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The Euthanasia Debate—Euthanasia by Injection or Carbon Monoxide Chamber: Will Legislation Determine What is Best for Shelter Animals in Michigan?

By Meredith Sharp

The use of gas chambers as a method of euthanasia for shelter animals is a controversial practice. Recent trends in state laws, coupled with greater public interest in the welfare of animals who must be euthanized, has led to its prohibition in numerous states. Even though this movement continues to gain momentum, however, the practice is far from extinct. As of November 2014, 22 states have banned gas chambers, but they are still allowed in Michigan.

The American Veterinary Medical Association (AVMA) says that the use of carbon monoxide (CO) in a gas chamber is an “acceptable” euthanasia method under certain conditions.

These conditions can be challenging and costly to meet on a practical basis, and there is substantial risk to personnel (hypoxia) if safety precautions are not observed. Consequently, CO is acceptable with conditions for use in institutional situations where appropriately designed and maintained equipment and trained and monitored personnel are available to administer it, but it is not recommended for routine euthanasia of cats and dogs. ... Alternate methods with fewer conditions and disadvantages are recommended for companion animals where feasible.¹

The AVMA recommends Euthanasia By Injection (EBI) as “the preferred method for euthanasia of dogs, cats, and other small companion animals.”²

It's not just animal welfare at stake. “Use of CO chambers places staff in harm's way,” says Jennifer Brown, Animal Sheltering Advisor with People for the Ethical Treatment of Animals (PETA). “Workers must handle, transport, and load fractious or fearful animals into the chamber, and accordingly are at risk of bites and scratches. Use of CO chambers has resulted in injuries and even death of shelter workers from exposure to poisonous CO gas.”³ For example, a 39-year-old employee at a shelter in Chattanooga, Tennessee was found dead at the entrance of the shelter's CO chamber. Police investigating the



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Editor's Note

Welcome to the fourth issue of the Newsletter for 2014. This is the first year that we have published four issues in a single year. Articles written by Section members made this happen. I am very grateful for their articles and willingness to help the Section.

I want to introduce and welcome Section and Council member Ann Griffin as co-editor of this Newsletter. I have edited the Newsletter for almost 10 years and her help is appreciated. You will see her excellent writing elsewhere in the Newsletter.

The lead article in this issue concerns gas chamber euthanasia, which is still used in four Michigan counties. Of course, that means that it is not used in 95% of Michigan counties. We have articles on many other topics, such as an announcement of a revised date for humane education training now scheduled for March 2015; several interesting case summaries including one involving a chimpanzee in New York State; conference reports; a report on law student activities; a brief treasurer's report; and news of animals and the law.

We continue to print the issue in all color including photographs and graphics. This greatly increases the visual appeal of the Newsletter. The photographs are much clearer with this approach.

I did send out a request for articles on the Section listserv at mid-year. I received several positive responses. Meredith Sharp's lead article is the first article to result from this request. I hope that there will be others.

As always, please remember that this is your newsletter, too. Helpful articles are always needed. In fact, if we can get one good main article for each issue, we can do the rest. Please consider writing an article that will be of interest to your fellow Section members. I have had several members suggest or volunteer articles and I am looking forward to these articles.

Donald Garlit, Newsletter Editor

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Euthanasia . . . continued from page 1

death concluded that he failed to vent the chamber after euthanizing a dog and died when he opened the chamber door and was exposed to the CO gas.⁴

There is also an economic argument against the use of gas chambers. Says Brown, "Local governments must be mindful of the costs associated with public services, and animal care and control shelters must strive to provide the highest quality of care within their financial means." A detailed 2009 cost analysis commissioned by the American Humane Association (AHA) used data from a North Carolina shelter and found that the cost of EBI per animal was \$2.29, which was less expensive than all CO chamber use approaches. As the following chart reflects, with one person operating the chamber, the cost was \$2.77 for animals who did not receive a tranquilizer before entering the chamber or \$3.09 for those that did. If two operators worked the chamber, the cost per animal was \$4.66 or \$4.98, respectively.⁵

Carbon Monoxide v EBI⁶

EBI cost per animal	\$2.29
CO cost per animal (2 operators)	\$4.98
CO cost per animal (2 operators) <i>without tranquilizer</i>	\$4.66
CO cost per animal (1 operator)	\$3.09
CO cost per animal (1 operator) <i>without tranquilizer</i>	\$2.77

National Trends

More states are starting to pass anti-gas chamber laws, and the momentum seems strongest in the South. Among the most recent states to discontinue the use of CO chambers are Georgia, which banned the practice on December 31, 2010; Louisiana, which outlawed it as of January 1, 2013; and Alabama, which made national headlines late in 2011 after Daniel the “Miracle Beagle” survived the Florence animal control gas chamber. He eventually relocated to New Jersey, winning an “emerging hero” award from the American

Humane Association in the process. Alabama outlawed the practice as of January 1, 2012.

