

ANIMAL CRUELTY CRIME STATISTICS:

Findings from a Survey of State Uniform Crime Reporting Programs

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Spring 2012

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INTRODUCTION

Animal cruelty is a crime throughout the United States, and certain forms of animal cruelty are felonies in 47 states, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands. The connection between animal cruelty and other forms of violence is well established (Ascione, 2001; Vaughn, et al., 2009; Walton-Moss, et al., 2005). Taken together, these facts support the need to include animal cruelty data in national crime statistics. In 2003, an effort began to have the Federal Bureau of Investigation (FBI) collect and code animal cruelty crimes as part of its Uniform Crime Reporting Program (UCR). The motivation for this change is two-fold. First, obtaining animal cruelty data would allow for annual estimates as well as identification of trends over time. Second, these data would be available to researchers, policymakers, and other stakeholders to promote a better understanding of animal cruelty and develop evidence-based policy.

At first, this effort sought to obtain a legislative remedy compelling the collection of animal cruelty data. After a series of exchanges with the FBI, staff from the Animal Welfare Institute (AWI) met with personnel from the FBI's Criminal Justice Information Services (CJIS) to discuss the dimensions of this proposal. One issue that arose from these meetings was a lack of knowledge regarding what, if any, animal cruelty data were being collected by state UCR programs. To better understand the collection of animal cruelty data as well as interest among state UCR programs in such data, AWI, with consultant Dr. Lynn Addington of American University, surveyed members of the Association of State Uniform Crime Reporting Programs (ASUCRP). This report discusses the findings from that survey.

¹ We greatly appreciate the help of Dr. Lori Kogan (Colorado State University) for her assistance with the online survey resources and Nancy Blaney (AWI) for her work in developing the survey instrument and reviewing this report.

BACKGROUND

The effects of animal cruelty reach beyond the initial animal victims of these incidents. Accumulating empirical evidence is demonstrating a strong association between animal cruelty and other crimes, including interpersonal violence, illegal possession of drugs and guns, and property destruction (Ascione, 2001; Ascione et al., 2007; Vaughn et al., 2009). Moreover, participation in animal cruelty in childhood is a significant marker for the development of aggressive and anti-social behavior (Merz-Perez & Heide, 2003; personal communication with R. Loeber by M. Randour, June 24, 2004), as well as a predictor of individuals who might engage in domestic violence (Walton-Moss et al., 2005).

This relationship between animal cruelty and other forms of violence has not gone unnoticed by policymakers and law enforcement. Over the past 20 years, nearly every state has enacted felony-level animal cruelty laws in what has been a dramatic change in how these crimes are viewed. In the 1800s, only three states had elevated certain acts of animal abuse to felonies—Massachusetts (1804), Oklahoma (1887) and Rhode Island (1896). Nearly 100 years later, in 1990, that number had increased by only another three: Wisconsin (1986), California (1988), and Florida (1989). Today only three states – Idaho, North Dakota and South Dakota – do not have felony level provisions in their animal cruelty statutes. Forty-seven states do, as well as the District of Columbia, Guam, the US Virgin Islands, and Puerto Rico.

Given the association of animal cruelty with other forms of violence and the codification of some of these crimes as felonies, a need exists for data both to measure the amount of animal cruelty and to identify these incidents as crimes that come to the attention of law enforcement and the criminal justice system. One important source of national crime data is the FBI's UCR. The UCR collects crime data from state and local law enforcement agencies using two systems. Its traditional system has been in operation since 1930 and is known as the "summary system." Here, aggregate data are collected on eight Index (or Part I) offenses for crimes known to police², and for 21 others only when an arrest is made. Since the 1990s, the UCR has started to shift to an incident-based reporting system known as NIBRS, or the National Incident-Based Reporting System. NIBRS collects data for 46 Group A offenses, which are crimes known to police, and 11 Group B offenses, which are reported only when an arrest is made. As compared to the summary system, NIBRS has expanded both the number of crimes from which data are collected as well as the specific incident information gathered. The incident information includes victim, offender and arrestee demographics, incident details regarding weapons, items taken, and injuries incurred, and any arrest details.

