

ANIMAL HOARDERS:

SENTENCING INTRACTABLE OFFENDERS

THREE TYPES OF HOARDERS

- OVERWHELMED CAREGIVERS
- RESCUE HOARDERS*****
- EXPLOITERS (BREEDERS/PUPPY MILLS)

TELL ME YOUR PROBLEMS WITH SENTENCING

JUSTICE REINVESTMENT?

SENTENCING GUIDELINES?

RISK ASSESSMENTS?

JUDGES' ATTITUDES?

THE CHALLENGES

- LACK OF CERTAINTY ABOUT CAUSES OF BEHAVIOR
- STATUTES CALL FOR EVALUATION AND TREATMENT, BUT
- NO PROVEN TREATMENT
- RECIDIVISM RATE

WHY THESE DEFENDANTS ARE DIFFERENT

- STANDARDIZED RISK ASSESSMENTS MAY NOT BE HELPFUL BECAUSE OF LACK OF CRIMINAL HISTORY
- INDICATIONS OF MENTAL ILLNESS BUT DEFENDANT IN DENIAL
- DEFENDANT PROFILE: JUDGES HESITATE TO USE ULTIMATE SANCTION OF JAIL
- JUDGES GIVE UP WHEN CONFRONTED WITH NONCOMPLIANCE
- INSTEAD OF TYPICAL ENFORCEMENT OF CONDITIONS

MEDICALIZATION OF ANIMAL CRUELTY?

- RHODE ISLAND ADVOCATES OPPOSE ANIMAL HOARDING LEGISLATION ON GROUND OF CRIMINALIZING MENTAL ILLNESS
- DEFENDANTS UNWILLING TO RAISE CRIMINAL RESPONSIBILITY YET ATTORNEYS USE MENTAL ILLNESS AS MITIGATION – OR JUDGES INFER IT

THE DR. NEWHART THERAPY REGIME

“JUST STOP IT”

IS THE DEFENDANT MAD, SAD, OR JUST BAD?

- DISCERNMENT – GET A GOOD EVALUATION
- DISTINGUISH BETWEEN MENTAL ILLNESS AND ANTI-SOCIAL BEHAVIOR: IS AXIS II SHINING THROUGH? – LIES & MANIPULATION

MENTAL DISORDERS

- THOUGHT DISORDERS: DELUSIONAL DISORDER
- MOOD DISORDERS: ANXIETY AND DEPRESSION
- PERSONALITY DISORDERS AND ANTI-SOCIAL TRAITS
- ATTACHMENT ISSUES
- CO-MORBIDITY; DEMENTIA
- IS THE DEFENDANT COMPETENT AT EVERY STAGE OF PROCEEDINGS?
- ANIMAL HOARDING IS A BEHAVIOR – NOT A DIAGNOSIS!!!!!!

BORROW BEST PRACTICES FROM PROBLEM SOLVING COURTS

- ASSESSMENT/EVALUATION AND TREATMENT PLAN
- ASSEMBLE A TEAM: TRY TO RECRUIT JUDGE TO JOIN
- FREQUENT REPORTING TO PROBATION AGENT
- STATUS CONFERENCES
- COMPLIANCE MONITORING OF ANIMAL BAN AND MENTAL HEALTH TREATMENT AND REPORTS TO COURT

GRADUATED SANCTIONS

- FILE VOP NOTICE FOR NON-COMPLIANCE
- RESPOND AS APPROPRIATE: HARM REDUCTION V. ZERO TOLERANCE?
- INCREASE FREQUENCY OF REPORTING TO AGENT, STATUS CONFERENCES WITH COURT IF DEFENDANT IS NON-CO-COMPLIANT
- COURTROOM SANCTIONS
- VOP WARRANT: JAIL SANCTION

ANIMAL HOARDING: ONE JUDGE'S PERSPECTIVE

WHAT IS ANIMAL HOARDING?

WHO HOARDS ANIMALS?

THE PSYCHOLOGY OF RESCUE HOARDING/WHY DO PEOPLE HOARD ANIMALS?

IS THE DEFENDANT COMPETENT TO STAND TRIAL AND CRIMINALLY RESPONSIBLE?

ISSUES FOR TRIAL

UPON CONVICTION/A PATH FORWARD

