



THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS®

Debra M. Bresch, Esq.,
Senior State Legislative Director,
Mid-Atlantic Region
Government Relations

www.aspca.org
deborab@aspca.org
P/F: (908) 232-0364
Cell: (917) 679-1008

MEMORANDUM IN SUPPORT OF

**HB 6187, AN ACT concerning the protection of animals that are the subject of criminal court proceedings, and
SB 1128, AN ACT prohibiting the use of accelerated rehabilitation in the case of animal abuse**

Founded in 1866 as the nation’s first humane organization, the American Society for the Prevention of Cruelty to Animals (ASPCA), on behalf of our over 20,000 Connecticut supporters, respectfully but strongly urges the Judiciary Committee to joint favorably report the following bills:

HB 6187

The appointment of court advocates in cruelty law prosecutions, or in proceedings concerning the welfare or custody of an animal who was the subject of a cruelty law proceeding, is long overdue. It is simply and unacceptably rare for animal cruelty to have any legally meaningful consequences in Connecticut, let alone result in penalties proportional to the gravity of the offense. From 2002 to 2012, there were 3,699 animal cruelty prosecutions, of which:

- 51% (1,883) were withdrawn (i.e., nolleed),
- 33% (1,210) were dismissed, and
- only 1.3% (48) were felony-level prosecutions, of which 22 were withdrawn or dismissed.

From 2007-2012, there were:

- 60 convictions (avg.) per year, of which 20 (avg) received Accelerated Rehabilitation (AR).

The presence of a court advocate would no doubt improve these statistics for otherwise voiceless animal victims by helping to ensure that the right information is articulated in court on their behalf. At sentencing, a court advocate would be able to speak, in particular, to the serious social significance of animal abuse, including the proven link (“The Link”) between animal cruelty and aggression toward people (e.g., Boat & Knight, 2000: 70% of people charged with cruelty to animals were known by police for other violent behavior, including homicide).

SB 1128

Prohibiting the use of AR in animal cruelty proceedings would also help level the playing field for animal victims. AR is a diversionary pre-trial program expressly intended for crimes not of a serious nature. And yet, the fundamental violence of animal cruelty, as well as “The [well-substantiated] Link” between such cruelty and violence toward people, render animal cruelty a crime of a serious nature, in turn making AR an inappropriate response, especially where the cruelty is affirmative and/or extreme. Indeed, the only cruelty that should be eligible for AR is misdemeanor neglect, provided that a new category of AR-ineligible felony-level “extreme neglect” is also established. (The crime of extreme neglect was established in New Jersey in 2013 via “Patrick’s Law;” under Connecticut law, extreme neglect leading to bodily injury could remain a Class D felony , while extreme neglect leading to serious bodily injury or death could become a Class C felony.)

Both the presence of court advocates for animals, and a prohibition on the use of AR in animal cruelty cases, would result in better outcomes for animals and people—not least, penalties consistent with the gravity of the crime(s) committed.

Sincerely,

Debra M. Bresch, Esq.
Senior State Legislative Director