

JUVENILE & FAMILY JUSTICE

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MAKING SENSE OF INCENTIVES AND SANCTIONS

Working with the Substance Abusing Youth

By Susan A. Yeres, Ed.D. and Frances C. Gurnell, M.Ed.

ALSO:

A Look Back and a Way Forward:

Creating an Environment that Promotes Positive Outcomes for Youth

By Laura Maiello

Cause For Concern: Juveniles And Crimes Of Animal Cruelty

By Sherry Ramsey, Esq.

Building the Evidence in Juvenile Justice Systems to Improve Service Delivery and Produce Better Youth Outcomes

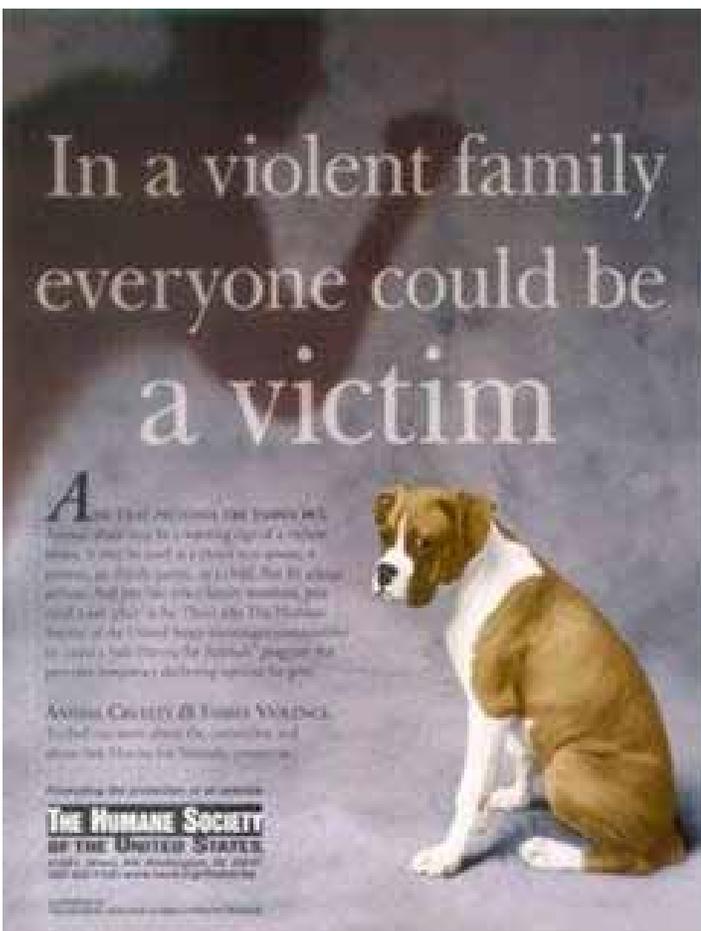
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CAUSE FOR CONCERN: Juveniles and Crimes of Animal Cruelty

By Sherry Ramsey, Esq.

With all the important issues facing juvenile justice professionals, concern over animal cruelty is not usually near the top of the list. But perhaps it should be. Considering the implications of ignoring these recognized signs of future violence, treating animal cruelty crimes seriously could be an important decision of consequence. Studies by the FBI and others have raised red flags to these serious implications - which not only help identify the juveniles at risk of committing future violence but also juveniles who have been victimized. For an example of the latter, one study found that animals are abused in 88 percent of the families in which children have been abused. [See E. DeViney, J. Dickert, & R. Lockwood, *The Care of Pets within Child Abusing Families*, International Journal for the Study of Animal Problems, 4(4):321-329 (1983)].

The Humane Society of the United States illustrates this point with a poster showing a dog cowering in a corner with the shadow of an angry man hovering in the foreground. The caption reads, "In a violent family, everyone can be a victim."



JUVENILE STATISTICS

Because animal cruelty crimes are not monitored systematically, there are only estimates as to the prevalence of these crimes involving juveniles. Further, juveniles charged with animal cruelty crimes are often permitted

into pre-trial intervention or continuance type programs, which can ultimately erase these early indicators. Likewise, in cases where animal cruelty is the primary crime, plea deals may allow for the cruelty charge to be dismissed and for the juvenile to plead to a more appealing charge. [In this author's experience, often the defense will agree to almost any plea instead of animal cruelty in both adult and juvenile cases - probably due to the societal perception of animal abusers]. Accordingly, cases often end up with a plea to a collateral charge such as criminal mischief, again losing the record of abuse. Still, the existing statistics and studies on both juveniles and adults are compelling:

- Animal abusers are five times more likely to commit violent crimes against people.
- Animal abusers are four times more likely to commit property crimes.
- Animal abusers are three times more likely to have drug or disorderly conduct offenses.

