may be an early indicator of aggressive and deviant behavior in childhood.

What We Need to Know

Researchers, practitioners, law enforcement, and policy makers must rely on sound empirical information in order to develop more effective interventions and reduce the problem of gangs and animal fighting. The systematic and universal reporting of gang-related activities by law enforcement would provide more reliable information about the nature and activities of gangs and allow for more comprehensive tracking.

Despite the established relationship between animal cruelty/fighting and gangs, family and other types of interpersonal violence, property crimes, substance and drug abuse, as well as the development of deviant behavior, including the most extreme one of serial killing, there is no national or state system designed to track these crimes. In the section on Changes in Federal, State, and Local Legislation below, the authors make legislative and policy recommendations that would address this gap.

Project SAFE: One Model for Linking Gang Prevention with Animal Fighting

Overview of Project SAFE and Its Goals

The central goal of Project SAFE: Stop Animal Fighting Everywhere is to develop a violence interruption program to penetrate neighborhoods most prone to dog fighting and change the behavior of those who engage in the crime. Working with The Humane Society of the United States, Tio Hardiman, Founder of Project SAFE, works with community members from targeted at-risk communities. Individuals from the community are hired and trained to develop relationships with community members, especially those members who are known to participate in deviant behavior, listen to the news on the street, and to intervene before violence occurs.

More than an information gathering operation, Project SAFE aims to recruit key individuals to carry the non-violence message to their peers and, by so doing, to change the “street code” in which violence is linked to enhanced status. One block at a time, “interrupters” take to the streets to break up dog fighting encounters. One person at a time, they challenge ingrained social perceptions.

Project SAFE has five major components:

1. **Violence Interruption:** Described earlier, the “violence interrupters” hired for their knowledge of the street, operate in the areas most prone to dog fighting – vacant lots, abandoned buildings, garages, alleys, and at the time when these fights more likely occur – on the weekend, in the evenings and late at night. “Persons of interest” to the violence interrupters are individuals who have a history of dog fighting and violence, as well as their networks and interrelationships. Just as importantly, they will

identify individuals who are at high risk of becoming involved in dog fighting, but have not yet done so.

2. **Community Mobilization:** In order to challenge and change the “street code” that violence is a tool to achieve prominence, the community mobilization effort seeks to involve residents, local businesses, service organizations and members of the faith community. A coalition of community members creates a prevention plan for animal fighting/gangs that is specific to each of their communities. In addition to the formal plan to identify methods and means to bring visibility to the problem, participants in the community use their informal social network, such as weekly community walks in the target area, obtaining data from the Chicago Police Department, identifying hot spots where dog fighting occurs, establishing a 24 hour phone line, identification of high risk youth who fight dogs and want to change, distribution of 500 public education materials weekly, and provide positive alternatives to reformed dog fighters, which often are the most effective in spreading the message that animal fighting and gangs have to end.
3. **Faith-based leader involvement:** Because of their leadership role in these communities, recruiting faith-based leaders to join Project SAFE is critical. These groups can provide an important forum, network, as well as the moral authority to challenge the existing acceptance of animal fighting and to change that.
4. **Public Education:** This facet of Project SAFE reinforces the goal of changing the street code by launching a “marketing” campaign intended to shift community attitudes away from acceptance of dog fighting. In brief, the goal is through public education, faith based leadership, and community mobilization to enlist an expanding group of community members who will reject animal fighting as an acceptable activity and will help those groups, law enforcement and community, trying to prevent it.
5. **Criminal justice participation:** Project SAFE has relationships with, and encourages cooperation between, courts and correction agencies and community agencies. In addition to joining the effort to educate the community, criminal justice authorities share data on target areas and individuals most likely to perpetrate violence against animals in this coordinated effort.

