

## Animal Cruelty Chapter Added to MN Judges Criminal Benchbook

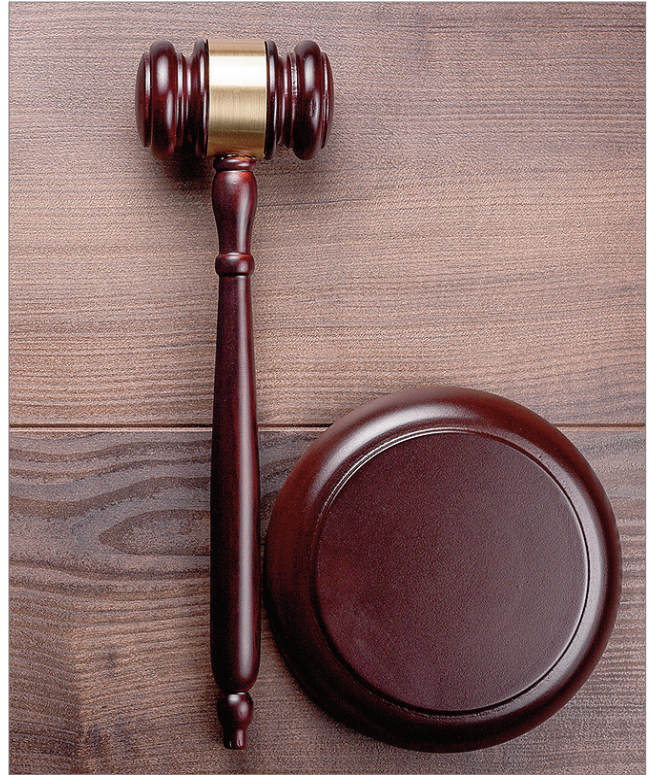
In early 2021, an Animal Cruelty Chapter (chapter 28) was added to the Minnesota Judges Criminal Benchbook, 7th Edition, published by Minnesota Continuing Legal Education (Minn CLE).

Animal Folks convened a team of four authors to write this chapter, focusing on Minnesota animal cruelty laws, legal precedent, and related issues.

The Minnesota Judges Criminal Benchbook is often used by judges and prosecutors while conducting legal research on Minnesota criminal laws and related issues.

This benchbook covers numerous topics, such as witnesses, sentencing, post-arrest procedures, search and seizure issues, discovery motions, competency and mental illness, sexual assault and abuse, domestic abuse issues, driving while impaired, and more. Now a chapter specific to animal cruelty is available.

This project is part of Animal Folks' mission of sustainable system reform for the protection of animals. Further details can be found on page 3 of this annual report.



### OUR MISSION

The mission of Animal Folks is to protect animals and fight animal cruelty through constructive and sustainable reforms of the Minnesota criminal and civil justice systems.

### OUR POSITIONING

Public safety and crime prevention.

### WHO WE SERVE

Animals in Minnesota. We also serve Minnesota residents who believe animals should be treated humanely and authorities who are involved in the enforcement of animal law.

### SYSTEM REFORM

Animal Folks accomplishes its mission through a systems-thinking approach. This strategic approach focuses on the development of long-term, sustainable solutions across multiple disciplines to improve the enforcement of animal law and protection of animals.

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## OUR STRATEGIC APPROACH: PROGRAMS AND SERVICES

Our five program areas include: **1.** Animal Cruelty Research; **2.** Animal Law Resources; **3.** Legislative Action; **4.** Outreach & Communication; and **5.** Criminal & Civil Justice. Depending on funding and need, projects may vary each year.

