

**Senate Counsel, Research,
and Fiscal Analysis**

G-17 STATE CAPITOL
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Senate

State of Minnesota

**S.F. No. 3126 - Establishing a Toll-Free Human
Trafficking Hotline**

Author: Senator Warren Limmer

Prepared by: Chris Turner, Senate Research (651/296-4350) CT

Date: March 21, 2006

Section 1 requires the Commissioner of Public Safety to contract with a nonprofit organization to establish a toll-free telephone hotline for trafficking victims by January 1, 2007. The hotline must offer interpretative services in Spanish, Vietnamese, Hmong, and Somali. It must screen trafficking victims and provide appropriate referrals for assistance.

Section 2 is a blank appropriation from the general fund to the Commissioner of Public Safety for the purposes of the bill.

CT:rer

Senators Limmer, Hann, Ortman and Pappas introduced-

S.F. No. 3126: Referred to the Committee on Crime Prevention and Public Safety.

A bill for an act relating to public safety; establishing a toll-free human trafficking victim hotline; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299A.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [299A.79] TOLL-FREE HOTLINE FOR TRAFFICKING VICTIMS.

(a) As used in this section, "trafficking victim" has the meaning given in section 299A.78, subdivision 1.

(b) The commissioner of public safety shall contract with a nonprofit organization that provides legal services to domestic and international trafficking victims to maintain a toll-free telephone hotline for trafficking victims.

The hotline must be in place by January 1, 2007, and must be operated 24 hours a day, 365 days a year. The hotline must offer language interpreters for languages commonly spoken in Minnesota, including, but not limited to, Spanish, Vietnamese, Hmong, and Somali. At a minimum, the hotline must screen trafficking victims, both domestic and international, and provide appropriate referrals to attorneys and victims' services organizations.

Sec. 2. APPROPRIATION.

\$..... is appropriated to the commissioner of public safety from the general fund for the fiscal year ending June 30, 2007, to implement section 1.

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S.F. No. 2924 - Authorizing Withdrawal by a County From a Regional Jail System

Author: Senator Rod Skoe

Prepared by: Chris Turner, Senate Research (651/296-4350) CT

Date: March 21, 2006

The bill allows a county to unilaterally withdraw from a regional county jail system. Under current law, a county may withdraw only with the consent of all the other county boards in the system. Reimbursement of the county for capital cost, debt service, or lease rental payments, if any, must still receive consent of all other county boards.

CT:rer

Senators Skoe and Stumpf introduced—

S.F. No. 2924: Referred to the Committee on Crime Prevention and Public Safety.

A bill for an act
relating to corrections; authorizing withdrawal by a county from a regional jail
system; amending Minnesota Statutes 2004, section 641.265, subdivision 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2004, section 641.265, subdivision 2, is amended to read:

Subd. 2. **Withdrawal.** A county board may withdraw from cooperation in a regional jail system ~~if the county boards of all of the other cooperating counties decide, by majority vote, to allow the withdrawal.~~ With the approval of the county board of each cooperating county, the regional jail board shall fix the sum, if any, to be paid to the county withdrawing, to reimburse it for capital cost, debt service, or lease rental payments made by the county prior to withdrawal, in excess of its proportionate share of benefits from the regional jail prior to withdrawal, and the time and manner of making the payments. The payments shall be deemed additional payments of capital cost, debt service, or lease rentals to be made proportionately by the remaining counties and, when received, shall be deposited in and paid from the regional jail fund; provided that:

~~(a)~~ (1) payments shall not be made from any amounts in the regional jail fund which are needed for maintenance and operation expenses or lease rentals currently due and payable; and

~~(b)~~ (2) the withdrawing county shall remain obligated for the payment of its proportionate share of any lease rentals due and payable after its withdrawal, in the event and up to the amount of any lease payment not made when due by one or more of the other cooperating counties.

REGIONAL CORRECTIONS BOARD

November 14, 2005

9:00 a.m.

MEMBERS PRESENT:

Warren Strandell, Chairman
 Warren Olson, Vice-Chairman
 Ron Weiss, Secretary
 Steve Bommersbach
 Brent Strand
 Warren Affeldt

MEMBERS ABSENT:

None

NON-MEMBERS PRESENT:

Susan E. Mills
 Bret Burkholder
 Jean Clauson

Pledge of Allegiance.

Chairman Strandell called the November 14, 2005 Regional Corrections Board meeting to order.

Minutes of the October 10, 2005 Regional Corrections Board Meeting were approved by a motion made by Weiss, seconded by Olson. Motion passed unanimously.

Corrections Center/Annex October 2005 population statistics were reviewed by all.

PERSONNEL ISSUES

<u>NEW APPOINTMENT</u>	<u>POSITION</u>	<u>EFFECTIVE DATE</u>	<u>SALARY</u>
Helgeson, Eric	EHM Technician (FT) Temporary Position	10/2/05	\$2,128/mo.
<u>STATUS CHANGE</u>	<u>POSITION</u>	<u>EFFECTIVE DATE</u>	<u>SALARY</u>
Morberg, Angela	Youth Counselor (FT)	12/01/05	\$11.38/hr.
Sigfrid, Julie	Probation Agent (FT) Senior Agent Status	12/01/05	\$2,948/mo.
<u>FMLA REQUEST - MATERNITY</u>	<u>POSITION</u>	<u>EFFECTIVE DATE</u>	<u>STATUS</u>
Jordheim, Dyan	Probation Agent (FT)	11/22/05- 01/23/06	Recommended Approval
<u>RESIGNATION</u>	<u>POSITION</u>	<u>EFFECTIVE DATE</u>	<u>STATUS</u>
Frisch, Anthony	Probation Agent (FT)	11/30/05	Recommended Approval
<u>TERMINATION</u>	<u>POSITION</u>	<u>EFFECTIVE DATE</u>	<u>STATUS</u>
Cervantes, Jason	Corrections Counselor (PT)	10/25/05	Recommended Approval
Helgeson, Eric	EHM Technician (FT)	10/28/05	Recommended Approval

Personnel Issues for October were approved by a motion made by Bommersbach, seconded by Affeldt. Motion passed unanimously.

Burkholder reviewed 2005 Van Bids received from eight different vehicle vendors for a new 10-12 passenger van for the Sentence to Service (STS) Program. Discussion ensued. Motion made by Olson to option with Brost Chevrolet with adjustment in bid price without rear air conditioning. Seconded by Bommersbach. Motion passed unanimously.

Inmate Phone System: Tabled until next meeting.

Regional Corrections Board

Page 2


Partnership Agreement, draft dated 05-09-05, reviewed by Mills. Discussion ensued. Motion made by Strand to approve Amendment to Joint Powers Agreement as amended this date, seconded by Olson. Motion passed unanimously. (See Attached)

Motion made by Affeldt, seconded by Weiss to aggressively pursue changing the regional jail language, MN Statute 641.265 Subd. 2, allowing withdrawal of Counties from regional jail partnership. The Regional Corrections Board is committed to working on this issue in the 2006 Legislative session. No further discussion forthcoming. Motion passed unanimously.

Monthly and weekly warrants for October were approved by a motion made by Bommersbach, seconded by Affeldt. Motion passed unanimously.

The next Regional Corrections Board meeting is scheduled for MONDAY, DECEMBER 12, 2005 at 9:00 a.m. in the Corrections Center Community Room.

Meeting adjourned.