In addition to the above five components, Project SAFE uses information gained from focus groups of former dogfighters and young children conducted by the University of Chicago Lab to understand the appeal of dog fighting. With a more exacting knowledge of dog fighting’s appeal to some, we can craft cultural messages that might stigmatize, rather than glamorize, dog fighting. Several focus groups have been conducted with Chicago Public School students and individual session with former dog fighters and want to be dog fighters. The ages range from 12- 28 years old.

Anticipated and Unanticipated Results

To date, Project SAFE has formed a viable coalition in the Austin Community that meets once a month to evaluate the programs progress. Project SAFE continues to gain support from new members joining every week to help in the efforts to stop dog fighting. Project SAFE never imagined that dog fighters were willing to help and stop dog fighting in the Austin area, yet staff have identified over 15 young men who want to participate in positive alternatives for their dogs.

What’s Next

Project SAFE has been established, and will continue to build on the success described here. In addition to building relationships in the community to stop animal fighting, there are three major tasks to be accomplished: a) identify professional trainers to help retrain aggressive dogs; b) create school-based curriculum to educate the youth; and, c) rescue and find shelter for 30 pit bulls. All of the tasks accomplished and planned support the Project SAFE goal to reduce dog fighting in the Austin area by 30 percent in 2007.

Changes in Federal, State, and Local Legislation

Federal Legislation

U.S. Senate Bill 456, “Gang Abatement and Prevention Act of 2007,” recently passed the Senate. On the House side, a similar bill, U.S. House of Representatives Bill 1582, will be introduced. In general, these bills are designed to enhance law enforcement resources for the successful investigation and prosecution of gangs, revise and enhance criminal penalties for violent crimes, and to expand and improve gang prevention programs. Among other things, it establishes a National Gang Research, Evaluation, and Policy Institute.

The U.S. Congress first prohibited the interstate and foreign commerce of animals for fighting 28 years ago. However, until recently, the USDA, the agency responsible for enforcement, has pursued only a handful of dog fighting and cockfighting cases. That may be changing. Recently the agency, as well as state and municipalities, have stepped up enforcement of animal fighting. Arrests have occurred in at least 14 states in recent months (see http://www.hsus.org/acf/campaign/animal_cruelty_and_fighting_campaign.html).

A major shift in attitudes toward animal fighting can be seen with the passage of a new federal law, the “Animal Fighting Prohibition Enforcement Act,” which was signed into law by the president in May 2007. Designed to crack down on organized dog fighting and cockfighting, it provides felony-level penalties for interstate and foreign animal fighting activities, and outlaws commerce in cockfighting weapons.

Following the passage of the Animal Fighting Prohibition Enforcement Act, another federal bill to address animal fighting was introduced. H.R. 3219 and S. 1880, “The Dog Fighting Prohibition Act,” would further strengthen federal animal fighting laws by making participation in dog fighting, including being a spectator at a dogfight and possessing dogs for the purpose of fighting, a federal felony, and would increase the maximum penalty from three years to five years in prison.

In addition to the above legislation, H.R. 2862, FY 2006 Science-State-Justice-Commerce Appropriations Bill, contained language to provide funding to the Joint County Gang Prevention Task Force, established by Montgomery County and Prince George’s County, Maryland in 2004.

State and Local Legislation

As reported by the NYGC, gang-related legislation has been enacted in every region of the U.S. Like domestic violence, gang activity is not a separate crime category. Instead, local jurisdictions use curfew ordinances (62 percent), abatement ordinances and civil injunctions (12 percent) and firearm suppression (20 percent) (Egley, Howell, Major, 2006).

Actions taken by Los Angeles City Attorney Rocky Delgadillo demonstrate how prosecutors creatively apply existing laws to gang activities. Noting that “gangs – like any terrorist – don’t always use conventional weapons,” City Attorney Delgadillo launched a new effort to target Los Angeles gang members who misuse and abuse dogs. He noted that gang members use dogs to intimidate, harass, and assault L.A. residents and their pets.