Even in states where the practice is still allowed, some shelters are voluntarily making the switch to EBI. For instance, 11 shelters in North Carolina have recently stopped using their gas chambers,⁷ and Ohio’s Society for the Prevention of Cruelty to Animals (SPCA) has applied pressure to end the practice in several counties there – even threatening Perry County with a lawsuit, claiming that euthanasia by gas chamber is a violation of Ohio law.⁸ Numerous other states have discontinued use of at least one gas chamber since 2013, and the Humane Society of the United States (HSUS) continually monitors the status and publishes an online list.⁹

Michigan and the Fate of “Grant’s Law”

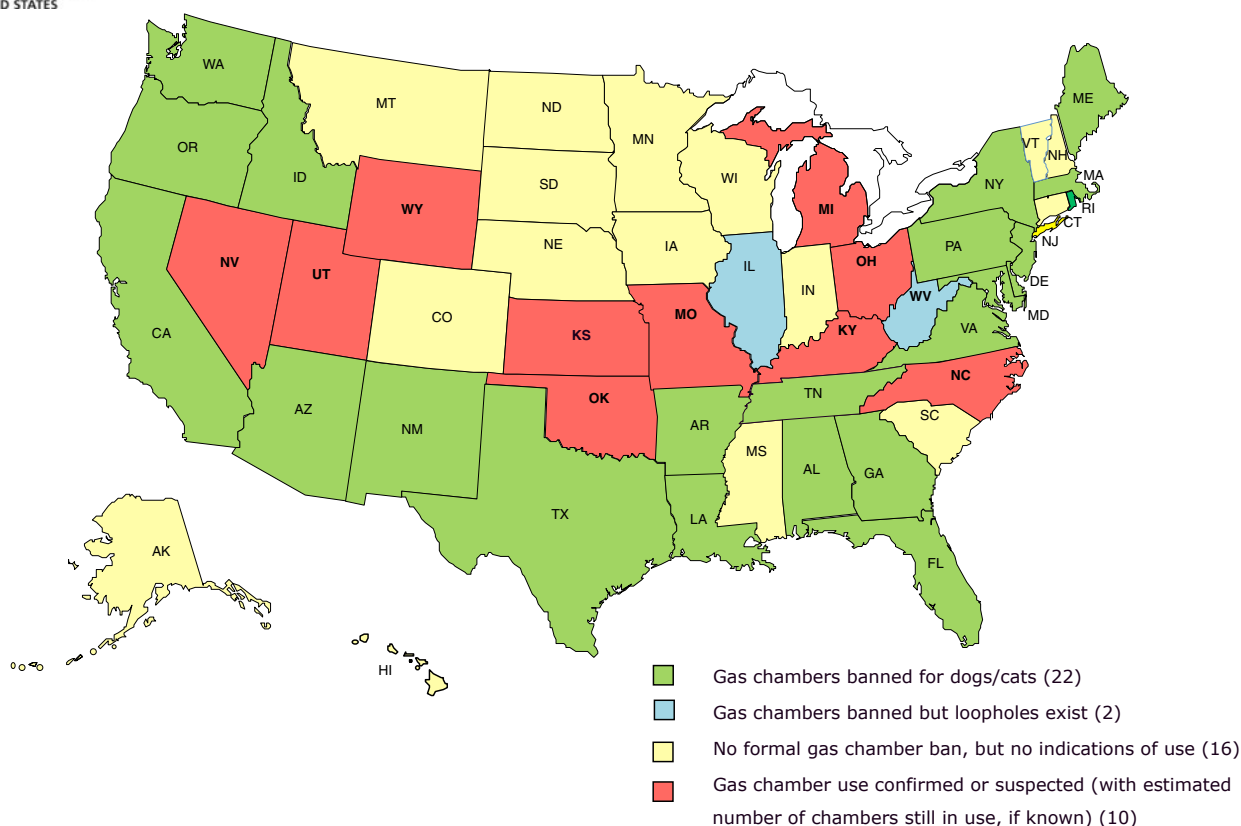
As of September 2014, four Michigan animal shelters still use gas chambers: Berrien County, Branch County, Cass County, and Van Buren County.¹⁰

Senate Bill 354 (also known as “Grant’s Law,” named for Grant, a dog euthanized in a St. Joseph County shelter) was