Warren Strandell, Chair

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S.F. No. 2373 - Restrictions on Regulated Animals (First Engrossment)

Author: Senator Don Betzold

Prepared by: Greg Knopff, Legislative Analyst
phone: 651-296-9399 fax: 651-296-7747
e-mail: gregory.knopff@senate.mn

Date: March 21, 2006

Senate File 2373 makes several changes to the 2004 legislation providing for restrictions on the ownership of "regulated animals." Under the 2004 law:

(e) "Regulated animal" means:

(1) all members of the Felidae family including, but not limited to, lions, tigers, cougars, leopards, cheetahs, ocelots, and servals, but not including domestic cats or cats recognized as a domestic breed, registered as a domestic breed, and shown as a domestic breed by a national or international multibreed cat registry association;

(2) bears; and

(3) all nonhuman primates, including, but not limited to, lemurs, monkeys, chimpanzees, gorillas, orangutans, marmosets, lorises, and tamarins.

Regulated animal includes any hybrid or cross between an animal listed in clause (1), (2), or (3) and a domestic animal and offspring from all subsequent generations of those crosses or hybrids.

Section 1 [Definitions of Harm] includes the definitions for "bodily harm," "substantial bodily harm," and "great bodily harm" from the criminal statutes for the purpose of the

prohibition in section 5 and the penalties prescribed in section 6. The definitions currently read:

Subd. 7. Bodily harm. "Bodily harm" means physical pain or injury, illness, or any impairment of physical condition.

Subd. 7a. Substantial bodily harm. "Substantial bodily harm" means bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily member or organ, or which causes a fracture of any bodily member.

Subd. 8. Great bodily harm. "Great bodily harm" means bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

Section 2 [Requirements for Possession of Regulated Animals] provides that:

1. the change of address form for a regulated animal must be prepared by the Minnesota Animal Control Association and approved by the Board of Animal Health;
2. the sign required to be displayed on a structure that contains a regulated animal must indicate that the regulated animal is dangerous; and
3. that all persons who move a regulated animal must notify the local animal control authority prior to moving the animal.

Section 3 [Seizure of Regulated Animals] removes the duty of local animal control authorities or local law enforcement to seize a regulated animal under certain conditions. The seizure would be permissive under the change. This section also makes technical changes.

Section 4 [Confinement and Control Violation] makes it a violation to negligently fail to control a regulated animal or keep it properly confined when the result is bodily harm, substantial bodily harm, or great bodily harm to another person.

Section 5 [Penalties for Registration and Confinement and Control Violations] makes the violation of:

1. the duty to register a regulated animal a gross misdemeanor;
2. the confinement and control requirements that causes bodily harm a misdemeanor;

3. the confinement and control requirements that causes substantial bodily harm a gross misdemeanor; and

4. the confinement and control requirements that causes great bodily harm or death a felony.

The bill is effective on August 1, 2006, and applies to crimes committed on or after that date.

GK:dv

A bill for an act

relating to animals; modifying restrictions on possession of certain animals;
providing criminal penalties; amending Minnesota Statutes 2004, section
346.155, subdivisions 1, 4, 5, 10, by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2004, section 346.155, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Person" means any natural person, firm, partnership, corporation, or association, however organized.

(c) "Wildlife sanctuary" means a 501(c)(3) nonprofit organization that:

(1) operates a place of refuge where abused, neglected, unwanted, impounded, abandoned, orphaned, or displaced wildlife are provided care for their lifetime;

(2) does not conduct any commercial activity with respect to any animal of which the organization is an owner; and

(3) does not buy, sell, trade, auction, lease, loan, or breed any animal of which the organization is an owner, except as an integral part of the species survival plan of the American Zoo and Aquarium Association.

(d) "Possess" means to own, care for, have custody of, or control.

(e) "Regulated animal" means:

(1) all members of the Felidae family including, but not limited to, lions, tigers, cougars, leopards, cheetahs, ocelots, and servals, but not including domestic cats or cats recognized as a domestic breed, registered as a domestic breed, and shown as a domestic breed by a national or international multibreed cat registry association;

2.1 (2) bears; and

2.2 (3) all nonhuman primates, including, but not limited to, lemurs, monkeys,
2.3 chimpanzees, gorillas, orangutans, marmosets, lorises, and tamarins.

2.4 Regulated animal includes any hybrid or cross between an animal listed in clause
2.5 (1), (2), or (3) and a domestic animal and offspring from all subsequent generations of
2.6 those crosses or hybrids.

2.7 (f) "Local animal control authority" means an agency of the state, county,
2.8 municipality, or other governmental subdivision of the state that is responsible for animal
2.9 control operations in its jurisdiction.

2.10 (g) "Bodily harm," "substantial bodily harm," and "great bodily harm" have the
2.11 meanings given them in section 609.02.

2.12 Sec. 2. Minnesota Statutes 2004, section 346.155, subdivision 4, is amended to read:

2.13 Subd. 4. **Requirements.** (a) A person who possesses a regulated animal must
2.14 maintain health and ownership records on each animal and must maintain the records
2.15 for the life of the animal. If possession of the regulated animal is transferred to another
2.16 person, a copy of the health and ownership records must accompany the animal.

2.17 (b) A person who possesses a regulated animal must maintain an ongoing program
2.18 of veterinary care which includes a veterinary visit to the premises at least annually.

2.19 (c) A person who possesses a regulated animal must notify the local animal control
2.20 authority in writing within ten days of a change in address or location where the regulated
2.21 animal is kept. The notification of change in address or location form must be prepared by
2.22 the Minnesota Animal Control Association and approved by the Board of Animal Health.

2.23 (d) A person with a United States Department of Agriculture license for regulated
2.24 animals shall forward a copy of the United States Department of Agriculture inspection
2.25 report to the local animal control authority within 30 days of receipt of the inspection
2.26 report.

2.27 (e) A person who possesses a regulated animal shall prominently display a sign on
2.28 the structure where the animal is housed indicating that a dangerous regulated animal
2.29 is on the premises.

2.30 (f) A person who possesses a regulated animal must notify, as soon as practicable,
2.31 local law enforcement officials of any escape of a regulated animal. The person who
2.32 possesses the regulated animal is liable for any costs incurred by any person, city, county,
2.33 or state agency resulting from the escape of a regulated animal unless the escape is due to
2.34 a criminal act by another person or a natural event.

3.1 (g) A person who possesses a regulated animal must maintain a written recovery
3.2 plan in the event of the escape of a regulated animal. The person must maintain live traps,
or other equipment necessary to assist in the recovery of the regulated animal.

3.4 (h) ~~If requested by the local animal control authority,~~ A person may not move a
3.5 regulated animal from its location unless the person notifies the local animal control
3.6 authority prior to moving the animal. The notification must include the date and the
3.7 location where the animal is to be moved. This paragraph does not apply to a regulated
3.8 animal transported to a licensed veterinarian.

3.9 (i) If a person who possesses a regulated animal can no longer care for the animal,
3.10 the person shall take steps to find long-term placement for the regulated animal.

3.11 Sec. 3. Minnesota Statutes 2004, section 346.155, subdivision 5, is amended to read:

2 Subd. 5. **Seizure.** (a) The local animal control authority, upon issuance of a
3.13 notice of inspection, must be granted access at reasonable times to sites where the local
3.14 animal control authority has reason to believe a violation of this chapter is occurring or
3.15 has occurred.

3.16 (b) If a person who possesses a regulated animal is not in compliance with the
3.17 requirements of this section, the local animal control authority shall take possession of the
3.18 animal for custody and care, provided that the procedures in this subdivision are followed.