Since 2001, the City Attorney in Los Angeles has increased the number of permanent gang injunctions from eight to 33, covering more than 50 gangs of nearly 11,000 gang members. They are thought to have played a key role in reducing gang-related crime by 13 percent over the last five years. Gang injunctions are civil lawsuits that result in court orders that prohibit members of the gang from engaging in activities that have been shown to contribute to gang activity, including associating with other gang members, trespassing on private property, and marking territory with gang graffiti within a specific Safety Zone.

The L.A. City Attorney's Office is examining the feasibility of amending gang injunctions and crafting a new Citywide ordinance that would allow law enforcement officials to seize dogs from the gang members found to be mistreating them or who have been used in the course of violating a gang injunction prohibition (Velasquez, 2007).

Over 70 percent of all states have enacted some form of legislation relating to gangs. A review of state legislation relevant to gangs shows the following:

- The types of gang-related legislation most frequently encountered pertained to enhanced penalties and sentencing for gang activities, drive-by shootings, graffiti, gang activity and forfeiture, and gang member recruitment.
- Legislation designed to address gang activity continues to evolve. In 1999, new categories of legislation specific to gangs included carjacking, expert testimony, law enforcement training, and school dress codes/uniforms.
- A number of states have enacted Street Gang Terrorism acts similar to the act established originally in Illinois. These states also seem to be heavily influenced by the Chicago area in terms of street gang culture.
- Public nuisance laws around the United States are increasingly noting gang activity as a factor in determining a nuisance. Indiana has defined real estate/dwellings as "psychologically affected property" if they are the location of criminal gang activity. This factor must be disclosed, by law, in real estate transactions.

Laws against animal fighting exist in every state (See Appendix). In 48 states, the animal fighting laws contain felony provisions and misdemeanors in two states. However, there are loopholes in these state laws that at times can make them difficult to investigate and prosecute. For example, in four states it is a misdemeanor to possess dogs for fighting and in three it is legal. Similarly, in 26 states it is a misdemeanor to be a spectator at a dogfight and it is legal to do so in two. Other recommendations to strengthen state animal fighting laws include making the possession of animal fighting paraphernalia a crime. As noted earlier, passage of S.B. 1880 and H.B. 3219 would close the loopholes in those states in which possessing or watching an animal fight is either legal or a misdemeanor.

In addition to the various state and federal laws that address animal fighting, as with gang prevention and suppression strategies, many communities across the United States are actively targeting dog fighting by coordinating local and regional dog fighting task forces.

Discussion

The trend at the state and federal level is to recognize the close association between animal fighting/cruelty and other crimes. Referring to the Law Enforcement National Data Exchange (N-DEx), the FBI's most recent crime data reporting system under development, the 108th U. S. Congress stated, "The Committee believes that N-DEx should be capable of reporting on the incidence of animal cruelty crimes." In addition, House Report 1008-576 – Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Bill, Fiscal Year 2005, directed the Federal Bureau of Investigation "to provide a report to the

Committee on the advantages and disadvantages of adding animal cruelty crimes as a crime category in the Uniform Crime Report.”

Similarly, federal legislation to address gang prevention and suppression has been introduced, having already passed the Senate. The proliferation of youth gangs since 1980 “has fueled the public’s fear...” (Starbuck, Howell, & Lindquist, 2001). In 1996, the OJJDP inaugurated annual surveys to determine the trends of gang activities and the nature of gangs.

At the state and local level, gang prevention and animal fighting prevention efforts, such as the formation of task forces, are having success in influencing the creation of new laws and the enforcement of existing ones.

Despite these commendable efforts, the problems of gangs in our communities persist. The Humane Society of the United States estimates that animal fighting is more prevalent now than ever before. We believe that when there are similar manifestations of a problem, and overlapping goals in dealing with it – as there is in gang activity and animal fighting – it makes sense to join forces.