GAS CHAMBERS – CURRENT LANDSCAPE

Based on best available information, September 2014



Euthanasia. . . continued from page 3

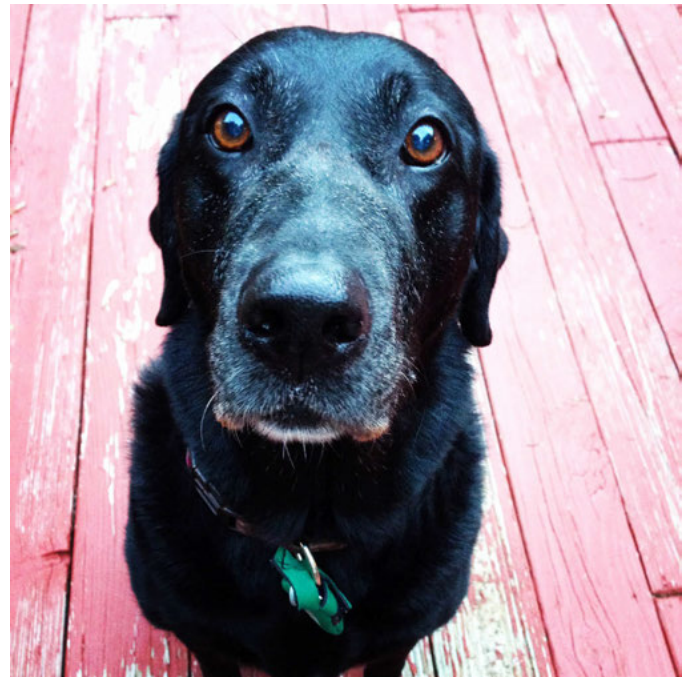
introduced on May 8, 2013 by Senator Rick Jones (R, Grand Ledge). It proposed to amend Public Act 287 of 1969 by adding the following language as M.C.L. 287.338(b):

- (1) Beginning 60 days after the effective date of the amendatory act that added this section, euthanasia of a dog or cat that is under the control of an animal control shelter shall only be performed by administering an injection of a commercially prepared solution as provided in section 7333 of the Public Health Code, 1978 PA 368, M.C.L. 333.7333.
- (2) The requirements of this section do not apply to or prohibit the lawful killing or other use of an animal in farming or a generally accepted animal husbandry or farming practice involving livestock.

Section 7333 of the Public Health Code states that an animal control or protection shelter registered with the Michigan Department of Agriculture and Rural Development, or a class B dealer,¹¹ may acquire a limited permit for the purpose of buying, possessing, and administering a commercially prepared, premixed solution of sodium pentobarbital to euthanize injured, sick, homeless, or unwanted domestic pets or other animals, if the shelter or class B dealer does all of the following: (a) applies for a permit in accordance with applicable rules; (b) complies with rules regarding storage, handling, and use of sodium pentobarbital; and (c) certifies that an employee of the shelter or class B dealer has received at least eight hours of training in the use of sodium pentobarbital to practice euthanasia pursuant to the applicable rules, and that only that individual will administer the solution according to written procedures established by the shelter or class B dealer.

Senate fiscal analysis of the bill¹² offered the following arguments in support and opposition:

- Support:
 - Gas chambers are banned in most Michigan counties and many states
 - The gasses used can be deadly to humans as well as animals and are difficult to detect, and the chambers have been known to explode
 - The practice can cause harm to the shelter staff's emotional and mental health, causing post-traumatic stress disorder and compassion fatigue
 - It is barbaric because it takes too long and isn't always effective, particularly for animals who are very young (or in utero), very old, sick, or injured
 - The American Veterinary Medical Association updated its guidelines to recommend EBI as the preferred euthanasia method



Author's dog, Lucy, says: "Please, Michigan, why won't you pass the ban on gas chambers?"

- Opposition:
 - The ban would interfere with the professional discretion of local authorities to determine which method of euthanasia is best for each animal
 - Gas chambers can euthanize just as quickly and effectively as EBI
 - Animals that are sick, older, or have been abused may be difficult – or impossible – to euthanize by injection
 - Staff training and administration of EBI can add a burden to shelters that already have limited resources

The Senate Fiscal Agency's analysis determined that EBI was a more cost-effective method than gas chambers, and that shelters in Michigan that use gas chambers already have EBI as a back-up or have staff trained in EBI, so the "basics [are] in place to handle the shift to EBI."¹³

The bill passed unanimously in the Senate on September 12, 2013, and that same day, the House referred it to the Committee on Local Government. The House Fiscal Agency released a Legislative Analysis of the bill on April 30, 2014, and the committee discussed the bill the next day, but to date no further action has been taken.

Senator Jones says that "as a former Sheriff who ran a dog pound, there is no reason" to use gas chambers in Michigan. If there is no further movement on the bill by the committee, he will try again next year by introducing an identical bill, which may be assigned to a different committee. He is also working on other animal law issues, including the fight

against puppy mills and an initiative to create an animal abuse registry in Michigan. 🐾

About the Author

Meredith Sharp is Staff Attorney at Delta Dental Plan of Michigan, Ohio & Indiana, where she handles contract drafting and negotiation, HIPAA/HITECH compliance, provider relations/provider networks, and insurance regulatory requirements. She is a Michigan State University College of Law graduate, and before law school, worked for several years as a writer for the Lansing State Journal. She lives with her husband, children, two geriatric Labs, and an elderly, teenaged cat.