3.19 (c) Upon request of a person possessing a regulated animal, the local animal control
3.20 authority may allow the animal to remain in the physical custody of the owner for 30 days,
3.21 during which time the owner shall take all necessary actions to come in compliance with
3.22 this section. During the 30-day period, the local animal control authority may inspect, at
3.23 any reasonable time, the premises where the animal is kept.

3.24 (d) If a person who possesses a regulated animal is not in compliance with this
3.25 section following the 30-day period described in paragraph (c), the local animal control
3.26 authority shall seize the animal and place it in a holding facility that is appropriate for the
3.27 species for up to ten days.

3.28 (e) The authority taking custody of an animal under this section shall provide a
3.29 notice of the seizure by delivering or mailing it to the owner, by posting a copy of it at
3.30 the place where the animal is taken into custody, or by delivering it to a person residing
3.31 on the property. The notice must include:

3.32 (1) a description of the animal seized; the authority for and purpose of the seizure;
3.33 the time, place, and circumstances under which the animal was seized; and a contact
3.34 person and telephone number;

4.1 (2) a statement that a person from whom a regulated animal was seized may post
4.2 security to prevent disposition of the animal and may request a hearing concerning the
4.3 seizure and that failure to do so within five business days of the date of the notice will
4.4 result in disposition of the animal;

4.5 (3) a statement that actual costs of the care, keeping, and disposal of the regulated
4.6 animal are the responsibility of the person from whom the animal was seized, except to
4.7 the extent that a court or hearing officer finds that the seizure or impoundment was not
4.8 substantially justified by law; and

4.9 (4) a form that can be used by a person from whom a regulated animal was seized
4.10 for requesting a hearing under this subdivision.

4.11 ~~(e)~~ (f) If a person from whom the regulated animal was seized makes a request
4.12 within five business days of the seizure, a hearing must be held within five business days
4.13 of the request to determine the validity of the seizure and disposition of the animal. The
4.14 judge or hearing officer may authorize the return of the animal to the person from whom
4.15 the animal was seized if the judge or hearing officer finds:

4.16 (1) that the person can and will provide the care required by law for the regulated
4.17 animal; and

4.18 (2) the regulated animal is physically fit.

4.19 ~~(f)~~ (g) If a judge or hearing officer orders a permanent disposition of the regulated
4.20 animal, the local animal control authority may take steps to find long-term placement for
4.21 the animal with a wildlife sanctuary, persons authorized by the Department of Natural
4.22 Resources, or an appropriate United States Department of Agriculture licensed facility.

4.23 ~~(g)~~ (h) A person from whom a regulated animal is seized is liable for all actual costs
4.24 of care, keeping, and disposal of the animal, except to the extent that a court or hearing
4.25 officer finds that the seizure was not substantially justified by law. The costs must be paid
4.26 in full or a mutually satisfactory arrangement for payment must be made between the
4.27 local animal control authority and the person claiming an interest in the animal before
4.28 return of the animal to the person.

4.29 ~~(h)~~ (i) A person from whom a regulated animal has been seized under this
4.30 subdivision may prevent disposition of the animal by posting security in the amount
4.31 sufficient to provide for the actual costs of care and keeping of the animal. The security
4.32 must be posted within five business days of the seizure, inclusive of the day of the seizure.

4.33 ~~(i)~~ (j) If circumstances exist threatening the life of a person or the life of any animal,
4.34 local law enforcement or the local animal control authority ~~shall~~ may seize a regulated
4.35 animal without an opportunity for hearing or court order, or destroy the animal.

5.1 Sec. 4. Minnesota Statutes 2004, section 346.155, is amended by adding a subdivision
5.2 to read:

5.3 Subd. 9a. **Confinement and control.** A person violates this subdivision who
5.4 possesses a regulated animal and negligently fails to control the animal or keep it properly
5.5 confined and as a result the animal causes bodily harm, substantial bodily harm, or great
5.6 bodily harm to another person.

5.7 Sec. 5. Minnesota Statutes 2004, section 346.155, subdivision 10, is amended to read:

5.8 Subd. 10. **Penalty.** (a) A person who knowingly violates subdivision 2, 3, paragraph
5.9 (b) or (c), or 4 is guilty of a misdemeanor.

5.10 (b) A person who knowingly violates subdivision 3, paragraph (a), is guilty of a
5.11 gross misdemeanor.

5.12 (c) A person who violates subdivision 9a, resulting in bodily harm is guilty of a
5.13 misdemeanor and may be sentenced to imprisonment for not more than 90 days or to
5.14 payment of a fine of not more than \$1,000, or both.

5.15 (d) A person who violates subdivision 9a, resulting in substantial bodily harm is
5.16 guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than
5.17 one year or to payment of a fine of not more than \$3,000, or both.

5.18 (e) A person who violates subdivision 9a, resulting in great bodily harm or death
5.19 is guilty of a felony and may be sentenced to imprisonment for not more than two years
5.20 or to payment of a fine of not more than \$5,000, or both, unless a greater penalty is
5.21 provided elsewhere.

5.22 Sec. 6. **EFFECTIVE DATE.**

5.23 Sections 1 to 5 are effective August 1, 2006, and apply to crimes committed on or
5.24 after that date.

Dangerous Regulated Exotic Animal Bill
(S.F. 2373 / H.F. 3119)
Minn. Stat. Sec. 346.155

In 2004, the Minnesota Legislature voted overwhelmingly to enact a public safety measure restricting and regulating the ownership of certain dangerous exotic animals. Prior to passage of this law, Minnesota had no statewide regulation or restrictions on possessing these animals.

S.F. 2373/H.F. 3119 adds further measures to protect people from being injured or killed by regulated animals covered under the law (all members of the Felidae (cat) family, except domestic cats - e.g., lions, tigers, leopards, ocelots and servals; bears; nonhuman primates - e.g., monkeys, lemurs, marmosets, tamarins and chimpanzees; and any hybrid or cross and a domestic animal, as well as their offspring).

What the Bill Does

- Removes the section allowing persons to replace their animals once when the animals die. This applies to citizens who do not hold a USDA license.
- Adds the word “dangerous” to the signage warning that a regulated animal is on the premises. Children, adults and most law enforcement officials do not know what a “regulated” animal is so adding the word “dangerous” to the signage helps alert them to the kind of animal on the premises.
- Requires the owner of a dangerous regulated animal to contact local animal control authority when moving a regulated animal off the person’s property for any reason other than to a veterinarian. The law currently states that the person only must contact their local animal control authority if the authority asks to be notified.
- Increases the penalty from a misdemeanor to a gross misdemeanor for not registering a regulated animal. Owners of regulated animals must have registered those animals by March 2, 2005 in order to be in compliance with the law.
- Makes it a violation if a person negligently fails to control or properly confine a regulated animal and it causes harm to a human. The penalty would depend on the degree of bodily harm, as defined in 609.02.

Examples of Problems at Minnesota USDA Licensed Facilities and Private Ownership



Unsafe tiger enclosure - tiger pen has no top, no double door entry, no perimeter fence (USDA licensed)

Unsafe tiger enclosure - tiger can reach through bars (USDA licensed)



Lion cub with severe open rub wounds and scarring from being confined to a dog crate (owned by a private citizen)



Very unsafe, small lion enclosure (owned by a private citizen)

June 28, 2005

http://wcco.com/topstories/local_story_179185414.html

Boy Attacked By Tiger And Lion Now A Quadriplegic

(AP) Minneapolis The family of a ten-year-old boy who was attacked by a lion and a tiger near Little Falls, Minn. says their son's spinal cord was severed and the injury will leave him paralyzed from the neck down for life and dependent on a respirator.