² The eight Index/Part I offenses include murder and non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson.

Currently the UCR does not collect identifiable animal cruelty data under either the summary or NIBRS data collection system. Law enforcement agencies can report these offenses under a catchall category such as Part II “All Other Offenses” (under the summary system) or Group B 90Z “All Other Offenses” (under NIBRS). Once submitted to the FBI in an “All Other Offenses” catchall category, offenses such as animal cruelty crimes cannot be identified for analysis. The “All Other Offenses” category also is limited since it only captures crimes for which arrests have been made.

The omission of animal cruelty offenses in the UCR does not come from the FBI’s failure to appreciate the importance of collecting data on these crimes. The FBI is aware of the advantages of collecting animal cruelty crime data to generate annual estimates and trends as well as to permit analysis by law enforcement and others. An FBI Report to Congress noted that “distinguishing animal cruelty offenses would enrich the NIBRS database and provide law enforcement and data users the opportunity to have disaggregated data about these crimes” (FBI, 2005, p. 6). Additionally, the FBI noted, “[c]onsidering that a felony conviction for cruelty to animals is a disqualifier for prospective volunteers for vulnerable populations under the PROTECT Act, specifying offense of cruelty to animals in the NIBRS will provide law enforcement with vital information.” (FBI, 2005, p. 6).

Three main obstacles to adding animal cruelty to the UCR data collection are technical challenges, costs, and acceptance by local police agencies. The technical challenges concern adding the additional data elements on the collection forms and computer programs (for both the FBI and state/local law enforcement agencies) as well as developing ways to retrieve this new information (for the state/local law enforcement agencies). Developing a uniform definition of “animal cruelty” for the UCR, changing the requisite forms and electronic formatting, and training local police agencies on the change would involve added costs. Acceptance by state UCR programs and law enforcement agencies is critical to the success of this data collection effort. Since the UCR system is voluntary, any changes must be accepted by the police agencies that contribute the data. Without the support of state and local law enforcement agencies, any change would be ineffective.

Information about current state practices and views would help assess the degree to which these three issues are obstacles and identify ways to overcome them. The most important piece of information is the extent to which states already collect animal cruelty crime data either separately or as part of the “All Other Offenses” data. Little is known with regard to individual state practices. If states already engage in this data collection, it would minimize the technical challenges and cost (at the state level) and promote support of collecting animal cruelty data on a national level. In

In addition, little is known about state interest in collecting animal cruelty crime data, whether or not they do already. If states support the collection of animal cruelty data, that would promote the success of adding animal cruelty crimes to the UCR as well as enhance the quality of the data collected. To explore the issues in order to inform the FBI and the decision to include animal cruelty crimes in the UCR, our team (Mary Lou Randour and Nancy Blaney from AWI along with Dr. Addington) conducted a survey of the state UCR Programs.

ASSOCIATION OF STATE UNIFORM CRIME REPORTING PROGRAMS SURVEY METHODS

To understand how animal cruelty data are collected at the state level, we conducted a short online survey of all state UCR Program Managers. The survey focused on assessing the extent to which states receive animal cruelty data as part of their UCR data collection, the form in which they receive these data, and how this information is reported to the FBI. We worked through the ASUCRP, which is the national association for the program managers. The ASUCRP president sent members an introductory email about the survey. The ASUCRP then distributed a link to our web-based survey to its listserv members, who include representatives from all 50 states' UCR Programs. To encourage participation, we sent follow-up email reminders. We received responses from 28 of 50 states for an overall response rate of 56 percent. The response rate was higher among NIBRS-certified states.³ Over two-thirds of NIBRS-certified states responded to the survey. Based on our survey responses, we conducted follow up telephone interviews to obtain additional details from those states that indicated they collect animal cruelty data as part of their state's UCR Program and that can be separately identified from other crimes.

ASUCRP SURVEY RESULTS

We initially asked whether the state receives information about animal cruelty crimes. If the responding state did collect animal cruelty data, we asked a series of questions regarding how that information is received (summary or incident-based) and when it is collected (upon a report or upon an arrest). We asked if the state could identify animal cruelty offenses in their data. Finally we asked whether collecting information on animal cruelty as part of the UCR would be useful to them. A copy of this survey appears in Appendix A.

