



Dog Federation of Wisconsin
742 S. Indiana Ave.
West Bend, WI 53095

www.dfow.net

Red Alert – Wednesday, February 17, 2010 – AB-747—Windchill Bill

AB-747 is a bill that covers domestic abuse as well as animal cruelty. We fully understand legislators that have the best interests of children in mind and applaud their commitment to protect them. However, this bill goes beyond the scope of protecting children and in the process could make anyone that uses any type of aversive training (i.e. prong or choke collars) method or whose breed is traditionally docked or cropped or those that have dew claws removed, or perhaps cause a nail to bleed when cutting too close to the quick, a felon if done in front of a child. We feel that this bill in its current form had input from animal rights organizations as the wording is such that even hunting with a child could cause a person to be prosecuted for animal abuse and subject to felony charges.

The first part of the bill deals with changing State of WI existing statute 813.12 (3) which covers domestic abuse situations and adds “to refrain from engaging in or threatening to engage in the mistreatment of an animal owned or cared for by the petitioner” to the statute. We do not object to this. Our objections stem from the second part of the bill where they try and redefine animal cruelty and make those found guilty of being felons if certain acts are done in front of a minor child.

As our current animal cruelty laws do not offer specific exclusions for livestock management, hunting, trapping, or docking/dewclaw removal/cropping of animals, we feel that the changes to the existing law will only open up those who deal with animals to persecution from animal rights individuals.

Starting on Page 4, line 25 of the bill, this bill creates new and makes changes to the existing Animal Cruelty laws. As this bill deals with two unrelated sections of WI Statutes, the wording in 813.12 that specifically states “mistreatment of an animal owned or cared for by the petitioner”, is not applicable to the section regarding animal cruelty and therein threatens all warm-blooded animal enterprises in the State. Section 948.057 titled “Causing a child to commit a crime against an animal” is new. This section goes on to state that “Whoever causes a child who has not attained 18 years of age to violate s. 951.02 may be penalized as provided” and lists class F & H felonies.

This bill changes the definition of cruel <Section 8, 951.01 (2)> from “cruel means causing unnecessary and excessive pain or suffering or unjustifiable injury or death” by adding the words “**OR FAILING TO PREVENT**”. If a person uses a prong collar, or an electric collar for either containment or training and it is done in front of a child, you could be charged with a Class I felony. If you dock, crop, or remove dew claws in front of a child, you could be charged with a Class E felony. If you hunt, trap, or slaughter animals for food in front of a child, you could be charged with a Class C felony. If found guilty, you could be subject to psychological testing and or participate in anger management counseling as well as not be allowed to have anything to do with animals for as long as 15 years. Also under this section of law, a mistreatment of animals conviction under this section does not require proof of intent or negligence. Just doing the activity is enough.

AB 747 is a back door attempt to take away the rights of the individuals that deal with warm-blooded animals. Please contact your elected representatives and express your concern regarding this bill. The bill in its entirety can be found at www.dfow.net

There is a public hearing scheduled for AB 747 on Wednesday, February 24, 2010, 10:30 AM, Room 412 East. The hearing can change up until 24 hours before this date/time. Keep alert. This bill is before Committee on Criminal Justice. This committee consists of:

Representative Robert Turner (Chair), Representative Frederick Kessler (Vice-Chair), Representative Anthony Staskunas, Representative Ann Hraychuck, Representative James Soletski, Representative Sandy Pasch, Representative Joel Kleefisch, Representative Donald Friske, Representative Bill Kramer, Representative Edward Brooks, Representative Keith Ripp

Please contact the above committee members as well as your own State Representatives and Senators and let them know why you are against this bill. Please plan on attending the public hearing. Remember, the animal rights groups will be well represented at this hearing and this bill will effect even those that don't breed.