



# Redefining Animal Cruelty Responses Through Restorative Justice

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CRIMINAL JUSTICE REFORM CLINIC AT LEWIS & CLARK LAW SCHOOL

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# Disclaimers, Scope, and Roadmap

- ▶ I'm not an RJ practitioner/facilitator
- ▶ Scope: introduction to RJ
- ▶ Roadmap:
  - ▶ General discussion of current criminal legal system
  - ▶ General discussion of current responses in animal cruelty cases
  - ▶ Introduce RJ
  - ▶ RJ as an intervention in cruelty cases
  - ▶ RJ critiques
  - ▶ Importance of RJ and potential impacts



# U.S. Criminal Legal System

- ▶ We lead the world in incarceration rates
- ▶ How did we get here?
- ▶ Mass incarceration doesn't touch communities equally
- ▶ Collateral consequences of incarceration/having a criminal record
- ▶ Some focus on back-end defense work, but not as much on front-end prevention

# Current Responses in Animal Cruelty Cases

- ▶ “Successful” outcomes in animal cruelty cases
- ▶ Vocabulary
- ▶ Very few interventions currently being utilized

Jackson Heights woman gets slap on the wrist for animal cruelty and assault charges: DA


 By Emily Davenport

 0 comments Posted on October 25, 2019

## UPDATE: Hunters Who Tortured Deer Receive Slap on the Wrist

June 4, 2020 - Posted by Staff

## Man Seen Strangling Dog in Viral Video Given Proverbial Slap on the Wrist

 By Brandy Arnold

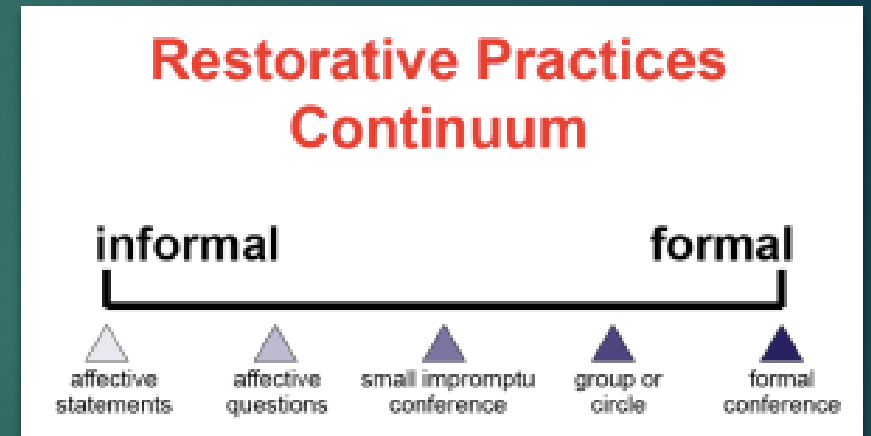
Posted on Aug 4, 2021

<https://www.idausa.org/campaign/wild-animals-and-habitats/latest-news/update-hunters-who-tortured-deer-receive-slap-on-the-wrist/>  
<https://qns.com/2019/10/jackson-heights-woman-gets-slap-on-the-wrist-for-animal-cruelty-and-assault-charges-da/>  
<https://www.dogingtonpost.com/man-seen-strangling-dog-in-viral-video-given-proverbial-slap-on-the-wrist/>



# Restorative Justice

- ▶ Definitions vary, especially based on the context
- ▶ Important note: RJ vocabulary
- ▶ Restorative justice is a process where offenders take responsibility for their actions, understand the harm they have caused to the victim, repair the damage caused, and—as much as possible—restore the well-being of the victim. This is all done while centering the victim's experiences and pain.




# RJ Critiques

- ▶ Lack of data
- ▶ It's "new"
- ▶ All parties must agree
- ▶ Individualized harm
- ▶ Defendant's rights
- ▶ Lack of knowledge/use among attorneys
- ▶ Can we apply this to animal cruelty cases?



# Importance of RJ and Potential Impacts for Animal Cruelty Cases

- ▶ “Property” vs. “Victim”
- ▶ Focusing on harm, impetus of harm, and preventing future harm
- ▶ Redefining accountability
- ▶ Opportunities for collaboration
- ▶ Solving problems



Questions? Thank you!

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