Special thanks to Michigan State Senator Rick Jones for his help with the article. Thanks to Jennifer Brown of People for the Ethical Treatment of Animals for the information that she provided for the article. Gas chamber map reprinted with permission from the Humane Society of the United States.

Endnotes

- 1 AVMA Guidelines for the Euthanasia of Animals: 2013 Edition, at 45.
- 2 *Id.* at 43-44.
- 3 American Humane Association, *Humane Euthanasia of Shelter Animals Fact Sheet*, <http://www.americanhumane.org/assets/pdfs/animals/adv-ebi-factsheetpdf.pdf> (last visited December 7, 2014).
- 4 *Humane Society Worker Accidentally Gassed to Death*, thechattanooga.com (March 31, 2000) (last visited December 7, 2014).
- 5 American Humane Association, *EBI Cost Analysis Matrix 2009*, <http://www.americanhumane.org/assets/pdfs/animals/adv-co-ebi-cost-analysis09.pdf> (last visited December 7, 2014).
- 6 *Id.*
- 7 For a full list by state, see <http://www.humanesociety.org/animals/resources/facts/recent-gas-chamber-closures-1.html> (updated 10/9/14; last accessed 11/9/14).
- 8 See <http://www.nbc4i.com/story/27236760/perry-county-threatened-with-lawsuit-over-gassing-dogs>. The county says it has not used the gas chamber to euthanize animals for several years. Ohio Revised Code 959.06(A) states that euthanasia methods must “immediately and painlessly” render a domestic animal “initially unconscious and subsequently dead.”
- 9 Humane Society of the United States, *Currently Operational Gas Chambers*, <http://www.humanesociety.org/animals/resources/currently-operational-gas.html> (last visited December 7, 2014).
- 10 *Id.*
- 11 MCL 333.7333(21)(b) defines “Class B dealer” as being licensed by the USDA pursuant to the Animal Welfare Act. This includes brokers, operators of auction sales, and those who supply dealers with dogs, cats, and other regulated animals collected from random sources. See http://www.aphis.usda.gov/animal_welfare/inspections_type.shtml (last accessed November 3, 2014).
- 12 S. 97-S.B. 354 (S-1): Analysis as Reported from Committee (Mich. 2013).
- 13 *Id.*

Summary Treasurer's Report for 2013-14 Fiscal Year (FY)

This summary report is based on unaudited results. Audited results should be available soon. A more detailed report will be provided with the next Newsletter.

Membership for the year was 208 per the State Bar of Michigan website. Note that 44% of State Bar of Michigan sections have fewer than 600 members and we are far from the smallest section.

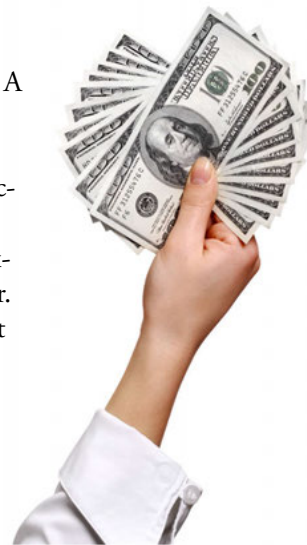
Dues revenue for the year was \$4,320 and expenses were \$4,569 for a deficit of \$249. The expenses primarily resulted from the larger number of newsletters being published over the last year.

Section funds at the end of the FY are \$14,225. You should expect to see expenses for the first three months of the 2014-15 FY for the conference and this newsletter issue.

Submitted by:

Anna Scott, Treasurer

Donald Garlit, Newsletter Editor



Animal Law Section Co-Sponsors Conference on Prosecution of Animal Cruelty Crimes

By Bee Friedlander

“A picture is worth a thousand words,” was a theme woven through each speaker’s presentation at *Making Your Case: Investigation and Prosecution of Animal Cruelty Crimes*, a conference that the Animal Law Section co-sponsored with the Humane Society of the United States. The Student Animal Legal Defense Fund at WMU/Cooley Law School in Lansing hosted the October 9, 2014 event.

Keynote speaker Sherry Ramsey, Esq., Director of Animal Cruelty Prosecutions, The Humane Society of the United States was joined by Shirene Cece, D.V.M., Supervising Veterinarian, Michigan Humane Society’s Detroit Center for Animal Care and Parisa Kiani, J.D., Assistant Prosecuting Attorney, Wayne County Prosecutor’s Office Animal Protection Unit.

Animal Control officers were well represented; there were attendees from Kalamazoo, Oakland, Lenawee, Eaton, and Livingston counties. Each received continuing education credits from the Michigan Commission on Law Enforcement Standards (MCOLES), which has statutory responsibilities regarding the recruitment of law enforcement officers and their training.

