



ASSOCIATION *of* PROSECUTING ATTORNEYS

BOARD OF DIRECTORS

CHAIRMAN

John T. Chisholm
District Attorney
Milwaukee County, WI

VICE-CHAIRMAN

Paul L. Howard
District Attorney
Fulton County, GA

SECRETARY

Thomas Carr
City Attorney
Boulder County, CO

Mike Feurer

City Attorney
Los Angeles, CA

Risa Vetri Ferman

District Attorney
Montgomery County, PA

Dan Satterberg

Prosecuting Attorney
King County, WA

Rod Underhill

District Attorney
Multnomah County, OR

Cyrus R. Vance, Jr.

District Attorney
New York County, NY

R. Seth Williams

District Attorney
Philadelphia, PA

APA OFFICERS

PRESIDENT

David LaBahn
Chief Executive Officer

VICE-PRESIDENT

Steven Jansen
Chief Operating Officer

TREASURER

Steven Naugle
Chief Financial Officer

June 9, 2015

The Honorable Patti B. Saris, Chair
United States Sentencing Commission
One Columbus Circle, N.E.
Suite 2-00, South Lobby
Washington, DC 20002-8002

Dear Judge Saris and the Sentencing Commission:

The Association of Prosecuting Attorneys (APA) was formed to serve as a national think tank to provide prosecutors with additional resources, including training and technical assistance; to serve as a forum for collaborating with our criminal justice partners across the globe; and to advocate on behalf of prosecutors on emerging issues related to the administration of justice. One of our core programs focuses on animal cruelty and animal fighting.

Animals are sentient beings with the undeniable capacity to suffer pain. Every state's criminal code recognizes animals' capacity to suffer, with 49 states identifying certain acts of animal cruelty as felonies. The federal sentencing guidelines should be amended to reflect this shared understanding that animal cruelty offenses are serious and deserving of strict and uniform criminal penalties.

Animal abuse is directly linked to interpersonal violence, including murder, domestic violence, child abuse, and elder abuse. The under-enforcement of animal cruelty laws and minimal sanctions imposed on those offenses is directly correlated to a host of corrosive societal ills—such as animal fighting in gangs and the harming or killing of companion animals in domestic violence situations. According to various studies and the American Society for the Prevention of Cruelty to Animals (ASPCA), perpetrators of animal cruelty should be assessed for their dangerousness, since those perpetrators often have or will be involved in serious acts of violence against people.¹ The federal sentencing structure should be amended to account for the dangers the perpetrators pose to the community and the severity of animal cruelty crimes.

¹ See Randall Lockwood, Ph.D., "Factors in the Assessment of Dangerousness in Perpetrators of Animal Cruelty," American Society for the Prevention of Cruelty to Animals (January 21, 2010).



ASSOCIATION *of* PROSECUTING ATTORNEYS

BOARD OF DIRECTORS

CHAIRMAN

John T. Chisholm
District Attorney
Milwaukee County, WI

VICE-CHAIRMAN

Paul L. Howard
District Attorney
Fulton County, GA

SECRETARY

Thomas Carr
City Attorney
Boulder County, CO

Mike Feurer

City Attorney
Los Angeles, CA

Risa Vetri Ferman

District Attorney
Montgomery County, PA

Dan Satterberg

Prosecuting Attorney
King County, WA

Rod Underhill

District Attorney
Multnomah County, OR

Cyrus R. Vance, Jr.

District Attorney
New York County, NY

R. Seth Williams

District Attorney
Philadelphia, PA

APA OFFICERS

PRESIDENT

David LaBahn
Chief Executive Officer

VICE-PRESIDENT

Steven Jansen
Chief Operating Officer

TREASURER

Steven Naugle
Chief Financial Officer

Animal cruelty, both active and passive, is a crime of violence, and as such requires a prosecutor's full attention, with the accompanying allocation of resources to hold the offenders accountable and achieve just results. Effective prosecution requires clear, comprehensive, and uniform laws that seriously address the severity of animal cruelty offenses and the dangerousness of the perpetrators involved.

The APA strongly supports changing the federal sentencing structure for animal cruelty offenses to address the range of these crimes. A revised sentencing structure will ensure the penalties finally match the violent nature of the offenses.

Respectfully submitted,

David LaBahn
President and CEO