Nick and Roseanne Lala of Royalton issued a statement today on behalf of their son Russell thanking people for all their support.

Russell LaLa was attacked when he and his father visited Chuck Mock at Best Buy Auto, where Mock kept eleven large cats and a bear. Morrison County Sheriff Michel Wetzel said Mock had registered the animals.

The boy's parents said Russell sustained a brain injury, numerous facial fractures in addition to the severed spinal cord. He is in serious condition, but is able to communicate.

Trust funds have been set up for the boy at Wells Fargo Bank and Pine County Bank in Royalton, Minn. Checks can be dropped off at any Wells Fargo Bank location or the Royalton bank.

Boy, 10, critically hurt by lion, tiger

The attack near Little Falls comes on the heels of several others in the state.

By Robert Franklin
and Richard Meryhew
Star Tribune Staff Writers



LITTLE FALLS, MINN. — A 10-year-old boy from Royalton, Minn., was in critical condition at Hennepin County Medical Center Thursday after being at-

tacked a night earlier by a lion and a tiger at a business south of Little Falls.

Morrison County Sheriff Michel Wetzel said the boy, Russell LaLa, was attacked shortly after 10:30 p.m. Wednesday as he and his father, Nicholas LaLa, were visiting a friend, Chuck Mock, who kept about a dozen large cats at his Best Buy Auto Warehouse.

Wetzel said the boy and his father were inside a perimeter fence in the building looking



Courtesy KSTP
Russell LaLa

at the animals when Mock opened a cage to go inside. At that point, Wetzel said, a tiger "pushed open the cage and attacked the 10-year-old."

Mock was able to get the tiger off the boy, only to have the lion come out and attack, dragging the boy 25 to 30 feet,

Wetzel said.

"As best we can figure out, both animals bit him," Wetzel said. "Certainly, he's still alive, but it's too early to tell [how bad his wounds are]. It could've been far worse."

Russell was taken to a local hospital, and later transferred to Hennepin County Medical Center in Minneapolis, where he remained in critical condition late Thursday.

ATTACK continues on A14



Steve Kohls/Brainerd Daily Dispatch via Associated Press

Cages at Best Buy Auto Warehouse near Little Falls, Minn., seen Thursday from a nearby road, have housed some of the 12 big cats owned by Chuck Mock. The tiger and lion involved in Wednesday night's attack on a child were destroyed Thursday.

the nature of the boy's injuries.

The lion and tiger were destroyed Thursday so they could be tested for disease.

Wetzel said that Mock has cooperated with investigators and that he was with Russell's family in Minneapolis. The Morrison County attorney's office will determine if any criminal charges are necessary, Wetzel said.

It was the third attack in three months by exotic animals in Minnesota and the second at Mock's business in the past year. Last summer a woman suffered a "severe laceration" on her hand from one of his big cats, Wetzel said.

Mock's dozen animals were registered properly under a new Minnesota law and had been inspected, Wetzel said, but "just because something's legal doesn't necessarily make it safe. ... I shake my head when anybody even owns one of these animals."

Neighbors say their kids sometimes were invited in to see the lions, tigers, bear and alligator kept there, but added that Mock warned them to stay away from the cages.

No one at the auto business would comment. However, neighbors — some of whom had worried about the animals' presence — described Mock as a man who cared for his animals.

"He is an animal lover," said Michelle Lickteig, who showed photos of her children holding a lion cub and a tiger cub. Mock named all his animals, Lickteig said, including those that were killed — Leo, the lion, which had been petted by her children, and Georgette, the tiger.

Kim Gilman, a neighbor, said her four children "all went down there [to see the animals] and loved it" and added that her son Derrick, 18, works for Mock. However, she said she had worried before Wednesday night's incident, and "now I'm petrified," Gilman said. "'Safe,' to me, isn't unless they're in a zoo."

Gilman's daughter Chelsey, 12, said Mock had taken the animals because "the people who had them before were not taking care of them. They were, like, starving."

Mock's business is located just off Hwy. 10 in a large, two-story building that appears to include an office in front and a residence in back. A fenced salvage yard is off to one side, and cars out front are listed as low as \$170, with descriptions such as "no gas tank" and "basically shot but still runs and drives."

Other attacks

At an animal farm in Underwood, Minn., a teenage girl

was hospitalized in March after she was scratched by the swipe of a tiger's paw while trying to pet the animal through the bars of a cage. The injury required a dozen stitches.

A month later, a man who kept seven Siberian tigers on his property near Frontenac, Minn., was jailed after one of his pet tigers attacked and seriously injured a woman who was trying to clean the cage. The woman was hospitalized for several days.

In each case, the animals were removed later, to be taken to accredited sanctuaries in other states.

'So preventable'

"Honest to God, when is it going to end?" said Mary Hartman of Rochester, whose daughter Emily was attacked by a tiger at an animal park in Racine, Minn., in July 2001 after it pushed through a gate and snatched the girl in its jaws. Emily, then 7, was hospitalized for several days with cuts, bruises and other injuries.

"It's absolutely ridiculous to me because it's so preventable," Mary Hartman said. "Come on, what's it going to take? Does a 10-year-old boy have to die for people to open their eyes and say these people shouldn't have these animals as pets? ... To these animals, we're food."

Hartman said her daughter still suffers from occasional rashes in the area where the tiger sank its teeth into the girl's back and arm.

Hartman, who later reached an out-of-court settlement with the animal's owners after suing them for negligence, has long been critical of federal and state agencies for not providing greater oversight when it comes to ownership of exotic animals.

The U.S. Department of Agriculture oversees regulation of those who exhibit, breed or sell exotic animals. But until this year, if a cat lover in Minnesota wanted to keep tigers or lions simply as pets, they could "keep them on a chain or they could keep them in the basement," said Tammy Quist, executive director of the Wildcat Sanctuary of rural Isanti, Minn.

However, under a state law that took effect Jan. 1, animals had to be registered with local authorities by April 1. And in most cases, it is no longer legal to buy an exotic cat, bear or monkey.

Staff writer Terry Collins contributed to this report.

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6/3/05

BEARCAT Hollow co-owner sentenced to 15-month term

A woman who ran an animal brokering business and game park with her husband in southeastern Minnesota was sentenced Thursday in Minneapolis to 15 months in prison for her role in the illegal trafficking of wild and endangered animals.

Nancy Kraft, 63, who co-owned and operated BEARCAT Hollow in Racine, Minn., also received two years probation and was ordered by U.S. District Judge Ann Montgomery to perform 100 hours of community service.

A jury convicted Kraft in March of falsifying documents and conspiracy in the illegal sale of a variety of wild animals between 1999 and 2003.

Her husband, Kenneth Kraft, 68, pleaded guilty to similar charges and to lying to federal agents shortly before his wife's trial.

The case against the couple and seven people from outside Minnesota developed from an investigation of BEARCAT Hollow that began after a 400-pound Siberian tiger at-

tacked Emily Hartman, then 7, of Rochester in July 2001 as she and her mother toured the animal park. The tiger pushed open a chain-link fence and carried the girl more than 150 feet before dropping her in the dirt.

Emily was hospitalized for several days with puncture wounds, scrapes and bruises. The tiger eventually was destroyed.

The girl's parents later sued the Krafts over the attack, but they settled out of court. Terms were not disclosed.