The speakers provided an overview of the topic, an analysis of Michigan’s animal cruelty laws, and practical suggestions. Each mentioned the well-established connection or link between animal abuse and domestic violence, appropriate during Domestic Violence Awareness month.

Ms. Ramsey emphasized the importance of having pictures to document the crime, particularly those taken at the

scene. She encouraged prosecutors to be alert to charging other, non-animal related offenses. A memorable example of this is the case of Suzy Q, a donkey who was dragged one-half mile by the defendant, leaving a trail of blood. In addition to animal cruelty, the Montgomery Co. (TX) prosecutor charged the defendant with using a motor vehicle as a deadly weapon in the commission of an offense, elevating the penalty from a maximum 2 years, to a felony carrying up to 10 years in prison. (The donkey recovered, the defendant ultimately was convicted and received a 5 year sentence.) Also important is expert testimony by a veterinarian which goes to causation, and not just a description, of the injuries.

In the second part of her presentation, Ramsey reviewed the 20-year body of research indicating a link between animal abuse and other violence. Her recommendations are passing laws including pets in personal protection orders (*Editor’s Note: Michigan is now in a minority of states that does not have such a law*) and cross reporting between agencies responsible for investigating child and elder abuse as well as animal abuse. Finally, Ramsey noted a growing trend of domestic violence shelters that provide for animal victims.

Dr. Cece discussed the relatively new field of veterinary forensics. She concurred about the importance of keeping meticulous records, especially photographs. Veterinarians play many roles in cruelty cases: as a complainant, answering “is it cruelty?”, interpreting lab tests, examining the animal, performing a necropsy, investigating the crime scene, conducting a site visit, maintaining chain of custody, advising



Parisa Kiani, Alicia Prygowski (Cooley SALDF president), Bee Friedlander, Dr. Shirene Cece, Sherry Ramsey, and Jill Fritz, HSUS Michigan Senior State Director

on—and providing care to—survivors, advising ACOs and prosecutors, and media interviews in a big case. An important function of the veterinarian is to give an opinion on the degree of pain and suffering that an animal has experienced.

Assistant Prosecuting Attorney Kiani, an Animal Law Section member, spoke about the Wayne County Prosecutor's Animal Protection Unit, formed in 2010. At its peak, the unit had 4 attorneys; now she and Section Council member Raj Prasad staff the APU. In addition to felony cruelty cases, the APU is assigned to prosecute wolf-dog cases, animal attacks, and dog fighting. She described the underworld culture of dog fighting, taking the attendees behind the scenes via a video that was introduced at a trial.

Kiani discussed a recent case that her office was involved in, with other agencies, which demonstrates the consequences of the fact that the Michigan Department of Agriculture no longer regulates pet stores. Based on numerous customer complaints, supported by veterinarians, charges were brought against a suburban Wayne County pet store. In addition to diffusion of responsibility resulting from the involvement of 5 different agencies, legal issues arose in the context of a criminal prosecution that had not when these cases were handled administratively as a license revocation proceeding. Ultimately, however, the pet shop was shut down.

The Animal Law Section Council is planning for its next conference in fall 2015. 🐾

Case Note

Habeas Corpus Relief Denied Again for Tommy the Chimpanzee

By Ann Griffin

The New York Supreme Court, Appellate Division, Third Judicial Department denied the appeal of the trial court's ruling denying an application for an Order to Show Cause on December 4, 2014 in the case of Tommy the chimpanzee. However, its decision arguably paves the way for an appeal to New York's highest court, the New York Court of Appeals.

Earlier on December 18, 2013, the New York Supreme Court (New York's trial court) denied an application for an Order to Show Cause to commence habeas corpus proceedings filed by Steven Wise, President of the Nonhuman Rights Project. Wise filed the application on behalf of Tommy, a chimpanzee being kept by respondent Patrick Lavery, in Gloversville, New York.

The appellate court noted that the "appeal present[ed] the novel question of whether a chimpanzee is a 'person' entitled to the rights and protections afforded by the writ of habeas corpus." *People of New York ex rel. Nonhuman Rights Project, Inc. v. Lavery*, ___ N.Y.S.2d ___ (N.Y. App. Div. 2014). The appellate court based its decision to deny habeas corpus relief on the following arguments.

First, the court noted that the habeas corpus statute refers to a "person," a term that is not defined. The court observed that habeas corpus relief has never been extended to a nonhuman, and there is no precedent to support an interpretation of "person" under the statute to include a nonhuman. However, the court continued its analysis based on the fact that the writ of habeas corpus has been used more frequently over the years because of its "great flexibility and vague scope."

Second, the court concluded that the extension of a right, such as the right to bodily freedom sought via a writ of habeas corpus, "has historically been connected with the imposition of societal obligations and duties." Because Tommy could not legally assume duties, the court held that he is not entitled to rights. The court concluded by noting the various protections for animals afforded by New York law, including a prohibition on keeping primates as pets. As is often the case in litigation involving animals and arguments for the expansion of the common law based on changing public policy, the court referred the appellants to the legislature, indicating that "...while petitioner has failed to establish that common-law relief in the nature of habeas corpus is appropriate here, it is fully able to importune the Legislature to extend further legal protections to chimpanzees."

