



California Chapter

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Los Angeles Primary Election Tuesday March 3rd 2009 City Attorney Candidates

Thank you for taking the time to ponder our issues. We know questionnaires take time during days when you have little. The League of Humane Voters, California Chapter would like to advise you that we may “broadcast” the responses to this questionnaire to the members of the humane community in Los Angeles and to use it in the future to remind officials of the opinions they have previously expressed during the election cycle.

1. Why should a City Attorney have any interest in prosecuting animal cruelty cases?

The City Attorney does not write nor enforce laws in Los Angeles; however, it is the responsibility of this Office to prosecute crimes which are brought by all City law-enforcement agencies. If the laws regarding animal cruelty are diligently enforced in this City, the number of abused, neglected and abandoned animals will decrease. In turn, relinquishments and impounds will be reduced; and the number of euthanasias in animal shelters will automatically lessen.

Although the protection of animals is important for moral, ethical and legal reason, we must also be cognizant that those involved in crimes against animals are usually involved in other crimes. As prosecutors, we must look closely at all the circumstances involved in each incident and take appropriate action. If abusers are allowed to avoid prosecution because the victim is “just an animal”, they will continue not only these heinous acts but also other crimes against society.

All animal cruelty and neglect cases must be taken seriously. Through tough, but just and consistent, enforcement of laws protecting animals, we can increase public awareness that the City of Los Angeles does not tolerate cruelty to any animal—domestic or wildlife.

2. What experience with or knowledge of prosecution of animal cruelty have you had?

Caring about animals is not a political ploy for me--it is a lifelong passion, as you can see on my website. I was assigned my first animal-cruelty case early in my career as a prosecutor in the L.A. County District Attorney's office. I am familiar with many aspects of prosecuting animal cruelty/neglect, and the Penal Code sections that address abuse, neglect and unnecessary suffering. However, we must not forget that there are hundreds of other local, state and federal laws that can also be used.

One aspect that is of particular concern to me in Los Angeles is illegal animal fighting, which has long been ignored as a criminal enterprise as well as a violent gang/street crime. Prosecuting this horrendous exploitation and cruelty is singularly important; however, I believe we can be far more effective by also employing RICO (Racketeer Influenced and Corrupt Organizations) laws and forfeiture laws of vehicles and property involved in, or gained from, the proceeds from this illegal activity. I will also bring in state and federal taxation agencies to review records of unreported income from the gambling, drug/gun sales, and profit from breeding or selling animals for the purpose of fighting. If we hit these criminals where it really hurts—in their pocketbooks—and with a multi-agency approach, I believe we can set the standard for the nation and rid Los Angeles of a crime that has no place in a civilized society.

3. What would be your response to a judge inquiring why you were wasting the courts time with an animal cruelty case?

As sentient beings, animals feel pain and suffer just as much as humans. Allowing criminals to torture, maim, neglect, starve, or otherwise harm an animal reflects on our value of life and humane treatment of all living beings, including humans. Often the abuse of animals begins in childhood; and for children who witness or engage in causing intentional suffering to animals, it is a small step to engaging in similar crimes against humans. We cannot isolate the beating of an animal from the assault on an innocent human nor from a drive-by shooting of a helpless child. The progression of the cycle of violence will continue until those of us who prosecute laws make the statement: "It ends here!"

4. Historically, animal cruelty statutes were adopted in this city before laws to protect women and children. What in your opinion is the reason why there have been so few successful prosecutions?

Although this is changing in Los Angeles, emphasis on the importance of animal cruelty statutes has been discouraged because it was historically viewed by law enforcement agencies and by the judicial system as separate from other crimes and not of great significance in the overall pattern of violent criminal behavior. With the creation of the Anti-Cruelty Taskforce and the Animal Abuse Prosecution Unit in the City Attorney's office, and most recently with the establishment of the DA's Animal Protection Unit, the statement has been made that Los Angeles takes crimes against vulnerable and helpless animals seriously, and we are willing to devote the resources to arrest the perpetrators and prosecute them. Animal law is becoming more clearly defined and gaining much greater stature, and thus attracting talented and passionate attorneys who wish to devote their careers to this area of law.

As City Attorney, I will place emphasis on enhancing and, if necessary, expanding the Animal Abuse Prosecution Unit so that we will see improved success in handling these cases. I will partner with the District Attorney's office to assure that crimes of abuse or neglect of animals receive the full attention they deserve. We will not settle for a misdemeanor if a felony is indicated, and I will work closely with District Attorney Steve Cooley on these cases. That way, criminal offenders will receive the level of justice they deserve, and the message will be loud and clear, "if you decide to keep a pet within Los Angeles, you *will* treat it well...or there will be consequences."

5. Some psychologists see animal cruelty behavior in youth as a predictor of violent crime in adulthood. Do you believe there is a link or that it is just so much liberal psychobabble?

I addressed this question in No. 3; but, let me add that we meet an additional societal obligation by protecting animals--history has chronicled that humans; especially children, women and the elderly, are often the next victims of those who harm animals. As City Attorney, I will assure that we do not excuse or disregard crimes merely because the victims are voiceless.

6. Can the city afford to prosecute animal cruelty?

The City cannot afford NOT to prosecute animal cruelty for the reasons I have stated above. We must revisit how monetary assessments can be restructured and imposed by methods that will direct funds recovered from violators back into the City's budget to support our animal-law enforcement and prosecution efforts. The more crime is addressed in this City at the initial level, as in the "broken-windows" theory, the more we can curtail its escalation and reduce the cost to taxpayers.

7. Fifteen years ago a young City Attorney of Astoria Oregon prosecuted a pet "collector" for animal cruelty. The case gained the public servant international notoriety and he was later elected Attorney General of Oregon. Do you believe that successful prosecution of animal cruelty cases can advance a political career?

We must believe that this young City Attorney was elected to a higher position because of public recognition of his competence in the field of law. The prosecution of animal-cruelty cases should not be used as a stepping stone, any more than should the proper handling and diligent prosecution of any other criminal case. The publicity that is given to animal-crime prosecutions can serve to attract, enlighten and encourage other


animal-loving attorneys to consider this area of law as a specialty; thus, all of society benefits. However, it should never be seen as merely a career-advancement opportunity.

8. Do you believe that pain, deprivation, confinement and isolation are easier for dogs and cats to endure than humans?

(I addressed this in #3.) No animal should ever have to endure unnecessary suffering or deprivation merely because it is voiceless. It is incumbent upon us who have language and other communication abilities to speak for them—and to speak loudly.

9. Do you believe that the use of the “Golden Rule” as a yardstick for behavior should be confined to our dealings with other human beings alone?

(I believe I have answered that above.) I have rescued many animals since I was a child. Our rescued dogs, Nyla and Lucky, sleep in our bed. My wife cooks breakfast for them. We treat them as we would like to be treated—only much better!!

Signature  Date 2/27/09