



Austin Police Department

Animal Cruelty Unit

Detective Christian Esquivel

Detective Robert Escamilla

Specialist Alan Schwettmann

Introduction

- Austin Police Department Animal Cruelty Unit is currently comprised of 2 Detectives and 1 Civilian Cruelty Specialist.
- Detective Christian Esquivel
- Detective Robert Escamilla
- Specialist Alan Schwettmann
- The **Animal Cruelty Unit** was created in 2002 to better serve the citizens of Austin and the animals that exist within the City.
- The Animal Cruelty Unit is currently located at the AAC-Austin Animal Center, 7201 Levander Loop, Austin, Texas 78702, 512-974-2000.

Agenda

- The **Primary Mission** of the Animal Cruelty Unit is to investigate allegations and reports of cruelty, neglect, and illegal exploitation of domestic, feral, and wild animals within the jurisdictional boundaries of Austin.
- To establish rapport and bridge the gap with our community; to create a safe, and comfortable environment in which a communication interaction can take place.
- Enforce state and local laws, prepare Animal Cruelty and Neglect cases and work with the local County/District Attorney's office on animal cases.

Animal Cruelty vs. Animal Control

Animal Cruelty

- Under the Austin PD
- Made up of 2 police detectives and 1 civilian cruelty specialist
- File criminal warrants (all levels)
- Can file for search/seizure warrants

Animal Control

- Under Health & Human Services
- Made up of 20 civilian animal control officers
- Can only issue Class C citations
- File civil cases (dangerous/vicious dog)
- Handle loose dogs, bite cases, and rabies control

Austin Police Department Animal Cruelty Unit Yearly Statistics



- ~400 cases of animal cruelty investigated
- ~50 warrants filed
- Over 100 citations issued
- ~6 seizure warrants filed with 15+ animals removed by court order

Statistical facts

- Humane Society of the U.S. (HSUS) estimates that nearly 1 million animals a year are abused or killed in connection with domestic violence. People who abuse animals are five times more likely to commit violent crimes against domestic partners, children and others.
- Most common victims according to HSUS
 - 64.5 % (involved dogs)
 - 18 % (involved cats)
 - 25 % (involved other animals)

Texas Penal Code

Sec. 42.09 Cruelty to Livestock Animals

Sec. 42.092 Cruelty to Non Livestock Animals

Sec. 42.10 Dog Fighting

Sec. 42.105 Cock Fighting

Sec. 21.09 Bestiality (just added for 2018!)

Legislative Trends

50 states currently have felony provisions within their animal cruelty laws.