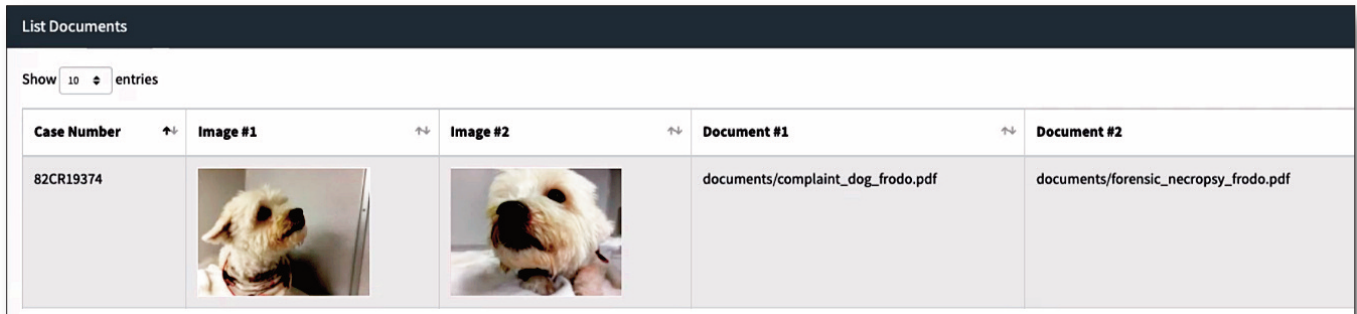
## PROGRAM GOALS AND ACCOMPLISHMENTS

### PROGRAM 1: Animal Cruelty Research

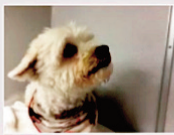

**GOAL:** To research animal cruelty cases and issues pertaining to crimes against animals, and provide credible Minnesota-specific data to the public, agencies, and organizations upon request.

#### 2021 Strategies and Actions

- **Animal Cruelty Databank** — An ongoing project for Animal Folks is the collection and maintenance of animal cruelty cases (convictions and dismissals) in Minnesota called the Animal Cruelty Databank. In 2021, thanks to the support of our donors, Animal Folks was able to format this data into a web-based system. This online structure will allow for more efficient coding of case details and related documents and to eventually allow access to this consolidated “animal cruelty case” data by the court system, including judges, prosecutors, and law enforcement. Page example below.



The screenshot shows a web interface titled "List Documents". At the top, there is a "Show 10 entries" dropdown menu. Below this is a table with the following columns: "Case Number", "Image #1", "Image #2", "Document #1", and "Document #2". The table contains one row of data for case number 82CR19374. The "Image #1" and "Image #2" columns contain photographs of a small, light-colored dog. The "Document #1" column contains the file path "documents/complaint\_dog\_frodo.pdf" and the "Document #2" column contains "documents/forensic\_necropsy\_frodo.pdf".

Case Number	Image #1	Image #2	Document #1	Document #2
82CR19374			documents/complaint_dog_frodo.pdf	documents/forensic_necropsy_frodo.pdf

### PROGRAM 2: Animal Law Resources

**GOAL:** To foster professionalism and competency by providing training, resources, and support to Minnesota authorities responsible for the enforcement of animal law.

#### 2021 Strategies and Actions

- **Animal Cruelty Training for Veterinary Students** — In 2021, Animal Folks continued providing animal cruelty training for senior veterinary students at the University of Minnesota. This is an ongoing partnership with the University. This training prepares students to become mandated reporters of animal cruelty once they are licensed.
- **Animal Cruelty Training for Veterinarians** — For the sixth year, Animal Folks presented animal cruelty training for veterinarians at the Minnesota Veterinary Medical Association Annual Meeting. Ann Olson, Executive Director of Animal Folks, and Dr. Rachel Touroo, ASPCA Senior Director of Veterinary Forensics were speakers for this training.

## PROGRAM 2: Animal Law Resources (continued)

- **Animal Cruelty Chapter: MN Judges Criminal Benchbook**

In 2021, the Animal Cruelty Chapter was published in the Minnesota Judges Criminal Benchbook by Minnesota CLE.

Animal Folks is excited this information is now available to the courts and prosecutors. Animal Folks convened a team of four authors to write this chapter:

- Judge Gordon Shumaker, Retired MN Court of Appeals Judge
- Reese Frederickson, Pine County Attorney
- Marianne Settano Shumaker, civil attorney (ret.)
- Ann Olson, Executive Director, Animal Folks

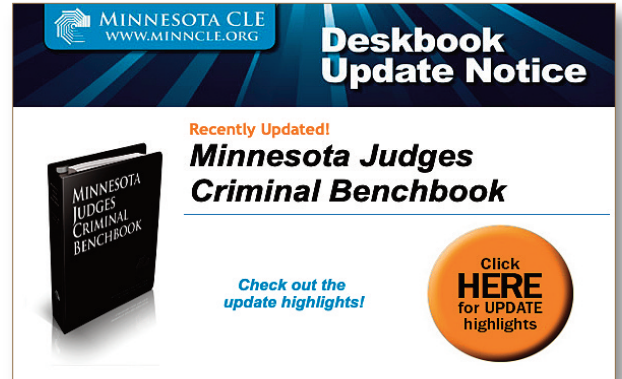
The Animal Cruelty Chapter focuses on Minnesota animal cruelty law and legal precedent.

