

Congress of the United States
Washington, DC 20515

The Honorable Patti B. Saris
Chair
United States Sentencing Commission
One Columbus Circle, N.E., Suite 2-500
Washington, DC 2002

March 22, 2016

Dear Chief Judge Saris:

As the co-chairs of the Congressional Animal Protection Caucus, the bipartisan organization committed to raising awareness for animal welfare issues in Congress, we thank you for proposing an animal fighting amendment to the U.S. Sentencing Commission Guidelines. The Commission's attention to this issue reflects the importance that both Congress and the American public have placed on prosecuting and preventing this violent form of animal cruelty.

As you know, Congress included language in the 2014 Farm Bill to penalize spectators and those who bring children to animal fights. We appreciate the Commission's proposal for a guideline recognizing this new law and we encourage the Commission to adopt the higher of the two proposed base offense levels (10) for the felony of bringing a child to an animal fight.

Additionally, we appreciate the Commission's proposal to raise the base offense level for the crime of animal fighting to 16. However, this change alone may not be sufficient. The typical animal fighting sentence could be as low as 12 months once mitigating factors are considered. A 12 month sentence does not reflect the intent of Congress when it raised the statutory maximum to five years in 2008.

We also ask the Commission to include specific offense characteristics in its animal fighting guideline. These will allow elevated sentences when offenses are especially cruel, dangerous, or harmful to the public's interest. Animal fighting is commonly linked to other felonies, including drug and human trafficking, child abuse, domestic violence, and money laundering. Often, animal fighting operations are discovered while law enforcement is investigating these other crimes. Due to the increased risk that violent and armed offenders pose to law enforcement and the public, these specific offense characteristics should allow for higher sentences in cases where illegal weapons threaten the public or law enforcement, where animals suffer severe cruelty or neglect, and where offenders show a high degree of involvement in the operation of illegal animal fighting enterprises.

Thank you for retaining the guideline's upward departure provision for when cases involve extraordinary cruelty or large-scale animal fighting enterprises. This will preserve judges' discretion to address these egregious circumstances.

Obtaining meaningful sentences for animal fighting will allow federal prosecutors and law enforcement to better deter these criminal acts. Thank you for your attention to this important issue.

Sincerely,



Earl Blumenauer
Member of Congress



Mike Fitzpatrick
Member of Congress