2018 Animal Legal Defense Fund animal protection laws rankings. Texas is #11.

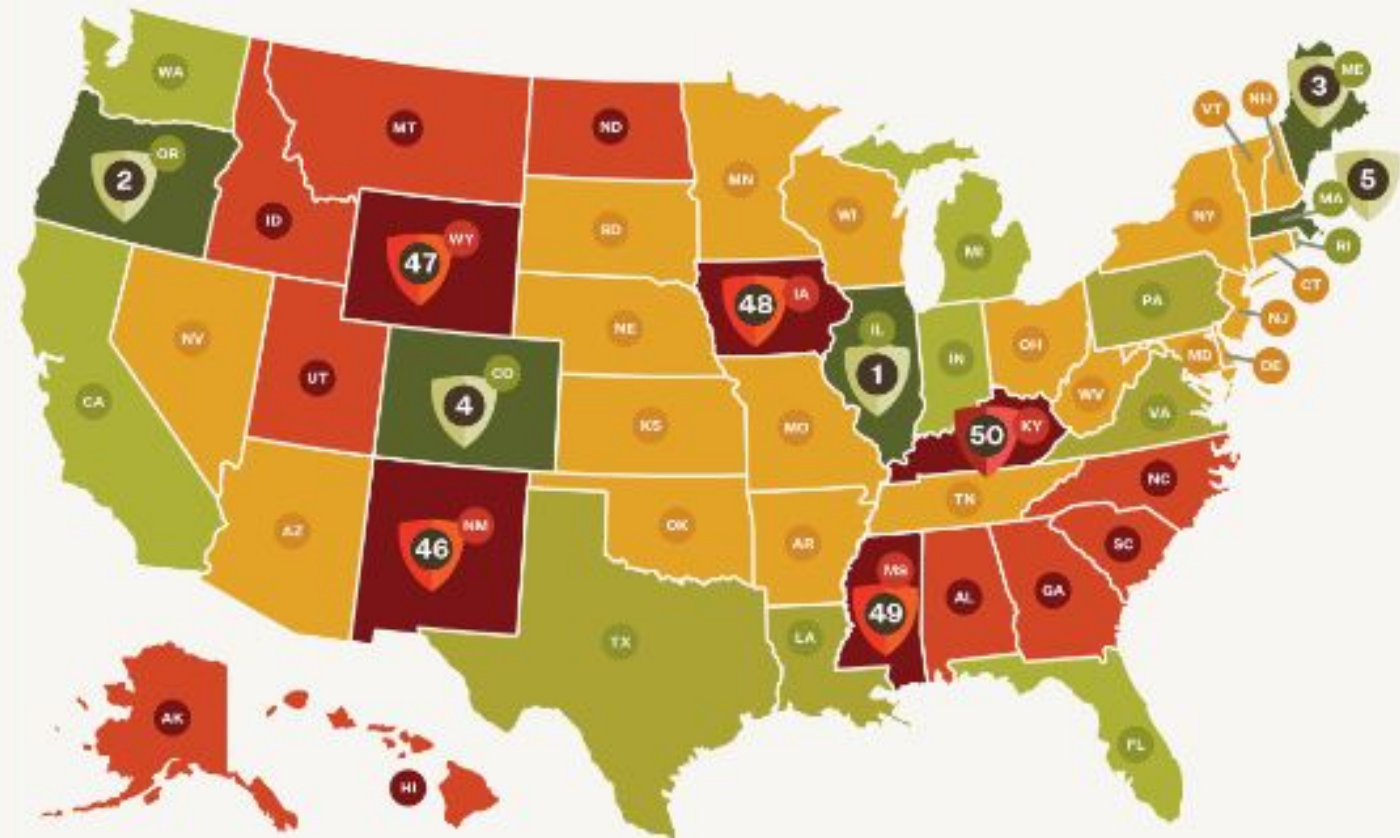
Health and Safety Code

Sec. 822.005 Attack by Dog

Austin City Code

Chapter 3-2 Restrictions on Animals

Chapter 3-3 Rabies Prevention



Penal Code Sec. 42.092

CRUELTY TO NONLIVESTOCK ANIMALS

In this section:

- **ABANDON** includes abandoning an animal in the person's custody without making reasonable arrangements for assumption of custody by another person.
- **ANIMAL** means a domesticated living creature, including any stray or feral cat or dog, and a wild living creature previously captured. The term does NOT include an uncaptured wild living creature or a livestock animal.
- **CRUEL MANNER** includes a manner that causes or permits unjustified or unwarranted pain or suffering.
- **CUSTODY** includes responsibility for the health, safety, and welfare of an animal subject to the person's care and control, regardless of ownership of the animal.
- **NECESSARY FOOD, WATER, CARE, OR SHELTER** includes food, water, care, or shelter provided to the extent required to maintain the animal in a state of good health.
- **TORTURE** includes any act that causes unjustifiable pain or suffering.

PENAL CODE 42.092

CRUELTY TO NONLIVESTOCK ANIMALS

A person commits an offense if the person intentionally, knowingly, or recklessly:

- tortures an animal or in a cruel manner kills or causes serious bodily injury to an animal (**3rd DEGREE FELONY**)
- without the owner's effective consent, kills, administers poison to, or causes serious bodily injury to an animal (**3rd DEGREE FELONY**)
- fails unreasonably to provide necessary food, water, care, or shelter for an animal in the person's custody (**MISD A**)
- abandons unreasonably an animal in the person's custody (**MISD A**)
- transports or confines an animal in a cruel manner (**MISD A**)
- without the owner's effective consent, causes bodily injury to an animal (**MISD A**)
- causes one animal to fight with another animal, if either animal is not a dog (**STATE JAIL FELONY**)
- uses a live animal as a lure in a dog race training or in dog coursing on a racetrack (**STATE JAIL FELONY**)
- seriously overworks an animal. (**MISD A**)

*****Felonies are enhanceable with 1 prior conviction. Misdemeanors with 2 prior convictions.*****

ATTACK BY DOG



A person commits an offense if the person is the owner of a dog and the person:

- with criminal negligence...**fails to secure the dog** and the dog makes an **unprovoked attack** on another person that occurs at a **location other than the owner's real property** ...that **causes serious bodily injury...or death to the other person** (3rd degree Felony if SBI, 2nd degree Felony if death)

Common City Ordinances We Enforce

(citations)

- Tethering
- Animals left in hot vehicles
- Clean water
- Shelter
- Proper Care
- Rabies Vaccinations



Our Success Stories

WARNING-The material that you are about to see is graphic, viewer discretion is advised.



Meet “Maxwell”

Maxwell was being fostered for a local rescue group and was found abandoned in a cage in a hotel room.