Kenneth Kraft and the other defendants have yet to be sentenced. In addition to pleading guilty to falsifying records and conspiracy, Kenneth Kraft also was convicted in March of two counts of witness tampering in connection with the case.

Nancy Kraft, meanwhile, has 10 days to appeal her sentence.

BEARCAT Hollow, about 105 miles south of the Twin Cities, opened in the summer of 2000 but has since closed.

Richard Meryhew

INFORUM – July 21, 2005

Tiger caretaker faces new charges

By Amy Dalrymple, The Forum

The caretaker of nine tigers seized from property near Underwood, Minn., last month appeared in court Wednesday on charges of mistreatment and neglect of animals.

Wendy Sue Mears, 40, is accused in Otter Tail County District Court in Fergus Falls of improperly caring for the tigers, including housing them in cages that were too small, depriving them of adequate food and water and failing to keep their living space clean.

The court complaint says when the tigers were seized from Arcangel Wildlife farm June 14, many appeared to be in adequate or fair condition.

However, veterinarians who assisted with the investigation found up to a foot of feces and wet straw in the bottom of their cages, court records say.

The tigers were housed in wire mesh cages that did not appear to be secure enough to safely contain the animals' size and strength, the complaint says.



Wendy Sue Mears

The door to one cage was held in place with frayed nylon straps.

Court records also say:

Some cages did not contain fresh water. No food was on the property when the animals were seized, but Mears said she was going to get turkeys.

Mears did not have a system for draining rain or waste water.

She also failed to obtain the proper license for exotic animals and register the animals as mandated by the U.S. Department of Agriculture. On May 27, Otter Tail Public Health officials observed turkey carcasses piled in the open that were used as a food supply.

Mears faces 12 misdemeanor charges: three counts of mistreating an animal, three counts of depriving an animal of necessary food, water or shelter, improper disposal of animal carcasses, two counts of improper storage of solid waste, animal creating nuisance, possessing a regulated animal and failing to register a regulated animal.

The animal creating nuisance charge relates to a lion that escaped June 11, just days before the tigers were seized. A sheriff's deputy shot the lion after it wandered onto a neighbor's land.

Mears told investigators two ponies, a llama and a goat also escaped from the property that day and she hadn't seen them since, court records say.

She also had six to eight dogs on the property and voluntarily gave several to the Humane Society, records say.

A phone number where Wendy Mears could be reached in the past is no longer in service.

Mears told investigators the tigers belonged to David Piccirillo, but he abandoned them on her property, court records say. She said they became a burden for her to care for and feed.

Ryan Cheshire, assistant Otter Tail County attorney, said no charges are pending at this time for Piccirillo.

On June 25, the tigers were transported to one of three animal sanctuaries in Mississippi, Tennessee and Indiana.

Tammy Quist, executive director of Wildcat Sanctuary in Cedar Minn., who was instrumental in finding homes for the tigers, said all nine are doing well.

"They've adjusted faster than we thought they would," Quist said.

Two female tigers placed at the Cedar Hill Animal Sanctuary in Caledonia, Miss., have some existing health problems that could be related to malnutrition, said Kay McElroy, executive director.

One is on antibiotics because of a small hole in the side of her head that drains constantly, she said. The tiger - named Tammy after Quist - may need surgery, McElroy said.

The other, named Sonja after a volunteer who helped transport the tigers, has a neurological disorder that prevents her legs from working together, Quist said.

The condition, which causes the tiger to walk in circles, can be caused by genetics or malnutrition, she said.

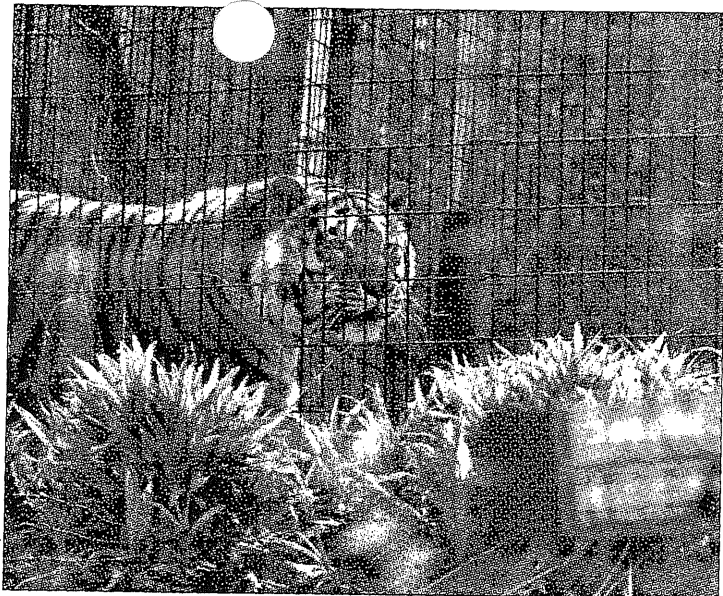
The lion that was shot after it escaped also had the condition, which leads Quist to suspect it could have been caused by malnutrition.

But McElroy is hopeful the tigers will overcome their health problems. They now have a huge area to run in, a pond to swim in and a customized diet, she said.

"The thing about animals is they forget and move on," McElroy said.

Readers can reach Forum reporter Amy Dalrymple at (701) 241-5590

Photo caption: Wendy Sue Mears Underwood, Minn. Appears in court on charges of mistreatment and neglect of animals



Tom Sweeney/Star Tribune

One of Grant Oly's seven tigers walked along an enclosure. A caretaker was injured by four of them Wednesday. This is the second time in a year that Oly has faced charges over the animals.

Star Tribune - 4/29/05

Tigers attack woman near Frontenac; their owner is jailed

By Richard Meryhew
Star Tribune Staff Writer

Grant Oly thought Allison Asher was well clear of the tigers she helps care for at his home near Frontenac, Minn.

Then came the screams.

By the time Oly got to the tiger pen Wednesday afternoon, Asher was thrashing about on the bloody ground, surrounded by four of the big cats.

"The tigers just grabbed her," Oly told police, according to court records.

Oly, who keeps Siberian tigers on his rural Goodhue County property, backed them off long enough to drag Asher,

37, of Minneapolis, to safety. She was in serious condition Thursday in a Rochester hospital with a gash in her neck, a mangled leg and cuts and bites.



Grant Oly

Oly, meanwhile, was sitting in a Goodhue County jail cell, facing misdemeanor charges that he violated a county zoning ordinance and two state laws in keeping the exotic animals. He is scheduled to appear in court this morning.

It's the second time in a year

that Oly, 48, has faced charges in connection with keeping tigers on his land, in the Mississippi River valley about 65 miles south of the Twin Cities.

In 2004, a Goodhue County jury found Oly guilty of violating the county's zoning ordinance by having eight tigers — five more than allowed. He recently served 45 days in jail for violating terms of his probation.

Goodhue County Sheriff Dean Albers said Thursday that seven tigers were still on the property when deputies arrived late Wednesday.

TIGERS continues on B6

TIGERS from B1

Injured woman expected to recover from wounds

As of Thursday night, the tigers remained caged on Oly's property.

Albers, meanwhile, said investigators have not been able to talk at length with Asher, who is expected to survive.

"She was lucky," the sheriff said. "Her injuries were pretty severe, and she lost a lot of blood."

Cuts and gashes

According to Albers and details outlined in the criminal complaint:

The attack occurred shortly before 5 p.m. Wednesday as Asher, who recently had been

caring for the animals while Oly was jailed, tried to clean a 50-by-20-foot pen. One tiger apparently attacked her, and in the excitement of the moment, three others moved in.