In an email update to Nonhuman Rights Project supporters, Wise said that the appellate court's decision was to be expected because "judicial public policy is ultimately the domain of the Court of Appeals." Work on the appeal is already underway. 🐾

Editor's Note: A comprehensive look at the many legal and philosophical issues related to the concept of animal personhood can be found at "Animals are Persons, Too" by Maureen Nandini Mitra who is Managing Editor of Earth Island Journal at http://www.earthisland.org/journal/index.php/eij/article/animals_are_persons_tool. The article includes comments by MSU College of Law professor David Favre on his concept of "living property."

Law Student Activities

Michigan State University College of Law

By Kate Brindle, Michigan State University SALDF Treasurer/Events Chair

The Student Animal Legal Defense Fund (SALDF) at Michigan State University College of Law began the fall semester by attending MSU's student organization fair and welcoming several new members. SALDF members assisted the Keep Michigan Wolves Protected campaign by canvassing, volunteering at the polls, and hosting a table in the law school lobby to encourage students to vote no on Proposals 1 and 2. We also networked with students in other departments at MSU who are interested in animal protection issues. We are happy to be collaborating with MSU's chapters of Student Animal and Society Institute (SASI) and Humane Society Veterinary Medical Association (HSVMA) and look forward to working together on future programs.

Next semester, we will travel to Harvard Law School to compete in the 12th Annual National Animal Law Competitions in February. We will also host our annual Cutest Pet Contest, with the proceeds going to benefit an animal rescue organization. On March 22, 2015, we will be co-sponsoring (along with Attorneys for Animals and the Animal Law Section of the State Bar of Michigan) the Humane Education Project's (a joint public service project of the Animal Law and Law in Public Service Committees of the American Bar Association's Tort Trial and Insurance Practice Section and Humane Education Advocates Reaching Teachers, a non-profit public charity) training for Michigan attorneys, law students, and educators. We look forward to a productive spring semester!

Western Michigan University Thomas M. Cooley Law School

By Alicia Prygoski, President, SALDF
Western Michigan University Thomas M. Cooley Law School, Lansing Campus

Student Animal Legal Defense Fund Report

The Student Animal Legal Defense Fund (SALDF) at Western Michigan University Cooley Law School is wrapping up a busy fall term. Our last event before finals was a food and toy drive for the animals at Ingham County Animal Shelter. Other fall term activities included campaigning for the Keep Michigan Wolves Protected campaign, volunteering at local animal shelters, helping plan an animal cruelty con-

ference hosted by the Animal Law Section of the State Bar of Michigan and the Humane Society of the United States, and taking part in the Make Michigan Next anti-Breed Specific Legislation (BSL) rally.

Looking forward, we'll kick off next term with a screening of "The Ghosts in Our Machine" on January 24th, followed by more volunteering at local shelters and an agricultural law conference in March. We'll also have a member competing in the National Animal Law Competitions at Harvard in February.

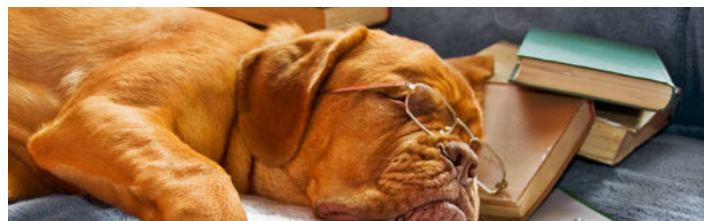
Lewis & Clark Law School Animal Law Conference Attendance and Summary

In October, I had the opportunity to attend the 22nd Annual Animal Law Conference at Lewis and Clark Law School in Portland, Oregon. It was an inspiring, informative weekend with presentations by many experts in animal law. The conference started with a reception on Friday night in downtown Portland with award winning journalist, Will Potter, author of "Green is the New Red." Potter spoke about ag-gag laws and factory farming.

The next day, we headed to Lewis and Clark for a full day of presentations. Many members of the Animal Legal Defense Fund staff spoke on various subjects, including the legal issues surrounding companion animals, farmed animals, and wildlife. We also got to hear from experts on the link between animal rights and environmentalism, how human population growth is affecting animal welfare, and issues in international animal law. A vegan dinner reception closed out Saturday night, with Kieran Suckling of the Center for Biological Diversity as the keynote speaker.

The conference ended on Sunday, with more presentations on the production of the recently released movies "The Ghosts in Our Machine" and "Cowspiracy," animal welfare from a religious perspective, and a special session for law students on effective methods of finding a job in animal law.

