



Forensic Veterinary Investigations, LLC

Because they can't tell us what happened. Or why.

March 7, 2016

The Honorable Patti B. Saris
Chair
United States Sentencing Commission
One Columbus Circle NW, Suite 2-500
Washington DC 20002

Dear Chief Judge Saris,

Thank you for proposing a revised animal fighting amendment to the U.S. Sentencing Commission Guidelines. The Commission's attention to this issue reflects the importance that the American public has placed on prosecuting and preventing this violent form of animal cruelty.

As you know, Congress passed a law in 2014 to penalize spectators and those who bring children to animal fights. I appreciate the Commission's proposal for a guideline recognizing this new law and I 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, the Commission's proposal to raise the base offense level for the crime of animal fighting to 16 better reflects the five year maximum penalty Congress passed in 2008. This change alone, though, may be insufficient. To ensure that sentences are best aligned with the penalties passed by Congress, I ask the Commission to include in its guideline specific offense characteristics to allow elevated sentences when offenses are especially dangerous or harmful to the public. These specific offense characteristics should apply in cases where animals suffer extreme neglect or cruelty, where the public or law enforcement is at risk due to the presence of weapons, 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,

Martha Smith-Blackmore, DVM
President
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