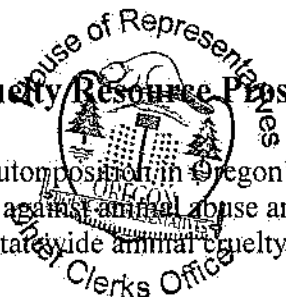


From the Desk of Representative Lucetta Elmer



## SB 696 – Establishing an Animal Cruelty Resource Prosecutor for Oregon

SB 696 would create and fund a resource prosecutor position in Oregon's Department of Justice (DOJ). This position is a critical tool in the fight against animal abuse and neglect in our state. If SB 696 is not passed, Oregon will be without a statewide animal cruelty prosecutor for the first time in a decade.

From the Desk of Representative Lucetta Elmer

### Animal Cruelty and The Link to Other Offenses

In addition to being completely innocent, the living and sentient victims of animal abuse are unable to call for help and are entirely at the mercy of their abusers. Studies have found that individuals who commit cruelty towards animals are more likely to engage in other criminal behaviors, such as domestic violence, elder abuse, child abuse, and other offenses. Simply put, fighting animal cruelty helps protect the most vulnerable members of society.

### How Would a Dedicated Animal Cruelty Resource Prosecutor Help?

- Animal cruelty prosecution requires expertise in multiple delicate and complex areas that most line prosecutors rarely face and are ill-equipped to handle. A statewide resource prosecutor would allow Oregon counties to get the most complex animal cases off their docket and provide consultation and advice on the trickier parts of cases that they retain.
- Animal cruelty cases are often investigated by non-law enforcement agencies, such as animal control and code enforcement. The investigations are supported by private agencies and individuals—such as animal rescuers, veterinarians, and private forensic laboratories—often untrained in even the basics of criminal investigation. A statewide resource prosecutor could provide that training, as they already do in the areas of environmental crimes and cultural resources, elder abuse, DUII, bias crimes, domestic violence, and wildlife offenses.
- Unlike other criminal cases, animal cruelty cases typically require the seizure of living, breathing evidence. In many cases, a county or animal care agency may want to move for pre-trial forfeiture, to recover the costs of care and to place animals in their “forever home.” In Oregon, pre-trial forfeiture is unique to animal cruelty cases, and prosecutors and county attorneys are not well equipped to handle these hearings.
- Animal cruelty trials require an in-depth understanding of veterinary and husbandry practices and animal anatomy, which line prosecutors typically lack.
- Given how resource intensive these cases are, cash-strapped counties deprioritize animal cruelty cases, resulting in declined charges and under-prepared prosecutions.

### Oregon's Current “Animal Cruelty DDA” (AC-DDA) Position is Ending

For the past decade, the Animal Legal Defense Fund (ALDF) has funded a contract position at the Benton County District Attorney's Office, a position that will be discontinued after 2023, leaving Oregon at a serious disadvantage in the fight against animal cruelty. In the decade since this position was established, the AC-DDA has prosecuted over 250 individual animal cruelty offenses, has assisted in some capacity on over 350 additional situations, and has trained hundreds of law enforcement and animal services officers, animal rescuers, veterinarians, and lawyers on how to best investigate and prosecute these complex matters.

### Broad Support Among Affected Organizations

SB 696 is supported by the Oregon Attorney General's Office, Oregon District Attorneys Association, and the Oregon Animal Control Association in addition to the Oregon Humane Society, the Animal Legal Defense Fund, and many animal rescuers throughout Oregon.