Table of Contents includes:

- Minnesota Statutes Chapter 343: Definitions and Authorities
- Chapter 343: Charging Statutes; Penalties; Special Crimes
- Report of Animal Cruelty, Order for Investigation, Issuance of Search Warrant, and Disposal of Animals in Possession: Minn. Stat. sec. 343.22
- Animal Seizure and Disposition
- Selected Animal Cruelty Related Crimes and Topics
- Pre-Trial Issues
- Selected Issues in Animal Cruelty Trials
- Sentencing Issues
- Judicial Alert: Special Issues

Practice tips (example below), comments, related case law, and judicial considerations are also provided in the chapter to highlight or explain specific points of law. The authors will update this chapter each year, if needed.

Copies of the benchbook are available through Minnesota CLE.



### PRACTICE TIP

Minnesota Statutes section 343.21 subdivision 10 states that the court may consider any other cruelty related sentencing conditions not specifically listed in the section. The court should consider no ownership, custody, care (whether permanent or temporary), or control of any animals. The court could also consider prohibitions against employment at places that deal primarily with animals. Given the link between animal and human violence (*see infra* Section 2809.02), the court should also consider trauma assessments, trauma-informed services, or humane/empathy education for offenders.

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## PROGRAM 3: Legislative Action

**GOAL:** To lead and support state and local legislative efforts, including crafting of humane laws, lobbying, and advocacy, that protects animals and lays a foundation for systemic reform. *Creating or amending state and local laws can take years. Persistence is required; thanks for your support and involvement.*

### 2021 Strategies and Actions

- **State of Minnesota: Companion Animal Board (CAB) Bill** — In 2021, Animal Folks continued lobbying the Companion Animal Board bill during the Minnesota legislative session. The Companion Animal Board will provide the necessary expertise to lead and respond to companion animal welfare issues statewide. Extensive advocacy was also conducted during the session and interim months, gathering thousands of Minnesota residents and over 25 organizations in support. Efforts continued to the 2022 legislative session. Learn more: [www.mncab.org](http://www.mncab.org)
- **City of Blaine: Humane Pet Store Ordinance** — In 2021, Animal Folks, working with the “Go Humane, Blaine” coalition, lobbied the Blaine City Council to adopt a Humane Pet Store Ordinance. One of the largest pet stores that still buys from puppy mills is located in Blaine. Efforts continued to 2022. Learn more at: [www.gohumaneblaine.com](http://www.gohumaneblaine.com)
- **Winona County: Puppy Mill Initiative** — Working with residents in Winona County, Animal Folks launched a campaign in 2021 to ask the Winona County Board to ban further permitting of puppy mills in its county. Ann Olson, Executive Director of Animal Folks, testified before the county board multiple times. Animal Folks, with residents, also collected petitions in support of county action from hundreds of residents. These efforts continued to 2022. Learn more at: [www.speakupwinonacounty.org](http://www.speakupwinonacounty.org)



## PROGRAM 4: Outreach & Communication

**GOAL:** To educate the public on animal law and cruelty issues, and enhance communication and cooperation between various stakeholders involved in the enforcement of animal law.

### 2021 Strategies and Actions

- **MN Continuing Legal Education (CLE) conference** — A presentation about animal cruelty law was held on August 24, 2021 at the Minnesota Continuing Legal Education conference. Attended by legal professionals, the presentation was coordinated by Animal Folks and focused on the animal cruelty chapter added to the MN Judges Criminal Benchbook, published by MN CLE. The four authors who wrote the chapter were the speakers.
- **Animal Law Section, MN State Bar Association** — A presentation about the Animal Cruelty Chapter for the MN Judges Benchbook was held on October 26, 2021 to the Animal Law Section of the MN State Bar Association.



