



Animal Abuser Registry

September 20, 2011

Overview



- Study Authorization
- HB 1930
- Background
- Animal Abuse Offenses
- Animal Abuse Felony Convictions
- Other States/Registries
- Policy Consideration

Study Authorization



- House Bill 1930 (HB1930), introduced by Delegate Daniel Marshall during the 2011 Session of the General Assembly, would add a new Code section creating an animal abuser registry that would:
 - Require any adult who has been convicted of a felony violation of Va. Code §§ 3.2-6570 (cruelty to animals) or 3.2-6571 (animal fighting), to register for 15 years.
 - Failure to register or re-register would result in a Class 6 felony.

HB 1930



- Registration requirements: Name, DOB, SSN*, address, employment, convicted offenses and localities, photograph, and fingerprints, (*SSN not provided to public).
- Must register within 10 days of residing within the Commonwealth and re-register annually for 15 years.
- Sheriff would maintain a local registry, and provide every residence, school, humane society, animal shelter, and business within ½ mile of abuser's residence with registry information.
- Virginia State Police (VSP) would maintain a central registry available on their website.



- If passed, \$49,321 would need to be appropriated to DOC in FY12.
- Two state correctional beds and less than one local jail bed would be impacted by FY17.
- VSP estimates that about \$986,000 would be required to design and develop a new registry and website, and an additional \$126,411 would be needed each year to support a position.
- Cost to local law enforcement is unknown.

Background



- The National Animal Cruelty Registry maintains an informal, nationwide animal abuser registry.
 - Created in 1986 - with over 20,000 cases.
 - Includes individuals not charged, alleged abusers, and convictions.
 - Includes full name, case file, possibly photos, conviction status, and other crimes.
 - Volunteers search for information related to animal abuse cases (newspapers, internet searches, etc.)
- Pet-Abuse.com also maintains an informal registry.
 - Created in 2001 - has over 17,500 cases.
 - Maintains information both nationally and internationally.
 - Information is not always verified.

Background



- Virginia currently has a Sex Offender Registry maintained by the VSP.
- Virginia currently has a Dangerous Dog Registry maintained by the Va. Department of Agriculture and Consumer Services.

VA Animal Abuse Offenses



- There are two statutes in the Virginia Code that penalize animal abuse.
- Va. Code § 3.2-6570 includes:
 - cruelty to animals, second or subsequent act, one act resulted in death;
 - torture/mutilation of a dog or cat causing death; and,
 - killing a dog or cat for hide, fur, or pelt, second or subsequent act.

VA Animal Abuse Offenses

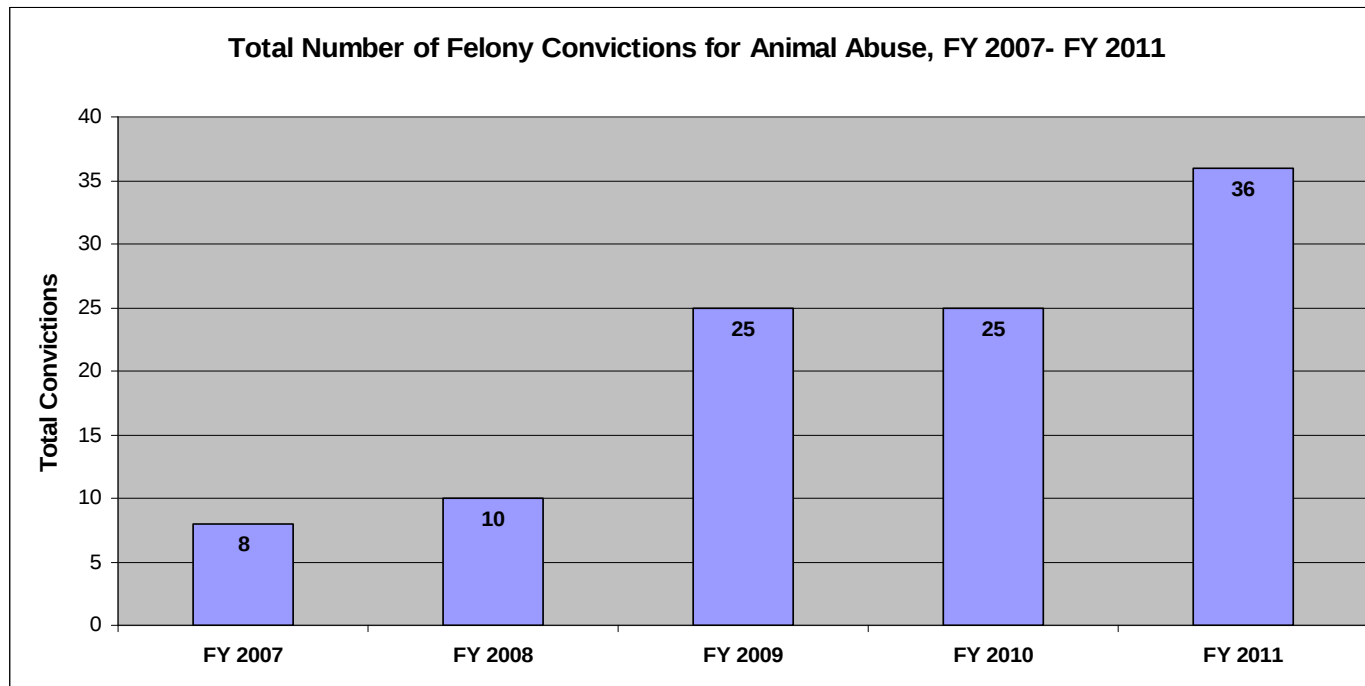


- Va. Code § 3.2-6571 includes:
 - dogfighting activity;
 - using a device or substance to enhance animal's ability to fight; wagering money, etc., on animal fighting;
 - paying or receiving admission for animal fighting;
 - possessing, etc., animal for fighting; and,
 - allowing a minor child to attend or be involved in animal fighting.

Animal Abuse Felony Convictions



- There were *at least* 104 felony convictions for animal abuse over the past 5 fiscal years.



Source: Supreme Court of Virginia's Circuit Court Management System

Note: Figures do not include Fairfax, Alexandria, and Prince William for FY 2007-FY 2010. During FY2011, Prince William joined the Supreme Court's system and Virginia Beach left the system. Localities not participating in a particular year are not included in that year's figures.

Animal Abuse Felony Convictions



- Of the 104 felony animal abuse convictions:
 - 42 were for the torture or mutilation of a dog or cat causing death (§ 3.2-6570(F));
 - 21 were for possessing, etc. animal for fighting (§ 3.2-6571(B,5));
 - 14 were for device/substance used to enhance animal's ability to fight (§ 3.2-6571(B,2)); and,
 - 27 were for the other applicable statutes.

Other States/Registries



- October 12, 2010: Suffolk County, NY, created the nation's first public animal abuser registry by local ordinance.
 - Requires online registration for five years following conviction.
- May 17, 2011: Rockland County, NY, created the nation's second public animal abuser registry by local ordinance.
 - Requires online registration for five years following conviction.
 - Punishable offense for pet dealer to sell to anyone on registry.

Other States/Registries



- 16 states have legislation pending that would create an animal abuse registry.
 - AL, CT, HI, MA, ME, NV, NH, NY, OR, PA, RI, SC, TN, TX, VT, and WA.
- California tried to pass legislation in 2010 to create an animal abuser registry.
 - It would have been partially funded by a three cent tax per pound of animal food.

Policy Consideration



- Should Virginia create an animal abuser registry and require anyone with a felony conviction of animal abuse to register?



Discussion