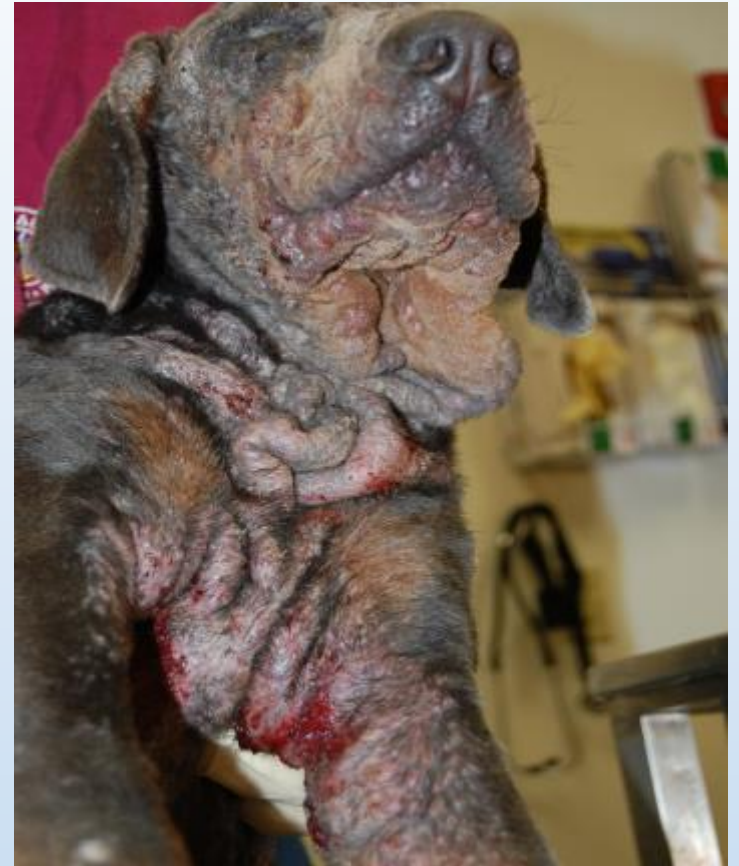
Maxwell's Recovery

Maxwell had to have an emergency blood transfusion to survive. He spent many months slowly recovering and gaining weight. He went from 31lbs to 70lbs.



Meet “Maddie”

Maddie is a Doberman that was just left in the backyard for over 6 months while her mange and health got worse and worse. She developed an eye infection in both eyes and went temporarily blind.



Maddie

Maddie was eventually owner surrendered and made a full recovery after many months of treatment. Felony Cruelty charges were filed.



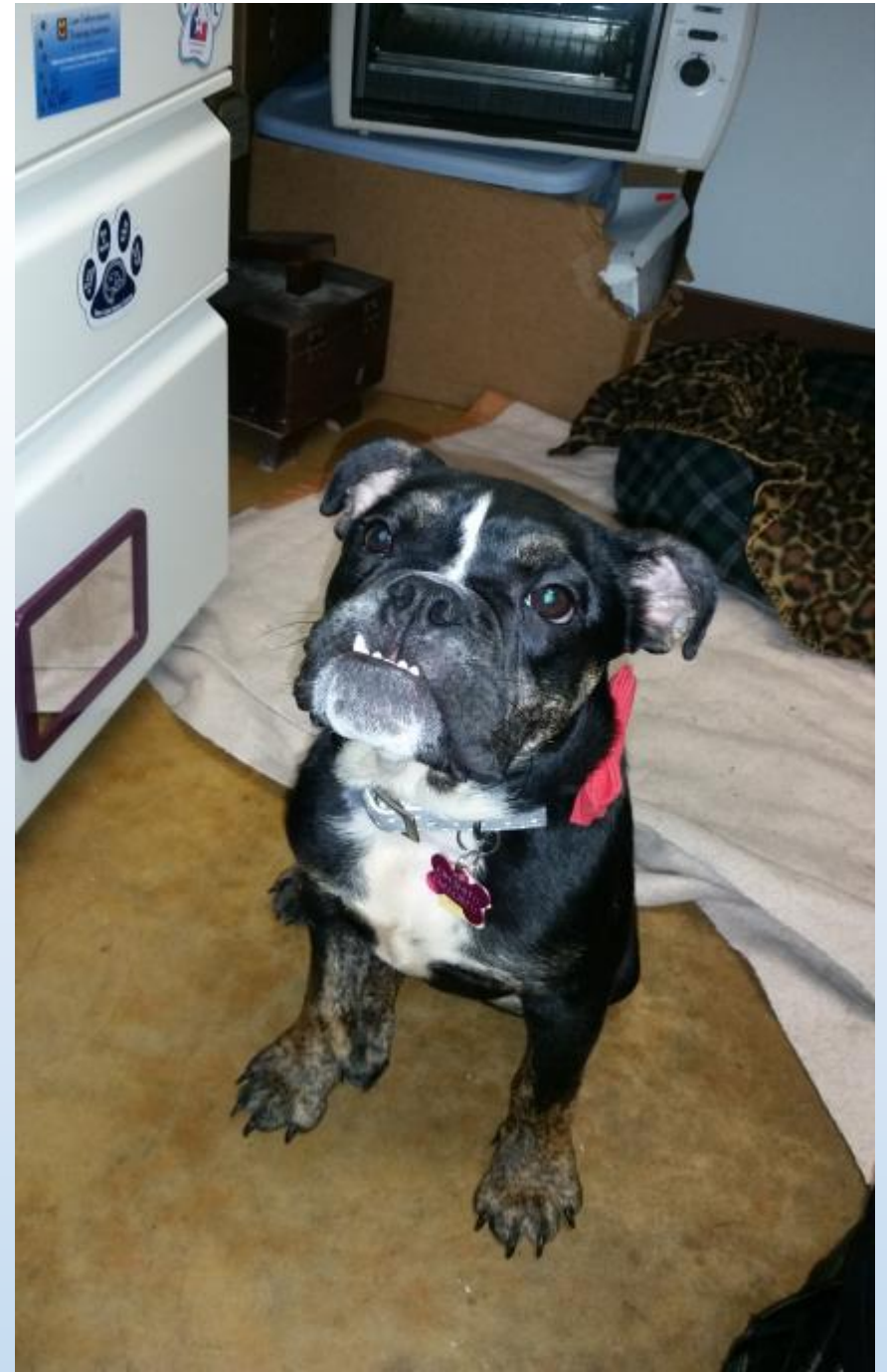
Meet “Sophie”