³ In order to submit their UCR data to the FBI in NIBRS format, states must be certified to do so. The certification process ensures that the state can meet the technical and accuracy requirements established by the FBI.

HOW DATA ARE RECEIVED

Of the 28 states responding to the survey, 18 reported that they receive information about animal cruelty (*Chart 1*).

Over 83 percent of the states that obtain information about animal cruelty crimes receive those data as part of their incident-based reporting system. As shown in *Chart 2*, 61 percent (11 states) receive the information solely in NIBRS,⁴ 22 percent (4 states) receive the data in NIBRS and Summary UCR formats, and 17 percent (3 states) receiving the data only in Summary UCR format.

AGENCIES THAT REPORT ANIMAL CRUELTY CRIME DATA

Of the 18 states that receive animal cruelty data, about two-thirds (11 states) receive this information from state-level agencies as well as county or local law enforcement (*Chart 3*). The other states receive animal cruelty data only from county or local law enforcement agencies.

STAGE WHEN ANIMAL CRUELTY DATA ARE REPORTED

For the 18 states that receive animal cruelty data, about two-thirds (11) receive information about these incidents only when there is an arrest for either a felony or misdemeanor animal cruelty offense (*Chart 4, see page 6*). The other 7 states collect this information when there is either a report or an arrest. One of these 7 states receives information only about felonious animal cruelty; the other 6 receive information for both misdemeanors and felonies.

⁴This number includes one state that collects incident-based crime data from several of its law enforcement agencies, but is not NIBRS-certified.

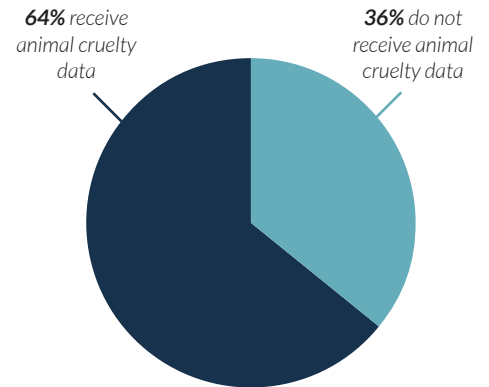


Chart 1
States That Receive Animal Cruelty Crime Data

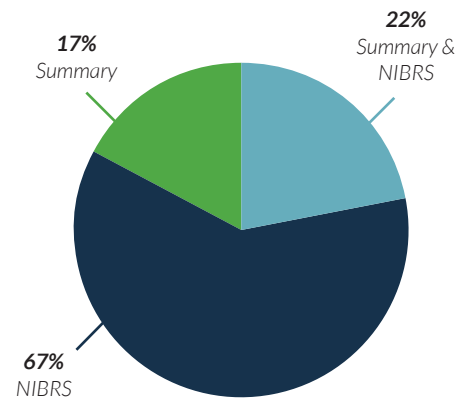


Chart 2
How States Receive Animal Cruelty Crime Data

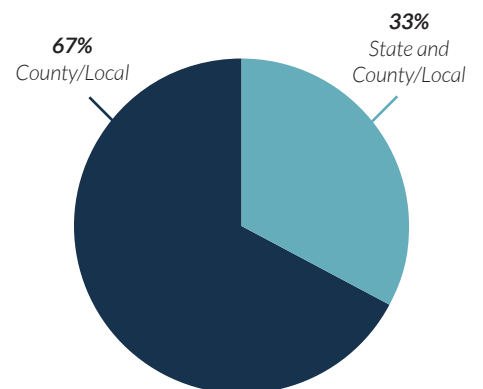


Chart 3
Agencies Reporting Animal Cruelty Crime Data

ABILITY TO SEPARATELY IDENTIFY ANIMAL CRUELTY CRIMES

As Chart 5 illustrates, animal cruelty incidents are most commonly included with other crimes (for example, as part of a Group B “All Other Offenses” designation under NIBRS). Over 83 percent (15 states) indicated that their animal cruelty offenses are reported with other crimes. Within this group, 3 states indicated that they could identify animal cruelty offenses within this group of offenses. An additional 3 states indicated that their animal cruelty offenses are reported separately.