[See: <http://www.mspca.org/programs/cruelty-prevention/animal-cruelty-information/cruelty-to-animals-and-other-crimes.pdf>. See also: A. Arluke, J. Levin, C. Luke, and F. Ascione, *The Relationship of Animal Abuse to Violence and Other Forms of Antisocial Behavior*, Journal of Interpersonal Violence, 14(9):963-975 (1999)].

Another study confirmed that one of the factors associated with persistence in aggressive and anti-social behavior is aggression toward people and animals in childhood. [Rolf Loeber, *The Pittsburgh Study*, Annual Conference on Criminal Justice Research and Evaluation, Department of Justice, Washington, D.C. (2004)]. Accordingly, a recognition of the high incidence of animal abuse in the history of many of the most violent juvenile offenders is worthy of consideration. As former FBI Supervisory Special Agent Alan C. Brantley is quoted as saying, "It has long been accepted among professionals who must assess dangerous populations that the best predictor of future behavior is past behavior. Violence against animals is violence, and when it is present, it is synonymous with a history of violence." (Remarks of Alan C. Brantley before a Congressional Briefing on May 13, 1998 at the U.S. House of Representatives, available at http://commdocs.house.gov/committees/judiciary/hju63862.000/hju63862_0f.htm).

Even outside of the realm of animal cruelty, it is recognized that unless provided with some kind of intervention, a juvenile with a history of violent behavior is likely to repeat that behavior. [D. Elliot, S. Huizinga, & B. Moise, *Self-reported Violent Offending: A Descriptive Analysis of Juvenile Violent Offenders and their Offending Careers*, Journal of Interpersonal Violence, 4:472-514 (1986)].

Given that children are more behaviorally malleable than adults, could early intervention stop this cycle of violence? Can juveniles be taught to appreciate the consequences of violence toward both animals and humans? These are questions that some professionals have concluded in the affirmative. [See Jacqueline Stenson, *Destined as a Psychopath? Experts Seek Clues*, MSNBC.com (Apr. 20, 2009), http://www.msnbc.msn.com/id/30267075/ns/health-mental_health/t/destin-.T3II0O24LzI]. A 1994 report released by the National Research Council states that early intervention in juvenile crimes is more likely to reduce adult crime than

criminal sanctions applied later in life. [See Frank Ascione & Phil Arkow, *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention*, 336 (Purdue University Press, 1999)]. Accordingly, animal abuse by juveniles should be recognized as a serious threat of future violence and therefore, handled as a serious crime. Failure to recognize and appropriately deal with these crimes could result in missed opportunities to prevent future violent offenses.

PAST EXAMPLES

The Serial Killer Files concludes that animal torture is not a stage but rather a rehearsal for future murderous acts on humans. [Harold Schechter, *The Serial Killer Files: The Who, What, Where, How, and Why of the World's Most Terrifying Murderers*, 36-37 (1 ed., Ballantine Books 2003)]. The reasons why may be as simple as a desensitizing of pain and suffering in the abuser, or perhaps a normalization of violence in the juvenile's daily life. No matter what the reason, ignoring these crimes could be dangerous to the juvenile, animals, and the community at large.

“One of the most dangerous things that can happen to a child is to kill or torture an animal and get away with it.”

- Anthropologist Margaret Mead

Examples are abundant but worthy of note given the notorious cases on record. Jeffery Dahmer, one of the most horrific serial killers admitted that he often tortured animals as a child.

“I found a dog and cut it open just to see what the insides looked like, and for some reason I thought it would be a fun prank to stick the head on a stake and set it out in the woods.” Id.