Oly called 911, and when officers arrived, Asher was on the ground with a "very large tear" in her left leg and a "massive amount" of blood around her, the complaint said. A friend who had been nearby and didn't see the attack also was applying pressure to a "silver-dollar-sized gash" on her neck, the complaint said.

Asher was airlifted to St. Marys Hospital in Rochester.

Assistant Goodhue County Attorney Carol Lee said Asher's leg was "mangled" in the attack and "she lost a lot of blood."

Tiger 'compound'

Lee said Oly has kept tigers on his property for about 10 years. She described the series of pens near his house as "a compound" of sorts, with some connected to the house so young tigers can go in or out.

Initially, the pens were open for public viewing, but Lee said the court later ordered the property closed because of concerns for public safety.

She said several people have

reported being scratched or bitten over the years, "but not to this extent."

In 2003, a tiger was destroyed after biting a pregnant woman on the wrist, Albers said.

In February 2004, Oly was convicted of violating the county's ordinance, and was sentenced to pay a fine of more than \$300 for having too many tigers. He also was ordered to apply for a conditional use permit and comply with zoning restrictions.

Earlier this year he served 45 days in jail after violating his probation.

Now he faces charges of vio-

lating the zoning ordinance, not registering the animals and creating a public nuisance.

"This has been a huge drain on county resources trying to deal with this guy," Lee said.

She said that Oly, as required by the U.S. Department of Agriculture, which regulates the keeping of exotic animals, has a permit to house and exhibit the tigers.

"But what are you going to do when people start getting injured?" she said. "We've done just about everything humanly possible to get control of this guy."

Richard Meryhew is at richm@startribune.com.

Minnesota's Otter Tail County has had more than its share of troubles with exotic animals — and officials are still keeping a wary eye on one big cat.

TIGER CREATES TENSION

BY JIM RAGSDALE
Pioneer Press

PELICAN RAPIDS, Minn. — The last of the troubled big cats of Otter Tail County locked its eyes on the man who wants her out of town.

"She's a beautiful animal — an absolutely beautiful animal," as all Wayne Johnson, chairman of the township that is home

to 332 homo sapiens and one super-sized Bengal tiger, could say as he stared back in awe.

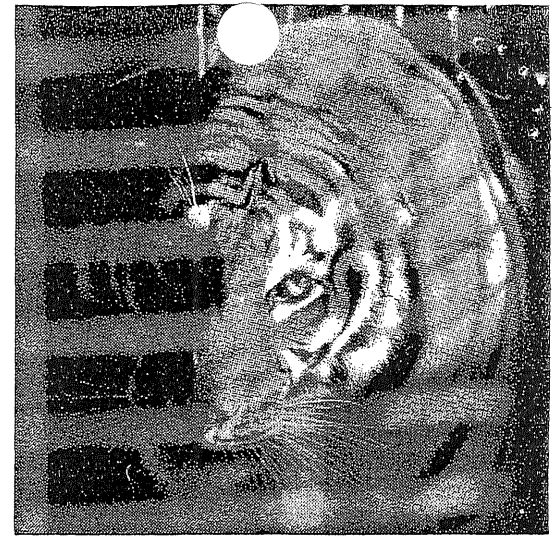
The tiger, named Lilly, glared at Johnson from a corn-crib-like enclosure obscured by wild weeds and roofed with weathered plywood. No signs warned the visitors, who were standing on neighboring property, about 20 feet from the animal and a short walk from a busy county road.

A low rumble, like the purr of an idling outboard, came from somewhere within the tiger's wild essence. Her ears flicked, her tail danced, but her eyes saw only Johnson. Lilly's teeth showed as he moved. The secondary fence had worn-down openings and Johnson held a 9 mm pistol at his side.

Welcome to Otter Tail County. Lilly is a privately owned

tiger whose native range is in the forests and swamplands of Nepal and India. She was raised in a land of lush cornfields and quiet lake homes, a symbol of the exotic-animal anxiety that has spread across Minnesota.

As the state suffered through a spate of maulings by such big cats — including three incidents



TIGER TENSION, 9A

BRANDI JADE THOMAS, PIONEER PRESS

EXOTIC ANIMALS LAW

Went into effect Jan. 1. Restricts ownership of such animals as big cats — lions, tigers, cougars and leopards — as well as bears and gorillas.

Animals owned prior to Jan. 1, 2005, may still be kept if they were registered with local authorities by March 1. Owners must also comply with certain regulatory standards. Failure to register is a misdemeanor.

The law does not pertain to accredited zoos, wildlife sanctuaries, research and medical institutions and certain DNR-licensed game farms. Some federally licensed animal farms may replace exotic animals.

For more information, see the state Board of Animal Health Web site at www.bah.state.mn.us/animals/rules/exotic_animals.htm.

Lilly, a Bengal tiger, peers out from her enclosure near Pelican Rapids, Minn. Lilly's owner, Roy Cordy, pleaded guilty last year to animal mistreatment and agreed to try to get rid of Lilly and his other exotic animals. But Lilly remains on Cordy's property.

Pioneer Press - 8/14/05

in four months earlier this year — Otter Tail County became ground zero for big-cat hysteria.

As many as 14 tigers and one lion, along with camels, lemurs, a Burmese python and an Asian leopard, were caged at various times on two private menageries within a 30-minute drive of each other. Three people were bitten or clawed. A lion ran loose and had to be shot. Tigers were found dead, half-eaten and frozen in the snow of Lilly's cage. Criminal charges were brought against both owners.

And neighbors who prized their rural isolation got used to living with stress.

"I packed a gun all day long," said Edward Law, who lives near the second menagerie in the Underwood area and who once considered shooting the animals himself.

All of the animals were supposed to have been removed. Lilly's continued presence — nearly nine months after its owner's guilty plea — came as a shock to township officials and prosecutors.

Said a disgusted Johnson: "If it was an exotic plant, the (Department of Natural Resources) would be all over it ... But I haven't seen milfoil go and climb a fence and attack a child yet."

OWNING EXOTICS

In Otter Tail County, as in other rural parts of the state and the nation, ownership of "exotic animals" outside the walls of zoos has achieved a kind of cult following. A state law that took effect Jan. 1 is expected to limit future private ownership.

Lilly's owner, Roy Cordy, a 44-year-old physician, accumulated a collection worthy of Noah at his property along County Road 9 north of Pelican Rapids, about 200 miles west of the Twin Cities.

Neither he nor his law could be reached for comment. He told police during a search of his property last year that he had been collecting animals since the early 1990s and intended to raise them for sale to other collectors.

About 30 miles to the west, on a scenic hilltop near the Otter Tail River, a local resident, Wendy Mears, 40, collected nine Siberian tigers and several other animals. She told police who seized her animals that her boyfriend, David Piccirillo, who used big cats in local magic shows, owned the tigers and left her with them when he left the state.

Both menageries existed before Minnesota's new law, and seem to have fallen through the regulatory cracks. "I've lost all respect for public safety because they allowed this to happen," says Law, who lives near the Phelps Mill operation. "Where's the common sense?"

COMING APART

Acting on a neighbor's neglect complaint in February 2004, authorities raided Cordy's property. They found some animals that appeared to be healthy and well cared for. Others were not.

The tigers were in the latter category.