States that are able to identify animal cruelty offenses appear to be those that receive crime incident data based on the state statute violated, which are then “translated” into UCR offense codes. In addition, a few of the NIBRS-certified states use the National Crime Information Center (NCIC) Code 6201 (Conservation – Animals) for animal cruelty incidents.

UTILITY OF ANIMAL CRUELTY DATA

Among all states responding to the survey, 85 percent viewed the collection of animal cruelty information to be useful (Chart 6). Among states that collect animal cruelty data, 94 percent viewed the collection of animal cruelty information to be useful. All 6 of the states that collect and can identify animal cruelty offenses in their UCR data found this practice to be useful. The survey did not ask the respondents to elaborate on how it might be useful.

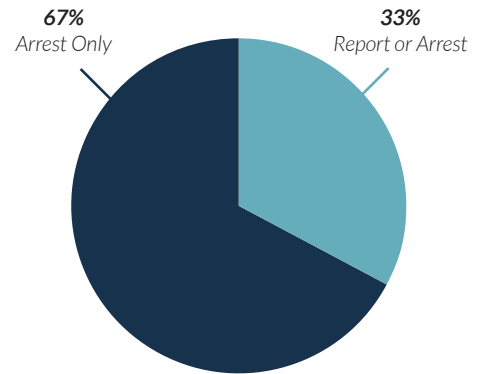


Chart 4
When Animal Cruelty Data Are Reported

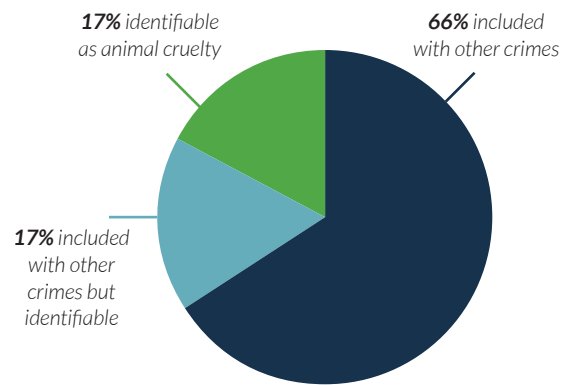


Chart 5
Ability to Identify Animal Cruelty Crimes

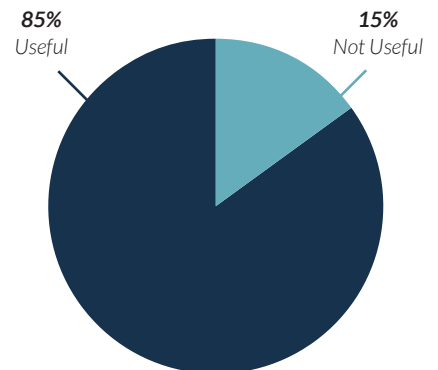


Chart 6
Utility of Animal Cruelty Crime Data

FOLLOW-UP INTERVIEWS

Based on the responses to the initial survey, we sought to obtain more detailed information and followed up with four states: Kansas, Montana, New York, and Ohio. The main criterion for selecting these states was that they indicated they receive data from local law enforcement in such a way that animal cruelty crimes are identifiable. In Kansas, New York, and Ohio, the state UCR program collects crime data by state statute. Montana assigns its own Incident Based Reporting (IBR) codes.⁵ No matter how the data are collected, all the states translate their specific crime codes into the particular UCR crime definitions. This process classifies animal cruelty offenses as “all other crimes” (either Part II “All Other Offenses” for summary reporters or Group B 90Z “All Other Offenses” for NIBRS states). The data are then submitted to the FBI.

As a result of these conversations, we discovered that all four states could extract and analyze their animal cruelty data. Three states provided us with examples of the animal cruelty data that they collect. Data from New York and Ohio are included in Appendices B and C⁶. These examples illustrate the capacity of IBR data to identify the amount of animal cruelty crime that occurs as well as characteristics about the offenders and incidents. The characteristics of the Ohio data in particular provide unique insights regarding who is arrested for animal cruelty and where it occurs. No other data currently available provide this type of detail. While the New York and Ohio data provide important examples, it is important to note that neither state is 100 percent NIBRS-participating. Consequently, trend data cannot be assessed since changes from year to year could be due to additional law enforcement agencies beginning to participate and contribute NIBRS data, rather than actual changes in criminal behavior. Characteristics of these offenses may be more stable, but even here caution is warranted.