There are a number of practical ways in which this can happen. At the local level, there needs to be communication and collaboration between the law enforcement community responsible for addressing problems of gangs and those that target animal fighting. Joint task forces might be ideal, but this cooperation can begin at the informal level, as well.

Training law enforcement personnel assigned to gangs how to recognize animal fighting activities, including how to identify whether or not animals have been used in a fight, as well as the resources available to handle the animals would further their gang suppression goals.

Similarly, law enforcement working on the reduction of animal fighting should be trained how to identify signs of gang activity and how to make the most effective response.

Passage of federal legislation that deals with gang prevention would add another layer of resources to a national problem. Similarly, federal animal fighting legislation that closes loopholes in animal fighting statutes and encourages the aggressive enforcement of animal fighting laws would benefit animals and the communities in which those animals live.

Until the FBI includes animal cruelty as a separate category in its crime data reporting system, crimes of animal cruelty and animal fighting are not going to get the attention they deserve from law enforcement, public policy makers, and program planners. Animal cruelty crimes do not simply harm animals; they also can have a very real and direct effect on the children in those families, the community, and public health in general. If program planners, law enforcement, and policy makers do not have access to the most basic information about animal cruelty crimes, they are seriously disadvantaged at planning effective responses to these crimes and to the anti-social and deviant behaviors related to animal cruelty – family violence, juvenile delinquency, gangs, and other criminal behaviors.

Prosecutors frequently exhibit ingenuity by developing a case with laws not previously used in a particular manner. Certainly animal cruelty legislation has aided the prosecution of domestic violence cases – sometimes offering prosecutors the only tool to use as well as increasing the likelihood of a successful outcome and enhancing penalties.

Whether at the state or federal level, perhaps adding animal fighting to the definition of what constitutes gang activity would encourage cross fertilization and bring more resources to both problems.

Commenting on what is needed in gang prevention and reduction strategies, Spergel (1995) concluded that “new institutional cross-agency and cross-jurisdictional arrangements must evolve, and new policies and programs must be developed and then rigorously and widely tested, so that we will know what truly works and what does not.” In that spirit, we hope that this presentation will provoke discussion and collaboration between those agencies charged with preventing and reducing gang violence and those that address animal fighting. Creative synergy between these two important groups could advance the protection of our families and communities.

Table 1. Dogfighting: State laws, updated July 2007

Dogfighting is illegal in all 50 states and the District of Columbia, and the interstate transportation of dogs for fighting purposes is prohibited by the federal Animal Welfare Act. 48 states, the District of Columbia, Puerto Rico, and the Virgin Islands have made dogfighting a felony offense; 47 states, the District of Columbia, and the Virgin Islands prohibit the possession of dogs for fighting; and 48 states, the District of Columbia, Puerto Rico, and the Virgin Islands prohibit being a spectator at a dogfight.

State	<i>Dogfighting: on the Law Books</i>	<i>Dogfighting: a Felony or a Misdemeanor</i>	<i>Loophole: Possession of Dogs for Fighting</i>	<i>Loophole: Being a Spectator at a Dogfight</i>
Alabama	§ 3-1-29	Felony	Felony	Felony
Alaska	§ 11.61.145	Felony	Felony	Misdemeanor
Arizona	§ 13-2910.01 to 02	Felony	Felony	Felony
Arkansas	§ 5-62-120	Felony	Felony	Misdemeanor
California	§ 597.5	Felony	Felony	Misdemeanor
Colorado	§ 18-9-204	Felony	Felony	Felony
Connecticut	§ 53-247	Felony	Felony	Felony
Delaware	§ 1326	Felony	Felony	Misdemeanor
Florida	§ 828.122	Felony	Felony	Felony
Georgia	§ 16-12-37	Felony	Legal	Legal
Hawaii	§ 711-1109.3	Felony	Felony	Legal
Idaho	§ 25-3507	Misdemeanor	Legal	Misdemeanor
Illinois	510 ILCS 5/26-5	Felony	Felony	Felony ¹
Indiana	§ 35-46-3-4 to 9.5	Felony	Felony	Misdemeanor
Iowa	§ 717D.1 to 6	Felony	Felony	Misdemeanor
Kansas	§ 21-4315	Felony	Felony	Misdemeanor
Kentucky	§ 525.125 to 130	Felony	Felony	Misdemeanor
Louisiana	14:102.5	Felony	Felony	Misdemeanor
Maine ²	17 MRS §1033	Felony	Felony	Misdemeanor
Maryland	Art. 27 § 59	Felony	Felony	Misdemeanor
Massachusetts	Ch. 272 § 94 to 95	Felony	Felony	Misdemeanor
Michigan	§ 28.244	Felony	Felony	Felony
Minnesota	§ 343.31	Felony	Felony	Misdemeanor
Mississippi	§ 97-41-19	Felony	Felony	Felony