In a series of circular cages connected by "guillotine gates" that can be lowered or raised, a sheriff's deputy found a dead tiger partially covered with snow. He found a live tiger — Lilly — sitting near a tiger head and other body parts. "It was obvious that this live tiger had eaten the tiger that was in pieces," he said.

Cordy confirmed this. "Dr. Cordy stated that Lilly has a bad disposition and is a very mean tiger," the deputy, Marv Robinson, wrote. He said he found more tiger body parts in Cordy's vehicle.

The final tally: four tigers dead, and one — Lilly — alive.

charged with six misdemeanor animal mistreatment counts. In November 2004, he pleaded guilty to one count and agreed not to possess exotic animals in the state and to "make all reasonable efforts" to transfer ownership of his current animals.

The public records show no reports of attacks on humans at the Cordy farm. But at the Mears' property, the story was different.

Three injuries were reported — bites sustained by workers in

March and July of 2004, and an injury to a child who was scratched and bitten while visiting this spring. Diane Thorson, the county's public health director, said the last injury convinced her to declare the property a public nuisance.

But in June, before the animals could be seized, a neighbor reported finding a lion, a goat and other animals in her yard, not far from a bar and restaurant. Officers, unable to find a tranquilizing gun, shot and killed the lion.

"We can't really have a wild

lion roaming the countryside," said Otter Tail County Attorney David Hauser.

Nine Siberian tigers from the Mears property were eventually dispersed to sanctuaries around the country. Piccirillo is believed to have taken a tiger cub and cougar cub with him to Florida, where he was arrested in a motel for possessing animals without the proper permits.

Mears was charged with 12 counts, including mistreatment of animals and failure to register them under Minnesota's new exotic animal law. Exotic animal expert Pete Bergerson of Plymouth, who is advising Mears, said she feels Piccirillo left her with the animals, the problems and the liability. Piccirillo, reached by telephone in Connecticut, said he transferred ownership to Mears, and the fate of the animals was her responsibility.

THE LAST TIGER

Back at the Cordy farm last week, Wayne Johnson, the township chairman, led a reporter and photographer across the main road, through an adjacent property and to a back corner of Cordy's perimeter fence.

There was no sign of Lilly in her circular enclosure, but the man on a mission to get her permanently out of tiny Scrambler Township hardly seemed pleased.

An Otter Tail County judge has given Cordy a month or two to move Lilly to a new home. In the meantime, she was supposed to remain caged.

Riotous weeds, the carcasses of what appeared to be store-bought chickens, and three dog-house-like cinderblock enclosures were visible. But no tiger.

"It makes me more nervous not seeing it, than seeing it," Johnson said.

Concerned the animal may have escaped, Johnson dialed the sheriff's department. He said he was initially told that the tiger had been removed. Later, the officers said they spoke to Cordy, who said Lilly was still in her cage.

Johnson shot out a piercing whistle, and Lilly finally emerged from one of the enclosures, big-cat motor running, drawing a visual bead on all three visitors in succession.

In a county where images of otters decorate the county courthouse, Lilly is a majestic outsider. Johnson, eyeing the weathered sheathing over her enclosure, hopes the boards hold until she is moved to a new home.

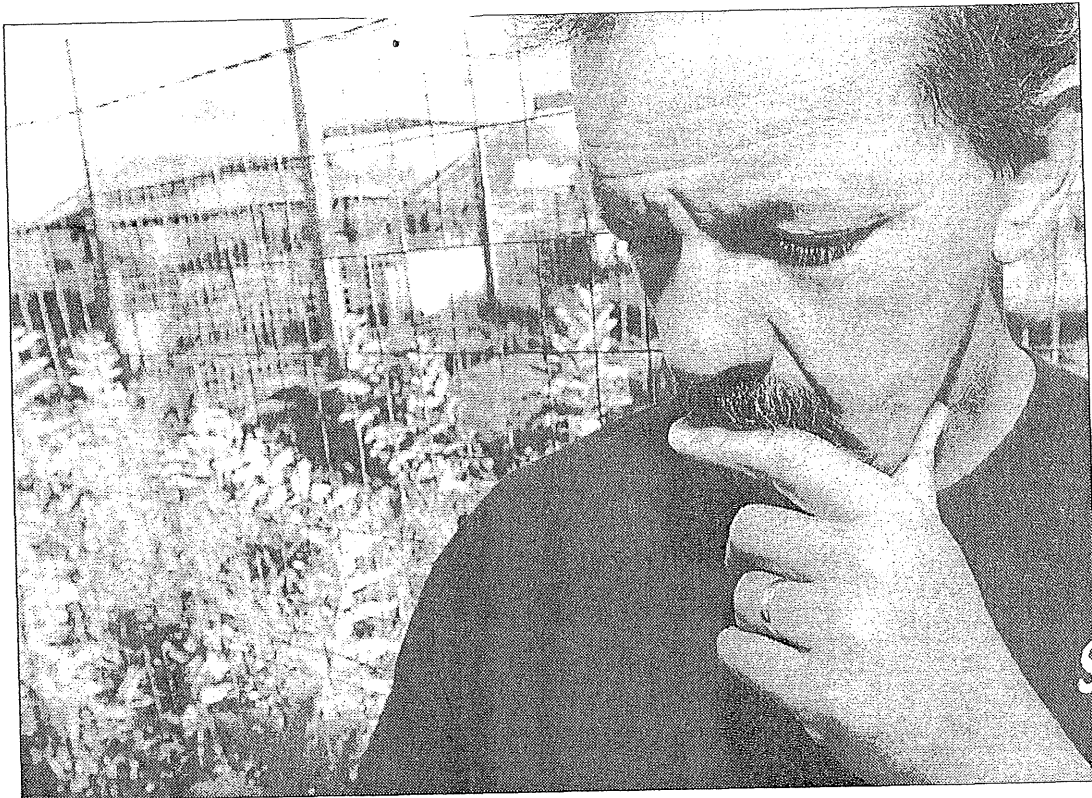
"See how that roof is caved in," Johnson said. "What is it going to take for her to get through that?"

Jim Ragsdale can be contacted at jragdsdale@pioneerpress.com or 651-228-5529.



PHOTOS BY BRANDI JADE THOMAS, PIONEER PRESS

This corn-crib-like enclosure holds Lilly, Roy Cordy's Bengal tiger, on his property near Pelican Rapids, Minn.



The condition of the pen holding Lilly concerns Wayne Johnson, chairman of Scrambler Township. "What is it going to take for her to get through that?" he asked, referring to the weathered sheathing on the structure's roof.

Wild African cat given a home in Chisago County

An African wild cat captured in a Coon Rapids garage last week has been placed in a Chisago County wildlife sanctuary after going unclaimed for five days.

The serval was not registered under the requirements of a new Minnesota law, so claiming it would have been admitting having possessed it illegally.

The female serval, a spotted cat about 2 feet tall and weighing 25 pounds, was placed with the Wildcat Sanctuary, a nonprofit operation that shelters exotic cats that have been seized or set free, or whose owners have given them up. It tries to find other permanent homes for the animals, or works to return them to previous owners under court settlements. It does not breed or put animals on public display, said executive director Tammy Quist.

The sanctuary has received more than 300 wild cats of all kinds since its inception 1999, and 22 this year. Most come from Minnesota and Iowa, and many from the metro area. Quist, who said private ownership of exotic cats is "epidemic" in Minnesota, is currently seeking permission to expand the sanctuary. "Long-term, we hope to put ourselves out of business," she said.

The serval, now one of several at the sanctuary, needed stitches for a leg wound and treatment for ear mites, and will be spayed, Quist said.

