

VOTE AGAINST INITIATED ACT 1

The proposed Arkansas Animal Cruelty Act is potentially harmful to animal agriculture, and hunting and fishing, two of the largest industries in the Arkansas. The exemptions in the proposal do not provide adequate protection to animal producers or to sportsmen in the state.

The Arkansas Animal Cruelty Act establishes several new provisions in Arkansas law.

- Establishes the offense of “aggravated cruelty to animals” if someone “knowingly tortures, mutilates, maims, burns, poisons, or maliciously kills, starves, or disfigures any animal.” This would be a Class D felony, punishable by up to 6 years in prison and/or a \$10,000 fine. Plus the loss of the right to vote or own a firearm.
- Expands the penalty for a misdemeanor animal cruelty violation to a felony for a second violation.
- Expands the law on the disposition of abused animals.
- Amends current law outlawing “dog fighting” to outlaw “animal fighting”. This is aimed primarily at bird fighting.

Who’s behind the bill?

- Locally: **Citizens for a Humane Arkansas** (75% of their cash funds have been provided by two radical national animal rights groups.)
- Nationally: Radical animal rights groups with anti agriculture and anti hunting and fishing agendas.
- **Humane Society of the United States** (Has contributed \$25,000 to Citizens For a Humane Arkansas)
Wayne Pacelle, Senior Vice-President
 - "We have no ethical obligation to preserve the different breeds of livestock produced through selective breeding. ... One generation and out. We have no problem with the extinction of domestic animals. They are creations of human selective breeding." (Quoted in Animal People, May, 1993)
 - "If we could shut down all sport hunting in a moment, we would." (Quoted in "Impassioned Agitator," Associated Press, Dec. 30, 1991)
 - "Our goal is to get sport hunting in the same category as cock fighting and dog fighting. Our opponents say that hunting is a tradition. We say traditions can change." (Quoted in Bozeman Daily Chronicle, Oct. 8, 1991)
 - "Only 7% of Americans are hunters. That means there are more of us than there are of them. It is simply a matter of democracy. The majority rules in a democracy. We are going to use the ballot box and the democratic process to stop all hunting in the United States... We will take it species by species until all hunting is stopped in California. Then we will take it state by state." (Full Cry, October 1990)
- **PETA** (Is strongly supporting the passage of this Act.)
Ingrid Newkirk, Co-founder
 - "Meat eating is primitive, barbaric, and arrogant." - (City Paper, Feb. 1990)
 - "Even if animal research produced a cure [for AIDS], we'd be against it." - (*Vogue*, September 1989)
 - "Six million Jews died in concentration camps, but six billion broiler chickens will die this year in slaughterhouses." (*Washington Post*, 1983)
 - "If my father had a heart attack, it would give me no solace at all to know his treatment was first tried on a dog." - (*Washington Post*, Nov. 13, 1983)
 - "I wish we all would get up and go into the labs and take the animals out or burn them down." - (National Animal Rights Convention '97, June 27, 1997)
 - "The bottom line is that people don't have the right to manipulate or to breed dogs and cats ... If people want toys, they should buy inanimate objects. If they want companionship, they should seek it with their own kind." - ("Animals", May/June 1993)
 - "Animal liberationists do not separate out the human animal, so there is no rational basis for saying that a human being has special rights. A rat is a pig is a dog is a boy. They're all mammals." - (*Vogue*, September 1989)
 - "I don't use the word 'pet.' I think it's specieist language. I prefer 'companion animal.' For one thing, we would no longer allow breeding ... as the surplus of cats and dogs declined, eventually companion animals would be

phased out, and we would return to a more symbiotic relationship - enjoyment at a distance." - (In "Just Like Us? Toward a Notion of Animal Rights", *Harper's Magazine*, August 1988)

- "Pet ownership is an absolutely abysmal situation brought on by human manipulation." - (*Washingtonian Magazine*, August 1986)
- **The Fund for Animals** (Has contributed \$25,000 to Citizens For A Humane Arkansas plus an additional \$7,000 in nonmonetary contributions.)
- A leading opponent of sport hunting.
- Opposed dove hunting in several states.
- **Doris Day Animal League**
- Probably others.

Why should you oppose the law?

The proposed law creates a felony (criminal statute) but does not define what is a criminal action.

- Exempts "routine, accepted livestock-management practices."
- Does not define these practices.
- Does not state what makes them an acceptable practice.
- Does not state who decides what is acceptable.
- Does not state how a new practice becomes acceptable.
- Concerns:
- Could be used to limit or ban agricultural animal practices. These same groups have pressured restaurants like McDonalds and others to prescribe production practices for their suppliers. We believe such actions by major restaurants could be used as an argument that certain practices are no longer accepted and might be considered cruelty under this provision.
- Livestock management practices have traditionally been determined by the industry using appropriate research. This law could provide a mechanism for animal rights groups to play a determining role in management practices in the future. These decisions should be made based on sound science, not politics.
- Exempts "... the **lawful taking of game or fish**, or any other activity authorized by Amendment 35 of the Arkansas Constitution..., or any Arkansas Game and Fish Commission regulations promulgated thereunder."
- Appears to subject actions not specifically permitted by Amendment 35 or the Commission to the animal cruelty law
- Concerns:
- A court could determine the act of hunting or fishing outside the limits prescribed by the Commission as animal cruelty. If so, this would be a major step toward establishing any hunting or fishing as cruelty.
- This law could elevate the incidental taking of a non-game animal to felony status. An example might be the killing of a snake.
- Current cruelty laws make no distinction between domestic animals and wildlife. Most of the publicized incidents of animal cruelty involve domestic species. Usually, problems with game animals have been related to violations of game laws or regulations not cruelty. We believe this Act could lead to a change in this situation.

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