Overall, the conference was an incredible experience. I left Portland feeling very inspired and fortunate to have had the chance to come together for a weekend with people from across the globe who are passionate about advancing animal law. 🐾



Two Oregon Supreme Court Cases Recognize Expanded Legal Concepts for Animals

By Ann Griffin

In August 2014, the Oregon Supreme Court decided two cases that represent major victories for animal rights advocates.

In *State v. Nix*, 334 P.3d 437 (Or. 2014), the Supreme Court held that each of the twenty animals against whom defendant had been convicted of committing second-degree animal neglect were victims of a crime for purposes of the state's anti-merger statute. At trial, the defendant was convicted of twenty counts of second-degree animal neglect based on his treatment of animals on his farm. Most of the animals were horses and goats. The trial court held that only people can be crime victims under the anti-merger statute, and it merged the counts into one conviction and held that the defendant had committed a single punishable offense. The Court of Appeals reversed and remanded, holding that each of the individual animals could be considered a victim under the statute. The Supreme Court affirmed the Court of Appeals' decision.

On the same day the Supreme Court announced its decision in *State v. Nix*, it also issued an opinion in *State v. Fessenden*, 333 P.3d 278 (Or. 2014). In a consolidated case against defendants Linda Fessenden and Teresa Dicke, the Court considered whether exigent circumstances justified a law enforcement officer in seizing a horse from the defendants without a warrant and taking him/her to a veterinarian.

One defendant was convicted of second-degree animal neglect, and the other was convicted of first-degree animal abuse and first-degree animal neglect. The defendants challenged their convictions claiming that seizing the horse without a warrant was a violation of their rights under the Oregon and U.S. Constitutions. The Supreme Court upheld their convictions, concluding that "the officer acted lawfully because he had probable cause to believe that defendants were committing the crime of animal neglect and reasonably believed, based on specific articulable facts, that immediate action was necessary to prevent further imminent harm to and the death of the horse." *Id.* at 279. In reaching its decision, the Court noted:

Horses...hold a special place in human affection, as well as in the development of animal welfare laws....

As we continue to learn more about the interrelated nature of all life, the day may come when humans perceive less separation between themselves and other living beings than the law now reflects. However, we do not need a mirror to the past or a telescope to the future to recognize that the legal status of animals has changed and is changing still....

Id. at 284.

Recent Animal Law News

FBI's Uniform Crime Reporting Program Will Track Animal Crimes Data

As the result of the efforts of many animal welfare advocates and law enforcement groups, including the Animal Legal Defense Fund, the Animal Welfare Institute, the Association of Prosecuting Attorneys, and the National Sheriffs' Association, the FBI will now include data regarding crimes against animals in its Uniform Crime Reporting (UCR) program. In September 2014, the Director of the FBI formally approved the changes to the UCR program that were unanimously passed by an internal FBI committee. Because these UCR program statistics are critically important to policy decisions made by legislators and law enforcement, the avail-

ability of these animal crime statistics should allow for more informed decision making at every level of government.

Source is Scott Heisner, *Tracking Animal Crimes Data in the FBI's Uniform Crime Reporting (UCR) Program – A Huge Step Forward*, ANIMAL LEGAL DEFENSE FUND (September 17, 2014), <http://aldf.org/blog/tracking-animal-crimes-data-in-the-fbis-uniform-crime-reporting-ucr-program-a-huge-step-forward/>.

Massachusetts Strengthens Animal Cruelty Law

The animal cruelty law in Massachusetts has more stringent penalties since late August in response to the Puppy Doe case. Puppy Doe was a dog who was horribly abused for

Continued on next page

Recent Animal Law News . . . continued from page 9

months. She was eventually euthanized as her injuries were too severe to allow recovery. Her abuse story resulted in huge public outrage as her mistreatment was very merciless and occurred over a long period of time.

Source is Care2 at: <http://www.care2.com/causes/in-memory-of-puppy-doe-massachusetts-cracks-down-on-animal-cruelty.html>

Blog from Joyce Tischler of Animal Legal Defense Fund on the Second Global Animal Law Conference

Joyce Tischler's blog is titled "Animal Law: A World Phenomenon!" and discusses the Second Global Animal Law Conference held in Barcelona, Spain in July. The blog includes a nice picture of MSU College of Law professor and Section member, David Favre.

Source is Animal Legal Defense Fund at: <http://aldf.org/blog/animal-law-a-world-phenomenon/>

Michigan Man Accused of Killing Kittens – Faces Trial

Cody Michael Tyler of Livingston County is accused of killing six kittens. He has been arraigned and faces trial. Few details are available of the ongoing investigation.

Source is the Detroit Free Press at: <http://www.freep.com/story/news/local/michigan/2014/10/29/livingston-county-killing-kittens-trial/18106589/>

Endowment for Animal Advocacy Program at Harvard Law School Announced

Bradley Goldberg "has made a generous gift to support the Animal Advocacy Program at Harvard Law School." Full details are provided in the announcement referenced below.

