



DIANNE JACOB
SUPERVISOR, SECOND DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS

AGENDA ITEM

DATE: May 1, 2012

##

TO: Board of Supervisors

SUBJECT: SUPPORT FOR SENATE BILL 1145 (EMMERSON): INCREASE CRIMINAL PENALTIES FOR HOSTS AND SPECTATORS OF ANIMAL FIGHTS AND POSSESSION OF COCKFIGHTING IMPLEMENTS (DISTRICT: 2)

SUMMARY:

Overview

On February 21, 2012, Senator Emmerson introduced Senate Bill 1145, which seeks to increase the fine for individuals who permit, aid or cause an animal fight on their premises from \$5,000 to \$10,000. This bill would also increase the fine for spectators who are knowingly present or preparing for an animal fighting exhibition from \$1,000 to \$5,000. Further, the bill includes that anyone in possession of cockfighting paraphernalia, such as gaffs and slashers, could be subjected to an increased fine of \$10,000.

The County of San Diego's 2012 Legislative Program provides authority to support legislation that increases the criminal penalties for spectators and breeders involved in animal fights but does not currently provide direction for the County to advocate for increasing criminal penalties for individuals who host such events.

Today's action would register this Board of Supervisors' support for SB 1145 and add to the County Legislative Program support for increasing criminal penalties for hosts and spectators of animal fighting exhibitions and those in possession of cockfighting paraphernalia.

Recommendation(s)

SUPERVISOR JACOB

1. Direct the Chief Administrative Officer (CAO) to draft a letter expressing this Board of Supervisors' support for Senate Bill 1145 to San Diego County's legislative representatives in Sacramento and to the appropriate members of the State Legislature and Administration.
2. Direct the CAO to include support in the County's Legislative Program for state or

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federal legislative efforts that would increase criminal penalties for any individual who hosts, permits, aids, or causes an animal fight on their premises.

3. Direct the CAO to include support in the County’s Legislative Program for state or federal legislative efforts that would increase criminal penalties for any individual who is found to be in possession of cockfighting paraphernalia. |

Fiscal Impact

N/A

Business Impact Statement

N/A

Advisory Board Statement

N/A

BACKGROUND:

Senate Bill 1145 (SB 1145) seeks to increase the fine for individuals who permit, aid or cause an animal fight on their premises from \$5,000 to \$10,000 and would also increase the fine for spectators who are knowingly present or preparing for an animal fighting exhibition from \$1,000 to \$5,000. Additionally, for individuals who possess cockfighting implements, such as gaffs or slashers, this bill seeks to increase the fine from \$5,000 to \$10,000.

In California, cockfighting is a misdemeanor for the first offense and a felony for a second offense. In the nearby states of Oregon and Arizona, cockfighting is considered a felony on a first offense. San Diego is one of the top five counties, along with Los Angeles, Riverside, San Bernardino and Fresno, that have the highest number of cockfighting incidents involving a law enforcement response. Since January 2008, there have been more than 100 major cockfighting busts in 35 counties involving more than 20,000 live or dead birds.

Illegal animal fighting is a brutal enterprise, constitutes animal cruelty and is associated with a number of other illicit activities that are threats to public safety, including gangs, drugs, and gambling. SB 1145 will help law enforcement hold animal fighting enthusiasts accountable and further deter this heinous activity by eliminating the financial benefits associated with the gambling that takes place at these fights. This Board of Supervisors has made it clear that public safety is a top priority for our county and people who host and participate in exhibitions of animal fighting should be on notice that we will continue to actively pursue federal, state, and local enforcement tools to put a stop to this.

On May 10, 2011, I brought forward a request for the Board of Supervisors to register support for SB 425 (Calderon), a measure relating to cruelty towards animals. This passed unanimously and directed the County Office of Strategy and Intergovernmental Affairs to include support in the County’s Legislative Program for state or federal legislative efforts that would increase the

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penalty to a felony for owning, keeping, possessing or training any bird or dog with the intent that such an animal shall be engaged in an exhibition of fighting. This action further included in the Legislative Program support for state or federal legislative efforts that would increase the penalty for any spectator, including minors, who visit or attend an exhibition of animal fighting from misdemeanor to a felony.

The County of San Diego's 2012 Legislative Program provides direction to support legislation that increases the criminal penalties for spectators and breeders involved in animal fights but does not currently provide direction for the County to advocate for increasing criminal and financial penalties for individuals who host such events.

Today's action would register this Board of Supervisors' support for SB 1145 and for increasing criminal penalties for hosts and spectators of animal fighting exhibitions and those in possession of cockfighting paraphernalia and add this direction to the County Legislative Program.

I strongly urge your support.

Linkage to the County of San Diego Strategic Plan

N/A

Respectfully submitted,

DIANNE JACOB
Supervisor, Second District

ATTACHMENT(S)

N/A

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AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: Yes No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED

 Yes No

PREVIOUS RELEVANT BOARD ACTIONS:

N/A

BOARD POLICIES APPLICABLE:

N/A

BOARD POLICY STATEMENTS:

N/A

MANDATORY COMPLIANCE:

N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION
NUMBER(S):**

N/A

ORIGINATING DEPARTMENT: District 2, Board of Supervisors

OTHER CONCURRENCE(S): N/A

CONTACT PERSON(S):

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