



Email us: sdfact@gmail.com
Facebook: facebook.com/SDFACT
Website: sdfact.org
Blog: sdfact.blogspot.com

Support & Pass SB 46 to Protect Animals & SD Communities from Violent Offenders

- The State Veterinarian, animal advocates, representatives from the Animal Industry Board, Sheriff's Association, States Attorneys Association, animal shelters, Ag entities, and other stakeholders *worked together* to draft SB 46 that would make the most violent acts of animal cruelty a felony in South Dakota.
- Passing a South Dakota felony animal cruelty law is a crucial step in deterring behavior, ensuring community safety and protecting people and animals from violent offenders.
- Neighboring states have had these laws on the books for 10 to 20 years and these states are still enjoying a viable Ag economy. The proposed language will exempt traditional Ag practices as well as hunting and fishing. Forty-nine states have laws making certain types of animal cruelty a felony; South Dakota is the lone state without any felony-level penalties for the most violent acts.
- In a survey of over 1,000 representative U.S. households, 85% of those responding thought it was either "very important" or "important" to protect animals from cruelty. (2006)
- In South Dakota, the same level of penalty applies whether someone neglects to provide adequate food for an animal or maliciously stabs, tortures and kills that animal. SB 46 creates a distinction between cruelty & mistreatment.
- There is a proven link between animal cruelty and human violence-intentional, willful, and malicious acts of animal cruelty should be taken seriously.
- Animal cruelty is a predictor and indicator of violent crimes, domestic violence and child abuse. In a 20 year study, 70% of animal abusers were found to have then committed other crimes and 44% went on to harm people. (Arluke, A. & Luke, C. 1997)
- Horrific acts of animal cruelty don't happen often but when they do, appropriate state laws should be in place to ensure prosecutors and judges have the tools in place to deal with violent offenders so they will not go on to harm humans. Below find links to several recent and relevant South Dakota cases:

Burbank - Dog Beaten to death with hammer: Kyte was initially charged with felony destruction of property because of value of the prized hunting dog & later made a guilty plea to two class 1 misdemeanors and served no jail time & a fine of \$468 fine.
http://www.yankton.net/community/article_e6af1bfd-2880-5eb5-93ea-929621a5ad5f.html

Mitchell - Man cuts ears of dog with steak knife & pours liquor down dog's throat: Garcia made a plea of guilty to a class 1 misdemeanor & sentenced to 180 days in jail, (90 days suspended), a fine of \$560 and \$576.68 in restitution to Kevin Hubbert, DVM for vet costs, and demonstrating a pattern of violence, nearly 2 years later Garcia was charged with additional crimes the result of a violent attack on his girlfriend who required plastic surgery.
<http://sdfact.blogspot.com/2013/01/make-connection-buddy-from-mitchells.html>

Yankton - Woman beats cat to death with hammer: Thompson was initially charged with a class 1 misdemeanor, later made a guilty plea to a lesser charge of disorderly conduct & was sentenced to 14 days in jail suspended, a fine of \$166, no like offenses and pay Yankton County for attorney fees (the case went on for almost a year).
<http://www.pet-abuse.com/cases/19222/SD/US/>

Brookings - Man attacks pet; kicking Chihuahua: Hauge made a guilty plea to a class 1 misdemeanor & was sentenced to 100 days in jail (86 days suspended), a fine of \$413 fine and \$500 in restitution toward Harley's vet costs of \$2500.
http://www.kdlt.com/index.php?option=com_content&task=view&id=21656&Itemid=57

Sioux Falls - Man kills 5 pound Chihuahua: Vargas told police he grabbed the dog by the tail, swung it around several times and struck it on the ground; Vargas has a history of mental illness.
<http://www.ksfy.com/story/18767291/man-arrested-for-killing-5-lb-chihuahua>