

# SENATOR SCOTT WILK

## SENATE DISTRICT 21



### FACT SHEET

## SB 580: ANIMAL CRUELTY AND VIOLENCE INTERVENTION ACT

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### ISSUE

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Over the past 30 years, researchers and professionals in a variety of human services and animal welfare disciplines have established significant correlations (the “Link”) between animal abuse, child abuse and neglect, domestic violence, elder abuse and other violent crimes.

Despite the recognition of this link between violence to animals and to humans, current sentencing options for animal abuse crimes are largely punitive measures that do little to help end the cycle of violence or rehabilitate offenders. Fines, jail time, probation and forced animal surrender are the primarily utilized options, which may not always be the most effective means to address the underlying issues leading to animal abuse. Appropriate mental health counseling and education are important tools that can benefit public safety as well as reduce offender recidivism rates.

### BACKGROUND

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Animal abuse is among the most misunderstood and mishandled crimes by our criminal justice laws and our society in general. The link between animal abuse and violence towards humans is well documented. Offenders who display violence towards animals often commit violent acts towards humans – whether it be domestic violence, child abuse, or as we saw tragically in Parkland, FL last year, mass shootings. Early mental health intervention is often the key to stopping this progression and escalation of violent behavior.

For less serious animal abuse offenses, such as neglect, offenders may simply not understand how to properly care for an animal or not fully appreciate the needs of animals. For such offenders, humane education works to instill empathy and compassion towards animals while detailing how to properly care for animals. Such education can be pivotal in reducing the likelihood that

those who have abused or neglected in the past will reoffend, benefiting both the individual and animals in his or her care.

Law enforcement, mental health, and animal welfare communities have long been concerned that current penalties do not sufficiently address the root causes of these crimes, and that they do not adequately reduce recidivism or escalation of violence among animal abuse offenders. It is necessary to rethink our approach to sentencing options to address these critical concerns.

### BILL SUMMARY

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- Amends California law to mandate those offenders convicted under the most egregious animal abuse statutes (like those involving malicious violence, willful poisoning, or bestiality) be ordered to undergo a mental health evaluation and, if deemed beneficial after evaluation, to undergo counseling at the discretion of the judge.
- Maintains judicial discretion to determine the most appropriate treatment for offenders convicted of animal abuse crimes.
- Provides humane education courses as an alternative treatment method in less serious abuse or neglect cases where the judge believes such a course will be beneficial to the offender and lessen the likelihood of re-occurrence.

### SPONSOR

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Animal Legal Defense Fund

### FOR MORE INFORMATION

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