Many other serial killers, including Ted Bundy and David Berkowitz, also tortured animals as juveniles. [M. Muscari, *Juvenile Animal Abuse: Practice and Policy Implications for PNPs*, *Journal of Pediatric Health Care*, 18(1): 15-21 (2004)]. Albert Desalvo, “the Boston Strangler,” trapped animals in crates and shot them with a bow and arrow. Carroll Cole, the serial killer known as the “Barfly Strangler,” used to choke the family dog unconscious [Phil Chalmers, *Inside the Mind of a Teen Killer*, 140 (Thomas Nelson 2009)]. A marked example is represented in the case of 16-year-old Luke Woodham, who first killed his mother, then shot and killed two students, wounding seven others in a 1997 Pearl, Mississippi school. Woodham recorded in his diary the brutal killing of his dog Sparkle five months prior to the shooting. Unfortunately no one reported the cruelty crime to the authorities [Community Policing Dispatch, *Domestic Violence and Animal Abuse: A Multidisciplinary Approach in Illinois*, (Community Oriented Policing Service/U.S. Dept. of Justice, Wash., D.C.), Vol. 3, Issue 3, March 2010, http://cops.usdoj.gov/html/dispatch/March_2010/domestic_violence.htm].

“I made my first kill today. It was a loved one...I'll never forget the howl she made. It sounded almost human...I'll never forget the sound of her bones breaking under my might. I hit her so hard I knocked the fur off her neck...It was true beauty.”
(Chalmers, supra at 131.)

It is interesting and important to note that Woodham references this crime as his “first kill.” He does not say his first animal killing, which suggests he may not distinguish killing his dog from the humans he will kill a mere five months later. This entry provides further direction toward the conclusion that one violent crime may lead to another. Likewise, it begs the question of whether the latter could have been prevented had the first crime been seriously addressed.

Of the nine school shootings between 1996 and 1999, approximately half of the shooters had known histories of animal cruelty [S. Verlinden, M.

Herson, and J. Thomas, *Risk Factors in School Shootings*, *Clinical Psychology Review*, 29(1): 3-56 (2000) at 44]. This statistic alone is enough to draw serious concern. In fact, one of the earliest recognized school shootings in 1978, was perpetrated by 16-year-old Brenda Spencer in San Diego, CA. Spencer opened fire in an elementary school, killing two and wounding nine. Spencer was also a known animal abuser in the neighborhood and in fact, when asked why she committed the crime, compared the school shootings to killing animals (Chalmers, supra at 10, 11). On May 21, 1998, Kip Kinkel opened fire in a high school, killing two students and injuring eight others. He also killed both of his parents. Kinkel had often bragged to peers about torturing animals and neighborhood children reported that Kip beheaded cats and once blew up a cow with explosives (Chuck Green, *Torturing Animals Bodes Ill*, *Denver Post*, May 24, 1998, at B-01). Likewise, in probably the most well-known school shooting at Columbine High School in 1999, Eric Harris and Dylan Klebold were also alleged to have engaged in animal mutilation prior to the school murders (Community Policing Dispatch, supra).

The examples of juveniles starting out with animal abuse and moving on to humans are too numerous to mention here but several books and articles have detailed them. While this connection is by no means a new idea – for example, a series of four printed engravings published by English artist William Hogarth in 1751 aptly demonstrated how a boy who began abusing animals grew into a violent adult eventually executed for murder - it remains a subject worthy of serious consideration.

HOW DID THIS HAPPEN?

Why didn't we see it coming? With juveniles, answers often lie in past behavior. Recognizing and responding to the warning signs of animal abuse is one way we might prevent future violence, not only against animals, who are worthy of protection in their own right, but to our society as well.

NACC certification is now available in 31 jurisdictions, and currently there are 439 NACC Certified Child Welfare Law Specialists, including seven judges. Approximately 200 attorneys will be eligible to sit for the 2012 certification exam. The Children's Bureau continues to support the program as part of its general effort to promote safety, permanence, and well-being for the nation's foster care population. In July 2008, the NCJFCJ Board of Trustees unanimously endorsed child welfare law specialization. In addition to the NCJFCJ, child welfare law specialization has gained the support of the ABA Center on Children and the Law, the Conference of Chief Justices, and the Conference of State Court Administrators.

Attorneys receive the CWLS credential by demonstrating a proficiency in child welfare law through a comprehensive application process and by passing a child welfare law competency exam. Lawyers certified in child welfare law must be knowledgeable in relevant state and federal laws; understand principles from child development and psychology regarding individual and family dynamics; recognize the professional responsibility and ethical issues that arise out of the children's status; and be proficient in interviewing and counseling child clients.

Child welfare law is an increasingly complex and sophisticated area of practice requiring special training and expertise. Child welfare law specialization recognizes attorneys who have achieved an increased level of proficiency and promotes child welfare law as a specialized practice of law.

For more information on the NACC and child welfare law attorney certification, visit the NACC Web site at www.NACCchildlaw.org, e-mail advocate@NACCchildlaw.org, or call toll-free at 888-828-NACC.

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