In addition to discussing the capacity to obtain animal cruelty data at the state level, we also asked these state representatives their interest in including animal cruelty data as part of the FBI’s UCR program. Many expressed support for the idea of finding methods by which animal cruelty crimes could be systematically tracked at the state and national levels. UCR program directors commonly offered two cautions: animal cruelty crimes most likely were underreported and some inconsistency may occur when comparing across law enforcement agencies. This concern was expressed in

⁵ Another practice is to use NCIC codes to identify animal cruelty crimes.

⁶ We gratefully acknowledge the generous assistance of the New York and Ohio UCR Programs, which provided their animal cruelty data.

part due to a general caveat about underreporting and comparing across jurisdictions that would apply to any crime counted by the UCR. Another aspect of this concern appeared to be related to animal cruelty crimes in particular since some jurisdictions have stronger laws and tougher prosecution, which generates greater motivation to pursue these crimes. In addition, some underreporting might occur because animal cruelty offenses are currently lumped with “all other offenses” and do not specifically appear in annual crime rates or other statistics.

SUMMARY OF FINDINGS

Based on the results from our ASUCRP Survey and selective follow up interviews, we found:

- 18 of the states (64 percent) receive data about animal cruelty crimes. Most states receive animal cruelty information as part of their IBR program (*Chart 2*).
- Most states only receive animal cruelty information when an arrest is made (whether the data are collected as part of the summary system or NIBRS) (*Chart 4*).
- Some states (4) receive more detailed information about animal cruelty crimes than is forwarded to the FBI for UCR purposes. These states use NCIC codes or their own IBR codes to identify specific crimes.
- The vast majority of states indicated that collecting animal cruelty data would be useful. When we contacted individual states, they supported collecting these data.

NEXT STEPS

Based on the original FBI Report to Congress (2005), the results of this survey, and the follow-up interviews with selected UCR state programs, we offer the following suggestions for future actions in the FBI's effort to collect animal cruelty data:

- Contact each of the 50 state UCR Programs individually, either by email or telephone, to clarify if animal cruelty crimes are included in the data they receive from local police agencies, whether these crimes are identifiable, and—if so—in what way are the crimes identifiable (i.e., by state IBR or NCIC code, state and local statute). AWI could take the lead on this task.
- Create a working group of state UCR programs and state associations of animal control officers to identify how information on animal cruelty crimes currently is shared, and recommend a system to improve communication between the two groups.
- Establish a working group within the CJIS division to determine the process by which animal cruelty crimes can be organized within the FBI crime data so that this information is later recoverable. The working group would be comprised of representatives from the CJIS, outside consultants, and representatives of other departments of the FBI. Issues that could be addressed by this working group include:
 - Establishing a uniform definition of animal cruelty that could be used for UCR purposes;
 - Recommending when animal cruelty crime data would be collected – when an offense is reported to police (i.e., a Part 1 or Group A offense) or when there is an arrest (i.e., a Part 2 or Group B offense).
 - Examining how animal cruelty crimes would be included in the UCR, e.g., as a new offense (animal cruelty) or as a new victim type (animal).
 - Identifying data collection methods that could reduce the cost and burden of collecting animal cruelty data for the states.
 - Confirming that animal cruelty crimes will be classified as Crimes against Society rather than Crimes against Property. A number of state UCR programs, as well as the 2005 FBI report to Congress, recommended this classification.

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APPENDIX A: SURVEY OF STATE UNIFORM CRIME REPORTING PROGRAMS

Survey of Association of State UCR Programs

Dear Colleague: Thank you for participating in this short survey of Association of State UCR Programs officials. The purpose is to identify how animal cruelty data are currently being collected in various jurisdictions. The Animal Welfare Institute and the Association of Prosecuting Attorneys are examining how animal cruelty crimes could be collected in the FBI's Uniform Crime Reporting (UCR) Program. We have also contacted the FBI's UCR Program and asked for their input. The information collected by this survey is an important first step in this project.