Missouri	§ 578.025	Felony	Felony	<i>Misdemeanor</i>
Montana	§ 45-8-210	Felony	Felony	Felony
Nebraska	§ 28-1005	Felony	Felony	Felony
Nevada	§ 574.070	Felony	Legal	Felony ¹
New Hampshire	§ 644:8-a	Felony	Felony	Felony
New Jersey ²	§ 4:22-24	Felony	Felony	Felony
New Mexico	§ 30-18-9	Felony	Felony	Felony
New York	Agr & M § 351	Felony	<i>Misdemeanor</i>	<i>Misdemeanor</i>
North Carolina	§ 14-362.2	Felony	Felony	Felony
North Dakota	§ 36-21.1-07	Felony	Felony	<i>Misdemeanor</i>
Ohio	§ 955.15 to 16	Felony	Felony	Felony
Oklahoma	21 § 1694 to 1699.1	Felony	Felony	<i>Misdemeanor</i>
Oregon	§ 167.365	Felony	Felony	Felony ³
Pennsylvania	18 Pa.C.S. § 5511	Felony	Felony	Felony
Rhode Island	§ 4-1-9 to 13	Felony	Felony	Felony
South Carolina	§ 16-27-10 to 80	Felony	Felony	Felony ¹
South Dakota	§ 40-1-9 to 10.1	Felony	Felony	<i>Misdemeanor</i>
Tennessee	§ 39-14-203	Felony	Felony	<i>Misdemeanor</i>
Texas	§ 42.10	Felony	<i>Misdemeanor</i>	<i>Misdemeanor</i>
Utah	§ 76-9-301.1	Felony	Felony	<i>Misdemeanor</i>
Vermont	13 VSA § 352	Felony	Felony	Felony
Virginia	§ 3.1-796.124	Felony	Felony	<i>Misdemeanor</i>
Washington	§ 16.52.117	Felony	Felony	Felony
West Virginia	§ 61-8-19 to 19a	Felony	<i>Misdemeanor</i>	<i>Misdemeanor</i>
Wisconsin	§ 951.08	Felony	Felony	<i>Misdemeanor</i>
Wyoming	§ 6-3-203	<i>Misdemeanor</i>	<i>Misdemeanor</i>	<i>Misdemeanor</i>
		48 Felony 2 Misdemeanor	43 Felony 4 Misdemeanor 3 Legal	22 Felony 26 Misdemeanor 2 Legal
Washington, DC	Ch. 106	Felony	Felony	<i>Misdemeanor</i>
American Samoa		Legal	Legal	Legal
Guam	§ 34205	Violation	Legal	Legal
Puerto Rico	15 LPRA § 235	Felony	Legal	<i>Misdemeanor</i>

¹ A repeated offense can trigger a felony prosecution.

² These states do not have felony or misdemeanor offenses per se, but rather have felony and misdemeanor equivalent penalties.

³ Dogfighting paraphernalia also illegal.

Source: Fact Sheet, Updated July 2007, The Humane Society of the United States.

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