

Carmen M. Cusack

ANIMALS AND CRIMINAL JUSTICE

Carmen M. Cusack



Cover art courtesy of Susan White

Copyright © 2015 by Transaction Publishers, New Brunswick, New Jersey.

All rights reserved under International and Pan-American Copyright Conventions. No part of this book may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopy, recording, or any information storage and retrieval system, without prior permission in writing from the publisher. All inquiries should be addressed to Transaction Publishers, 10 Corporate Place South, Suite 102, Piscataway, New Jersey 08854. www. transactionpub.com

This book is printed on acid-free paper that meets the American National Standard for Permanence of Paper for Printed Library Materials.

Library of Congress Catalog Number: 2014045547

ISBN: 978-1-4128-5596-9

Printed in the United States of America

Library of Congress Cataloging-in-Publication Data

Cusack, Carmen M., author.

Animals and criminal justice / Carmen M. Cusack, J.D., Ph.D. pages cm

Includes bibliographical references and index.

ISBN 978-1-4128-5596-9

1. Animals--Law and legislation--United States. 2. Animal rights--United States. 3. Animal welfare--Law and legislation--United States. 4. Police dogs--United States. 5. Criminal justice, administration of--United States. 6. Animals--Law and legislation. 7. Animals in police work. I. Title.

KF390.5.A5C89 2015 345.73'0287--dc23

Contents

Intro	Introduction	
1	Introduction to Animals in Human Society	1
72: 	Introduction	1
	Interspecies Ethics	1
	Morality and Criminal Justice Policy	5
	Defining Interspecies Relationships: Civil and	
	Criminal Crossover	12
	Warehousing or Murdering: Between a Rock and a	
	Hard Place with Homeless Animals	15
	Holes, Loopholes, and Ends That Don't Meet:	
	Unaddressed Animal Issues in Criminal Justice	16
	Conclusion	17
	References	17
2	Violence as Entertainment	21
	Introduction	21
	Illegal Violence in Legal Entertainment	21
	Legal Violence as Entertainment	24
	Cockfighting	27
	Dogfighting	29
	Bullfighting	34
	Crusher Laws	36
	Rattlesnake Roundup	38
	Conclusion	40
	References	41
3	Animals, Religion, and Criminal Justice	47
	Introduction	47
	Religion and the Constitution	48

	Religion and Animals	49
	Food Regulation, Cruelty, and Religion	52
	Church of the Lukumi Babaluaye, Inc., et al. v.	52
	City of Hialeah	54
	Snake Handling	5 4
	Conclusion	62
	References	62
		02
4	Canine Officers, K-9s, and Criminal Justice	65
	Introduction	65
	Canine Officers	65
	Canines and the Constitution	69
	Criminal Justice Subculture and Canines	74
	Conclusion	77
	References	77
		**
5	Other Animal Employees	81
	Introduction	81
	Transportation Security Administration (TSA)	81
	Horses	83
	Dolphins, Sea Lions, and Pigeons in the Military	86
	Cats Helping Cops	88
	Conclusion	88
	References	89
	Astronomic and a second second	
6	Animals in Corrections and Rehabilitation	91
	Introduction	91
	The Premise behind Allowing Pets on the Premises	91
	Prison Pets and Policies	93
	Prison Pet Programs	95
	Therapeutic Pets Programs	97
	Conclusion	98
	References	98
7	Animal Mistreatment	101
	Introduction	101
	Abuse, Neglect, and Abandonment	101
	Species-Specific Protection	101
	Farm Animals	103
	Lab Animals	106
		100

	Companion Animals Wild Animals Entertainment Conclusion References	108 110 111 113 114
8	Service Animals in the Criminal Justice System Introduction Service Animals Service Animals in Court Service Animals in Prisons Conclusion References	117 117 117 118 120 121 121
9	Animal Control Introduction Seizure, Courts, and Animal Control Animal Control and Criminal Justice Animal Control and Private Organizations Animal Control Officers Conclusion References	123 123 123 125 127 128 130 130
10	Animal Welfarists Introduction Animal Welfare Movement Animal Welfare Organizations Animal Welfare and Free Speech Undercover Surveillance Animal Welfarists' Crimes Conclusion References	133 133 134 136 139 141 144 145
11	Animals in Emergencies Introduction Private Emergencies National Emergencies Local Crises Conclusion References	147 147 147 148 150 151

12	Relationships of Violence Introduction The Generalizability of Abuse Domestic Violence Conclusion References	153 153 153 154 156 157
13	Baaaaaad Animals Introduction History of Criminal Animals Rights and Responsibilities Conclusion References	159 159 159 162 163 164
14	Illegal Companionship between People and Animals Introduction Contraband in Prison Unauthorized Interactions Conclusion References	165 165 165 166 168 168
15	Exotic Animals Introduction Exotic Animals Exotic Pets Circuses and Zoos Conclusion References	171 171 171 173 176 179 179
16	Sexual Abuse of Animals Introduction The Case for Pleasure Bestiality Pornography and Animal Abuse Sexual Abuse and Meat Breeding Conclusion References	183 183 184 186 187 189 190

17	Multiple Animals	193
	Introduction	193
	Hoarding	193
	Puppy Mills	196
	Infestation	198
	Culling	201
	Conclusion	203
	References	203
18	Animals as Weapons	205
	Introduction	205
	Historical	205
	War	208
	In the Home	210
	Personal Weapons	212
	Conclusion	214
	References	214
19	Animals: Comparative Criminal Justice Systems	217
	Introduction	217
	In the Middle	217
	Leaders	218
	Lagging Behind	219
	Conclusion	220
	References	220
20	Extremes	223
	Introduction	223
	Cutting-Edge Technology	223
	Far-Fetched Defenses	224
	Food	225
	Conclusion	225
	References	226
21	Conclusion	227
Inde	Index	