Date:	
Name and Address of Agency:	(open type)
Contact information for individual completing the survey (email and/or phone number):	(open type)

The questions below focus on learning more about animal cruelty crime data that may be collected by agencies in your state. For purposes of this survey, "animal cruelty crimes" refer to misdemeanor or felony laws prohibiting animal abuse, requiring certain minimum levels of care, or similar regulations in your state. We are not referring to ordinances such as "leash laws" or "pooper scooper" regulations.

Please answer the following regarding how your state UCR Program receives data about animal cruelty crimes:	(drop down menu – select one) <ul style="list-style-type: none"> • From state law enforcement only • From county/local law enforcement only • From both state and county/local law enforcement • My state UCR Program does not receive these data from any law enforcement agency
If your state UCR Program received data about animal cruelty crimes, do you receive this information:	(drop down menu – select one) <ul style="list-style-type: none"> • My state UCR Program does not receive data about animal cruelty crimes • In my state's NIBRS format • In my state's summary format • In my state's both NIBRS and summary formats • In a non-UCR format
If it is a non-UCR format, please specify the format:	(open type)

ANIMAL CRUELTY CRIME STATISTICS

If your state UCR Program receives animal cruelty data in any format, when are these crimes reported:

<p>When a law enforcement officer is called or takes a report for either a misdemeanor or a felony animal cruelty crime</p>	<p>(choose one)</p> <ul style="list-style-type: none"> • Yes, if your state UCR Program receives animal cruelty data in any format, when are these crimes reported: When a law enforcement officer is called or takes a report for either a misdemeanor or a felony animal cruelty crime • No, when a law enforcement officer is called or takes a report for either a misdemeanor or a felony animal cruelty crime
<p>When a law enforcement officer is called or takes a report for only a felony animal cruelty crime</p>	<p>(choose one)</p> <ul style="list-style-type: none"> • Yes, when a law enforcement officer is called or takes a report for only a felony animal cruelty crime • No, when a law enforcement officer is called or takes a report for only a felony animal cruelty crime
<p>When an arrest is made for either a misdemeanor or a felony animal cruelty crime</p>	<p>(choose one)</p> <ul style="list-style-type: none"> • Yes, when an arrest is made for either a misdemeanor or a felony animal cruelty crime • No, when an arrest is made for either a misdemeanor or a felony animal cruelty crime
<p>When an arrest is made for only a felony animal cruelty crime</p>	<p>(choose one)</p> <ul style="list-style-type: none"> • Yes, when an arrest is made for only a felony animal cruelty crime • No, when an arrest is made for only a felony animal cruelty crime
<p>Other (please specify)</p>	<p>(open type)</p>

<p>If your state receives animal cruelty data, are these data:</p>	<p>(drop down menu – select one)</p> <ul style="list-style-type: none"> • Reported separately as identifiable animal cruelty crimes • Combined with other offenses (such as a Group B, all Other Offenses category)
<p>Please specify the category used if combined with other offenses</p>	<p>(open type)</p>
<p>If your state receives animal cruelty data, are these data reported to the FBI?</p>	<p>(choose one)</p> <ul style="list-style-type: none"> • Yes, if your state receives animal cruelty data, are these data reported to the FBI? • No • My state does not receive animal cruelty data
<p>If animal cruelty data are reported to the FBI, how are they classified?</p>	<p>(open type)</p>
<p>If your state receives animal cruelty data, are these data publicly available?</p>	<p>(choose one)</p> <ul style="list-style-type: none"> • Yes • No • My state does not receive animal cruelty data
<p>If your state receives animal cruelty data, and these data are publicly available, please indicate in what type of format:</p>	<p>(drop down menu – select one)</p> <ul style="list-style-type: none"> • Electronically/online but not searchable database • In an electronic/online searchable database • In a non-electronic format • My state does not receive animal cruelty data
<p>If in a non-electronic format (please specify):</p>	<p>(open type)</p>
<p>Is your state NIBRS-certified:</p>	<p>(drop down menu – select one)</p> <ul style="list-style-type: none"> • Yes – NIBRS-certified and 100% reporting in NIBRS format • Yes – NIBRS-certified and less than 100% reporting in NIBRS format • No – not NIBRS certified at this time
<p>How useful do you think it would be to law enforcement if animal cruelty crimes were reported to the FBI’s UCR Program?</p>	<p>(choose one)</p> <ul style="list-style-type: none"> • Not at all useful • Somewhat useful • Moderately useful • Extremely useful

