

DAVID VITTER
LOUISIANA

DEPUTY WHIP

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Border Security Subcommittee
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Banking, Housing, and Urban Affairs

United States Senate

WASHINGTON, DC 20510

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WASHINGTON, D.C.

Hart Senate Office Building
Suite SH-516
Washington, DC 20510
(202) 224-4623
Fax: (202) 228-5061

BATON ROUGE

858 Convention Street
Baton Rouge, LA 70802
(225) 383-0331
Fax: (225) 383-0952

Website with
E-Mail Access: vitter.senate.gov

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 both Congress and the American public have placed on prosecuting and preventing this terrible animal cruelty. Ensuring meaningful sentences for animal fighting will allow federal law enforcement to better deter this heinous crime.

As an original cosponsor of the "Animal Fighting Spectator Prohibition Act," the legislation passed as part of the 2014 Farm Bill to penalize spectators and those who bring children to animal fights, I appreciate the Commission's proposal for a guideline recognizing this new law. I encourage the Commission to adopt the higher of the two proposed base offense levels (10) for the felony bringing a child to an animal fight.

Additionally, I appreciate the Commission's proposal to raise the base offense level for the crime of animal fighting to 16, but this change alone is lacking. Once mitigating factors are considered, the typical animal fighting sentence could be as low as 12 months. This does not sufficiently reflect the intent of the five year statutory maximum which Congress passed in 2008.

I ask the Commission to include specific offense characteristics in its guideline to provide elevated sentences when offenses are especially cruel, dangerous, or harmful to the public's interest. These specific offense characteristics would allow for higher sentences in cases where animals suffer egregious cruelty or neglect, where illegal weapons threaten the public or law enforcement, and where offenders possess a high degree of participation in the operation and business of 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' ability and discretion to address these circumstances. I appreciate your attention to this very important issue.

Sincerely,

David Vitter
U.S. Senator

ACADIANA

2201 KALISTE SALOOM ROAD
SUITE 201
LAFAYETTE, LA 70508
(337) 993-9502
FAX: (337) 993-9567

CENTRAL LOUISIANA

6501 COLISEUM BOULEVARD
SUITE 700-A
ALEXANDRIA, LA 71303
(318) 448-0169
FAX: (318) 448-0189

NORTHEAST LOUISIANA

1651 LOUISVILLE AVENUE
SUITE 148
MONROE, LA 71201
(318) 325-8120
FAX: (318) 325-9165

NORTHWEST LOUISIANA

920 PIERREMONT ROAD
SUITE 113
SHREVEPORT, LA 71106
(318) 861-0437
FAX: (318) 861-4865

SOUTHEAST LOUISIANA

2800 VETERANS BOULEVARD
SUITE 201
METAIRIE, LA 70002
(504) 589-2753
FAX: (504) 589-2607

SOUTHWEST LOUISIANA

949 RYAN STREET
SUITE E
LAKE CHARLES, LA 70601
(337) 436-0453
FAX: (337) 436-3163