



# Attorneys for Animals

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November 27, 2018

Representative Klint Kesto  
Chair, Law and Justice Committee  
Michigan House of Representatives

*Via email: Melissa Weipert, Committee Clerk, [mweipert@house.mi.gov](mailto:mweipert@house.mi.gov)*

**Re: Support of SB 416; House Law and Justice Committee Meeting, November 28, 2018**

Dear Rep. Kesto and Committee Members:

Thank you for the opportunity to provide information to the committee. Attorneys for Animals, Inc. (AFA) is a Michigan non-profit and 501(c)(3) organization of legal professionals and animal advocates. The organization's Board of Directors voted to support this bill which amends the animal fighting provisions of the code, MCL 750.49, a section that has received much attention this legislative session.<sup>1</sup>

The bill changes current law, which requires euthanasia of dogs seized in fighting operations and their offspring. It allows a case-by-case evaluation and possible transfer or adoption of these animals under certain circumstances. The individualized assessment is better public policy and a more humane and compassionate approach.

At the same time, the provisions of SB 416 appropriately balance these concerns of humane treatment of animals and a better system for the care of these animals pending trial for animal control/ humane facilities on the one hand, with due process requirements for owners of confiscated animals under MCL 750.49 and public safety concerns on the other.

An important feature of SB 416 is its more workable forfeiture/cost of care bond procedure in animal fighting cases. Unlike the current system in which the organization holding the animal is often unable to recoup the cost of caring for the animals while the case is pending, SB 416 would require the owner to post bond. The financial burden of housing animals under the current procedure has, according to prosecutors, resulted in a disincentive to vigorously prosecute animal fighting cases.

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<sup>1</sup> In addition to this bill, SB 413 and 414 would impose mandatory minimum for animal fighting, and SB 301, *inter alia*, strengthens and clarifies prohibitions against animal possession or ownership for convictions under MCL 750.49

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These are important cases to prosecute. Consider:

- Active participation in animal fighting is a felony in all 50 states<sup>2</sup>
- Animal fighting is associated with other serious and varied crimes, according to an ASPCA study: drug, alcohol, and weapons violations; conspiracy; corruption of minors; money laundering; and even violent crimes against persons<sup>3</sup>
- Other animals are at risk as animal fighters acquire animals to use as live bait by methods such as “adopting” dogs or cats from shelters or via “free to a good home” ads, setting up a sham rescue, or outright pet theft<sup>4</sup>
- It is organized cruelty and is conducted for economic gain; a 2013 raid in several southern states netted more than \$500,000 in cash<sup>5</sup> and purses for fights can be as high as \$100,000<sup>6</sup>
- It impacts urban, rural and suburban communities; and cuts across demographic and socio-economic lines, making it an issue of state-wide import<sup>7</sup>
- Over one thousand dogfighting arrests were made in the United States between 2003-2008<sup>8</sup>

SB 416 is a win for the animals, and will encourage safer, more humane communities. We ask this committee to report the bill with recommendation.

Very Truly Yours,



Beatrice M. Friedlander, JD  
President

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<sup>2</sup> <https://www.animallaw.info/article/chart-state-dogfighting-laws>

<sup>3</sup> <http://aspca.org/resource/disaster-cruelty-animal-cruelty-animal-fighting/dogfighting-faq>

<sup>4</sup> <https://aldf.org/article/animal-fighting-facts/>

<sup>5</sup> [http://www.nytimes.com/2013/08/27/us/12-are-charged-over-dogfights.html?ref=collection%2Ftimestopic%2FDogfighting&action=click&contentCollection=timestopics&region=stream&module=stream\\_unit&version=latest&contentPlacement=4&pgtype=collection](http://www.nytimes.com/2013/08/27/us/12-are-charged-over-dogfights.html?ref=collection%2Ftimestopic%2FDogfighting&action=click&contentCollection=timestopics&region=stream&module=stream_unit&version=latest&contentPlacement=4&pgtype=collection)

<sup>6</sup> <http://www.cnn.com/2007/US/07/18/dog.fighting/?ref=nextin>

<sup>7</sup> *supra* at fn 2

<sup>8</sup> *supra* at fn 2 (statistics based on press reports as law enforcement records were not standardized for animal crimes)

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