Thank you again for your participation in this survey. We appreciate your time and assistance with this project!

APPENDIX B: EXAMPLES FROM NEW YORK STATE IBR ANIMAL CRUELTY DATA

2007-2008 Reported Offenses Related to Animal Cruelty

New York State IBR Database¹

NYS Offense Literal ²	2007	2008	2009	2010
Kill or Stun a Fur Bearing Animal with Electric Current	0	1	0	0
Poisoning Animal	1	1	2	1
Neglect of Impounded Dog	14	5	5	7
Abandonment of Disabled Animal	26	32	22	27
Torturing or Injuring Animals/Failure to Provide Sustenance	197	157	161	164
Total	238	196	190	199

Source: NYS DCJS IBR Database (as of September 1, 2011)

¹NYS IBR participating agencies represent approximately 28% of the reported crime submitted by agencies outside of NYC.

²Selected offenses are defined in the NYS Agriculture and Market Statutes. They reported offenses represent those reported statutes that could be defined as Animal Cruelty.

APPENDIX C: EXAMPLES FROM OHIO IBRS ANIMAL CRUELTY ARRESTEE DATA, 2007-2011

Table 1: Offender Sex

	Frequency	Percent	Valid Percent	Cumulative Percent
Female	94	32.8	32.8	32.8
Male	193	67.2	67.2	100.0
Total	287	100.0	100.0	

Table 2: Offender Race

	Frequency	Percent	Valid Percent	Cumulative Percent
Black	47	16.4	16.4	16.4
White	240	83.6	83.6	100.0
Total	287	100.0	100.0	

Table 3: Offense Location

	Frequency	Percent	Valid Percent	Cumulative Percent
Home	132	46.0	46.0	46.0
Garage/Shed	1	0.3	0.3	46.3
Public Access Building	4	1.4	1.4	47.7
Commercial	2	0.7	0.7	48.4
Retail	12	4.2	4.2	52.6
Yard	40	13.9	13.9	66.6
Lake	1	0.3	0.3	66.9
Field/Woods	1	0.3	0.3	67.2
Street	21	7.3	7.3	74.6
Parking Lot	20	7.0	7.0	81.5
Park/Playgrd	7	2.4	2.4	84.0
Other Outside	6	2.1	2.1	86.1
Other	40	13.9	13.9	100.0
Total	287	100.0	100.0	

Table 4: Offender Age

	Frequency	Percent	Valid Percent	Cumulative Percent
Under 12	8	2.8	2.8	2.8
12-15	22	7.7	7.7	10.5
16-19	31	10.8	10.8	21.3
20-24	41	14.3	14.3	35.5
25-34	77	26.8	26.8	62.4
35-49	67	23.3	23.3	85.7
50-64	34	11.8	11.8	97.6
65+	7	2.4	2.4	100.00
Total	287	100.0	100.0	

Table 5: Offender Race/Gender

	Frequency	Percent	Valid Percent	Cumulative Percent
White Male	157	54.7	54.7	54.7
Black Male	36	12.5	12.5	67.2
Black Female	11	3.8	3.8	71.1
White Female	83	28.9	28.9	100.0
Total	287	100.0	100.0	

Table 6: Offender Age by Offender Race/Gender

	White Male	Black Male	Black Female	White Female	Total
Under 12	6	0	1	1	8
12-15	14	5	0	3	22
16-19	19	5	0	7	31
20-24	25	2	1	13	41
25-34	36	12	3	26	77
35-49	32	6	6	23	67
50-64	20	6	0	8	34
65+	5	0	0	2	7
Total	157	36	11	83	287



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