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## PROGRAM 5: Criminal and Civil Justice

**GOAL:** To report suspected or known animal cruelty (or related crimes against animals) and provide input to criminal and civil cases throughout the legal process.

### 2021 Strategies and Actions



**Moulton Chinchilla Ranch** — Complaints for animal maltreatment against Daniel Moulton, owner of Moulton Chinchilla Ranch, continued throughout 2021. Animal Folks had filed animal cruelty complaints against this facility in 2018 and 2019, showing violation of Minn. Statutes chapter 343; however, the Fillmore county attorney declined to charge.

Details of this case can be found at: [www.animalfolksmn.org/moulton.html](http://www.animalfolksmn.org/moulton.html)

The United States Department of Agriculture (USDA) had filed a complaint against this facility in 2018, citing multiple violations of the federal Animal Welfare Act for the period 2013-2017. Hearings for this federal complaint were held in 2021. Animal Folks obtained transcripts for the hearings held during two weeks.

Rupa Chilukuri, attorney with the Office of General Counsel at the USDA, stated during the 07-26-21 hearing: “Mr. Moulton’s failure to provide this adequate veterinary care has resulted in immense avoidable suffering by the chinchillas. Animals had protruding growths and swelling on their bodies. They had wounds and missing limbs...” USDA inspectors (excerpt below) also provided testimony describing conditions found at the facility.

On October 8, 2021, the administrative law judge ordered Moulton’s federal USDA license be revoked. Moulton was allowed to appeal but, months later (after filing extensions), chose not to appeal. No animals were confiscated.

The suffering of animals occurred in this breeding facility for years, illustrating why reform at local, state, and federal levels is critically needed for the protection of animals and proper enforcement of law.

It’s the only facility that I’ve had to stop an inspection for because the ammonia levels in the facility were so bad that my eyes burned and my lungs burned and I had to exit the facility to breathe because I was afraid I was going to pass out. So I’ve used that as a tool as well to train employees on. And it’s really one of the only facilities that I can think of that I’ve had bad dreams about afterwards. Specifically, one of the dead animals that I found at the facility one time kind of affected me hard and kind of gave me nightmares for a little while afterwards.

- Brenton Cox, USDA inspector, 07-27-21 testimony

## FINANCES

Animal Folks is proud to be a Charities Review Council Meets Standards® organization and a Gold Guidestar participant.



### STATEMENT – Fiscal Year 2021 — January 1, 2021 - December 31, 2021

#### Assets

Cash \$106,044

#### Liabilities

Accounts Payable \$1,158

#### Net Assets

Without Donor Restriction \$104,886

#### Support and Revenue

Individual Contributions \$96,726

In-kind Contributions \$73,365

Government Grants \$0

Corp/Fdtn Contributions \$60,137

**Total Support and Revenue \$230,228**

#### Expense

Program Services \$173,010

General/Admin \$15,811

Fundraising \$14,440

**Total Expenses \$206,261**

#### Program Services: Major Program Expenses

Animal Cruelty Research \$51,764

Criminal & Civil Justice \$16,269

Animal Law Resources \$65,074

Legislative Action \$25,113

Outreach & Education \$14,790

## GOVERNANCE

### Animal Folks: Board of Directors

Reese Frederickson

John Kingrey

Marianne Settano Shumaker

Rose Surma

Karen Lundquist

Ann Olson

Advisor: Kathy Zurcher

Advisor: Cynthia Erickson

### Our Team

Ann Olson, Founder and Executive Director

Arianna Pittman, Senior Researcher and Writer

Jessie Lyons, Administrative and Database Manager;

Animal Cruelty Databank, Project Manager

Karin Wells, Public Policy Coordinator

Brittany DeVito, Databank Researcher

Lena Atchan, Legislative Researcher

Mike Tincher, Design and Marketing

Jeff Moravec, Social Media

Tim Puffer, Fund Development

3M pro bono team: Ann Kulprathipanja Gallagher,

Heather Sumter, Deb Monturiol, Mycki Kosloski,

Kari Brunner, Sandra Nowak

## VALUES

Our actions are guided by our values:

Nonviolence, Respect, Ethics,

Credibility, and Innovation

## THANKS

Thank you to the talented volunteers,

advocates, and donors who support

Animal Folks and our work.