

Cruelty to Animals

NRS Chapter 574.100

Nevada's Felony Animal Cruelty Statute to Include Other Species in Addition to Companion Animals

Current:

NRS 574.100 Nevada's General Animal Cruelty Statute:

1. A person shall not:
 - (a) torture or unjustifiably maim, mutilate or kill:
 - (1) An animal kept for companionship or pleasure, whether belonging to the person or to another; or
 - (2) Any cat or dog;
 - (b) Except as otherwise provided in paragraph (a), overdrive, overload, torture, cruelly beat or unjustifiably injure, maim, mutilate or kill an animal, whether belonging to the person or to another;

Purpose:

To protect dogs, cats and other companion animals from torture and unjustifiable harm, in addition to covering less egregious examples of animal cruelty such as overdriving, overloading, cruel beatings and unjustifiable injury.

Proposed legislative action revision to 574.100:

1. A person shall not:
 - (a) Torture or unjustifiably maim, mutilate or kill an animal;
 - (b) Except as otherwise provided in paragraph (a), overdrive, overload, cruelly treat or unjustifiably injure an animal, whether belonging to the person or not;

Support:

- It is suggested that 1(a) should be Nevada's law on seriously hurting or killing animals purely for fun, and Part 1(b) should be Nevada's law on other acts of generic abuse (i.e. those motivated by something other than fun -- beating a dog out of anger, putting too heavy a load on a packhorse to save money, etc.).
- People who seriously hurt or kill dogs, cats, or other pets for fun can face felony charges, as they do now.
- People who engage in other acts of generic abuse (i.e. those motivated by something other than fun, such as beating a dog out of anger, placing too heavy a load on a packhorse to save money, etc.) can face felony charges, as they do now.
- People who seriously hurt or kill any other animal for fun can face felony charges, such as in the case of someone displaying serious signs of engaging in antisocial violence towards animals, other than what is recognized as legitimate hunting.
- This section does not apply to lawful activities authorized by NRS-hunting statute/rules or accepted agriculture practice under NRS-ag statute. Hunting remains legal, and any animal currently eligible for hunting remains so. The only things that change are the particularly egregious behaviors that hunters would not identify with and do not consider to be legitimate anyway. Under this model, if someone wants to shoot cottontail rabbits for food, or just because they think hunting is fun, they can. What they cannot do is torture rabbits for fun and then face, at most, misdemeanor charges.
- Animal abuse covers a range of offenses from neglect to torture; it is occurring throughout the country and is often a precursory crime, already present in domestic violence, narcotics trafficking and other violent crimes against humans.
- Animal abuse is one leg of the "serial killer triad" and considered a gateway crime by the FBI and psychologists.
- Las Vegas has a high rate for domestic violence and has been ranked among the top 5 states over the last 14 years.

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**SUPPORTIVE DOCUMENTATION
EXPANDING FELONY ANIMAL CRUELTY STATUTE
81st SESSION OF THE NEVADA LEGISLATURE**

Several years ago, a Boulder City man (Devon Yslas) intentionally trapped, tortured, mutilated and killed cottontail rabbits. The chilling story and gruesome photos were shared by Channel 13's Darcy Spears (<https://bouldercityreview.com/news/man-penalized-for-killing-rabbits/>). The perpetrator's crime was treated as a misdemeanor because the rabbits were not protected by our current felony animal cruelty statute. This individual made disturbing statements, indicating probable mental health issues, posing a danger to the community at large. He later threatened the prosecutor, which caused the judge to render a harsher penalty.

He was later described as a "ticking time bomb" and new revelations elicited the comments of Doug Nielsen from the Nevada Department of wildlife, who said, "We don't like to hear those things. There is what we call a 'thrill kill.' Some people just go out and basically it's a wanton destruction of wildlife in a heinous method."

<https://www.ktnv.com/news/investigations/wild-animal-killer-now-behind-bars>

According to law enforcement professionals, people who mutilate, injure or kill animals are repeat offenders who also have the propensity to abuse women and children and move on to more violent crimes. Studies have shown that animal abusers are five times more likely to commit violence against people and four times more likely to commit property crimes. The FBI acknowledges that violence against animals is often a precursor to violence against humans and now tracks animal cruelty crimes as part of its NIBRS. Felony convictions would put perpetrators on law enforcement's radar.

It is significant to note that states that have stronger animal cruelty laws and actively enforce them have lower overall crime rates. The enforcement of strong laws does more than protect animals from abusers – it also protects people.

Egregious actions against animals, such as those mentioned above, go so far as to make hunters look bad as they are not related to food or sport hunting; thus, ethical sportsmen prefer to be distinguished from sociopathic behavior and will not support wanton destruction.

Links to researched references:

<https://cops.usdoj.gov/RIC/Publications/cops-w0867-pub.pdf>

<https://www.humanesociety.org/resources/animal-cruelty-facts-and-stats>

<https://www.humanesociety.org/resources/animal-cruelty-and-human-violence-faq>

<https://www.sheriffs.org/programs/national-law-enforcement-center-animal-abuse>

<https://ndaa.org/wp-content/uploads/The-Link-Monograph-2014-3.pdf>