Source is Harvard Law School at: <http://today.law.harvard.edu/bradley-l-goldberg-gift-will-support-animal-advocacy-program-at-harvard-law-school/>

Emotional Support Pig Ejected from Airplane – ADA Issues

The emotional support pig was ejected from the airplane after the pig defecated before takeoff. The mess was cleaned up. However, passengers complained of the smell. The passenger seated next to the pig was a University of Massachusetts law professor. The ABA blog referenced below discusses some of the ADA issues.

Source is ABA Journal at: http://www.abajournal.com/news/article/emotional_support_pig_is_ejected_from_plane_after_it_poops_before_takeoff_w/?utm_source=maestro&utm_medium=email&utm_campaign=weekly_email&utm_id=141203AS 🐷

11th Annual Michigan Partnership for Animal Welfare Conference Draws Hundreds of Attendees – Animal Law Section Participates

By Ann Griffin

This year, the Michigan Partnership for Animal Welfare (MPAW) joined forces with the Michigan Association of Animal Control Officers (MAACO) to host its 11th annual animal welfare conference. Held from October 28-30, 2014 at the Soaring Eagle Casino Resort in Mt. Pleasant, Michigan, the conference attracted more than 300 attendees.

The conference featured sixty sessions, which were presented by speakers from Michigan and across the country and offered something for everyone, whether they were new to the world of animal welfare or were seasoned professionals. Staff and volunteers from rescues and shelters, animal control officers, animal lovers, students, veterinarians, and veterinary technicians were able to attend sessions covering a variety of topics, such as pediatric spay and neuter, fundraising, feline enrichment, equine investigations, decoding dog play, and managing compassion stress. Animal Law Section (ALS) member Ann Griffin, along with co-presenter Mark Lezotte from Butzel Long, gave a presentation entitled "Liability Issues for Animal Groups and Shelters."

The conference offered an enhanced Shelter Medicine track, which featured experts speaking on this growing veterinary medicine specialty. There were also a number of certificate courses, such as a two-day field tranquilization certificate course.

The conference organizers generously offered the Animal Law Section a complementary table at its networking session on the first night of the conference, and the table was staffed by ALS member Ann Griffin who was available to answer questions and distribute a flyer regarding the ALS, which included information about the Animal Legal Lifeline.

To learn more about MPAW or to get information about next year's conference when it becomes available, please visit www.m paw.org. 🐷



ABA-TIPS Humane Education Training Michigan State University Law School

New
Date!

Sunday, March 22, 2015 from 10am-4pm

New
Date!

The Humane Education Project is a joint public service project of the Animal Law Committee of the American Bar Association's Tort Trial and Insurance Practice Section (ABA TIPS) and Humane Education Advocates Reaching Teachers (HEART), a non-profit public charity. The primary objective of the Humane Education Project is to cultivate compassion and empathy in young people toward animals and foster respect for the environment.

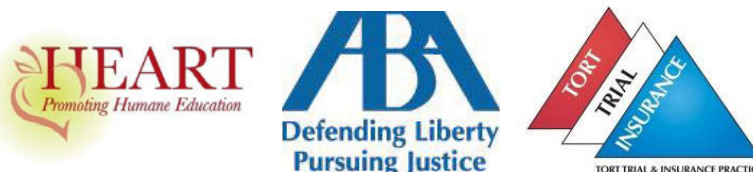
This **free** training will be placing a special emphasis on issues connected to companion, farmed and wild animals, such as puppy mills, dog fighting, overpopulation, factory farms, climate change, habitat destruction and pollution.

Participants will be provided with teaching skills, lesson plans and guidance on implementing humane education into Michigan schools. To register, contact Meena Alagappan at meena@teachhumane.org; Kimberly Korona at kim@teachhumane.org; or Beatrice Friedlander at beefriedlander@yahoo.com

Who Should Attend?

Attorneys, law students, paralegals, members of Bar Associations
Educators and concerned citizens also welcome

Program Developed by:



Program sponsored by:



SBM

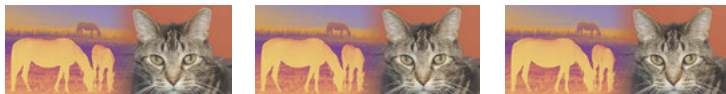
STATE BAR OF MICHIGAN

MICHAEL FRANCK BUILDING
306 TOWNSEND STREET
LANSING, MI 48933-2012

www.michbar.org



Visit our Website: <http://www.michbar.org/animal/>



Animal Legal Lifeline
Toll-free Number for Referrals:
(866) 211-6257

Upcoming Events

March 22, 2015, Sunday
10 AM – 4 PM

ABA-HEART Humane Education Project
Training in Lansing (Michigan State
University College of Law). Note that this
is revised from the previously planned
date of February 28. See flyer inside of
Newsletter for more details.