Sophie was abandoned in a cage on the side of the road and left for dead. Officers believed that Sophie was dead until they saw her barely breathing. She only weighed 9lbs.



Sophie

She is now fully recovered and weighs in at a very healthy 24lbs.
Her owners were never found.



Pennsylvania Ponies

3 miniature ponies were seized from the owner in 2013. All were malnourished and not receiving enough food. The ponies were actually eating rocks in the yard.



Pennsylvania Ponies



Ginger the cat

Ginger was thrown off a 3rd floor apartment balcony and lived.
Owner charged with 3rd Degree Felony.



Abandonments (this is Zeus)

Zeus was found tied up just as photo depicts.



Abandonments (cont'd)

Zeus was taken to shelter and recognized by staff as just having been there with owners attempting to surrender him.



Animal Hoarders

They tend to acquire a large number of animals and are unable to properly care for them all.



Animal Hoarders

Conditions inside these homes are usually horrendous.

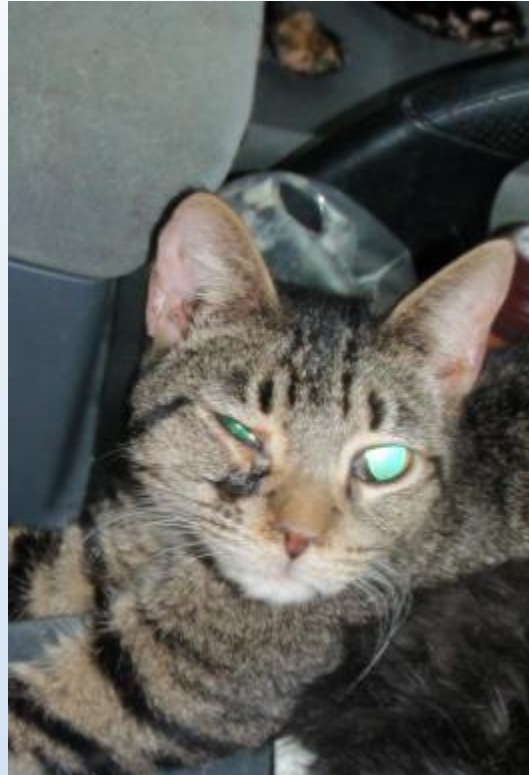


Animal Hoarders



Animal Hoarders

Most animals are stressed and sick and not receiving proper care.



How can I help??

- Call 911 if an emergency
- Call 311
- Report it thru the APD mobile app
- Take photos/video if possible

•**DO NOT** attempt to remove any animals.



“Our prime purpose in this life is to help others. And if you can’t help them, at least don’t hurt them.”

~ Dalai Lama

Any Questions...



Closing Thoughts

Animal Cruelty is a big problem

Animal cruelty can indicate other illegal activity, domestic abuse, and mental illness.

Report animal cruelty, abuse or neglect but be sensible and do not place yourself in harms way.

Many of us adore our beloved pets and would never want to inflict any harm on them.

YOU can be the difference in the lives of people and animals.