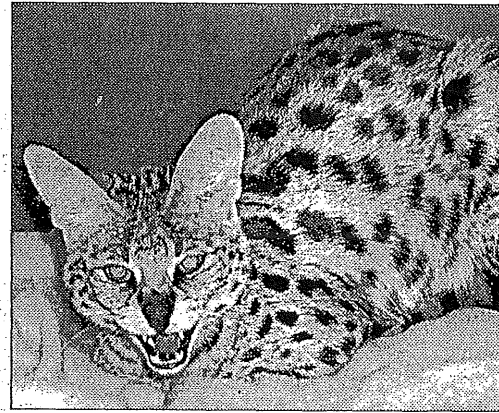
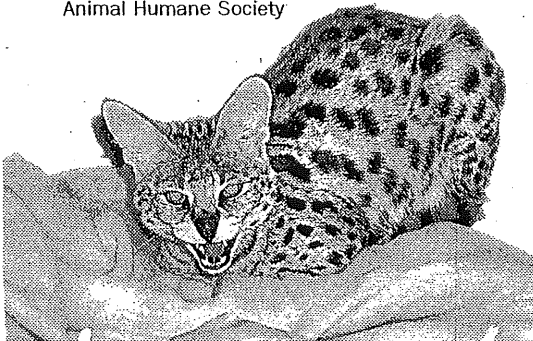
To raise awareness of the issues involving the illegal trade in wild animals, Quist is sponsoring a contest to name the serval. The winner will become an honorary sponsor, and all participants will get a picture of the animal.

Entries should explain the name and be sent by May 13 to cat@wildcatsanctuary.org, or the Wildcat Sanctuary, Naming Contest, P.O. Box 202, Cedar, MN 55011. For more information: www.wildcatsanctuary.org.

Bill McAuliffe

An African serval

Animal Humane Society



Provided by the Animal Humane Society

This African serval was found in a garage.

Here, kitty, kitty: Exotic cat caught; likely an illegal pet

An African cat known as a serval — likely an illegal pet under state and local laws — was captured Thursday in a garage in Coon Rapids, after it had apparently escaped from an apartment several blocks away.

Police answered a call from the garage owner at about 7 a.m., thinking they were looking for a large feral domestic cat, but did not find the animal.

After a woman in police custody on another matter mentioned she had lost a "wild domestic cat" she had been catsitting in her apartment, officers returned to the garage and found the serval in the rafters, according to Capt. Paul Johnson. They captured the cat with a netting device and took it to the Animal Humane Society in Golden Valley.

The large-eared, spotted serval, which stands 1½ to 2 feet tall at the shoulder, is common across Africa. The animals thrive near water and are known for their acute hearing and vertical leaping ability.

The seized animal, a female, weighs about 25 pounds, said Keith Streff, director of investigations for the Humane Society.

Streff said he is "relatively confident no one is going to claim this animal," so the humane society will keep it for five days, then try to place it in a shelter for exotic species.

Under the new state law, people who owned exotic animals in Minnesota had until April 1 to have them licensed. Servals are among the animals listed in the new restrictions, but are virtually absent from the list of properly licensed animals.

Bill McAuliffe

Star Tribune - 4/28/05

Star Trib - 4/23/05

Star Tribune – June 29, 2005

After attack, warnings on safety of exotic cats as pets

Emily Jones, Associated Press

For the last two years, Kendra Hirsch lived across the street from lions, tigers and a bear.

Hirsch, 13, held some of the animals in her arms when they were cubs, and says she never considered them a threat during her frequent visits to the Little Falls home of their owner, Chuck Mock.

"They're awesome," Hirsch said. "It's not every day you get to go touch a lion or a tiger."

But when two of the animals attacked a 10-year-old boy last week, the latest in a string of attacks by exotic animals kept as pets by Minnesotans, it raised new questions about the danger they pose. The boy, 10-year-old Russell Lala of Royalton, suffered a severed spinal cord and will be a quadriplegic the rest of his life, his parents announced Tuesday.

A new state law this year banned certain exotic pets in the state, but allowed current owners to keep their pets as long as they register them with local animal-control authorities.

Determining exactly how many big cats are in Minnesota is difficult, however, with data dispersed among lots of different agencies. And experts say they believe many people haven't registered their animals.

Tammy Quist, who runs a sanctuary for big cats in Cedar and is often summoned by authorities to find homes for exotic cats, estimates the state has hundreds of tigers and lions. She says she gets 30 calls per month from private pet owners looking for help after they find the animals are more than they bargained for.

National numbers are similarly difficult to track, but Quist estimates there are some 10,000 pet tigers in the U.S. — far more than the number left in the wild.

With plenty of cats available, they don't cost much. Crawford Allan, deputy director of TRAFFIC, a World Wildlife Fund program that specializes in wildlife trade issues, says tigers can easily be found on the Internet.

On one site, GotPetsOnline.com, a breeder in Faribault recently was offering black-maned African lion cubs for \$1,500 each. Quist said both tiger and lion cubs can be found for as little as \$500.

"Breeders up the price for pet owners because those people haven't done the research, they don't know the industry," Quist said.

Quist said many owners buy exotic cats and expect them to act domesticated.

"People are looking for a little bit of novelty and they think if you love something enough it will love you back," Quist said.

But cute, cuddly cubs can quickly overwhelm owners as they grow. An adult tiger eats anywhere from 15 to 20 pounds of meat a day, she said.

"I don't consider (the attacks) lashing out," Quist said. "A tiger lives to be 20 years old and you're going to expect a tiger never to act like a tiger? It's not aggressive behavior, it's tiger behavior."

The difficulty of caring for exotic animals in captivity worries animal activists. The Minnesota registration law is an essential step in tracking the animals, Allan said. Making sure they're properly maintained is another step to take.

Some of the animals taken in by Quist's sanctuary were neglected. One 25-year-old tiger named Meme was brought to the sanctuary after being kept in a 10-foot by 10-foot cage filled with her own feces and the remains of her food — roadkill.

Mock, who had 12 exotic animals at the time of the attack, didn't respond to phone calls to his home or office for this story. Hirsch's mother, Michelle Lickteig, said his animals were treated well and kept in good cages. He was devastated when the two animals in last week's attack were euthanized, she said.

Rachael Ratzlaff of Grand Rapids has owned a lynx for more than a year.

She and her husband became interested in the animal after seeing someone in Montana with one and being attracted to its uniqueness.

"They're just beautiful animals," she said.

Before buying the cat, Ratzlaff and her husband did a lot of research on how to feed the animal and keep it tame. Safety was a big concern for them, and they realized it could be dangerous if they decide to have children.

The Ratzlaffs declawed the animal and built him a 12-foot by 12-foot kennel. Ratzlaff loves her pet, despite the work.

"But it's not a pet for everybody," she said.

[washingtonpost.com](http://www.washingtonpost.com)

Woman Brings Illegal Lynx to Veterinarian

The Associated Press

Wednesday, August 17, 2005; 10:01 PM

OGDEN, Utah -- The cat Karen Goeckect brought to a veterinarian to be spayed and declawed was actually a lynx -- a threatened species that wildlife officials say is illegal to own in Utah.

Veterinarian Greg Johnston said 16-week-old Sasa was the size of a large house cat, but had black-tufted ears, thick, lanky legs and oversized feet tipped with half-inch claws.

"After working for Fish and Game and spending 40 years as a veterinarian, I knew what I was dealing with" -- a lynx, Johnston said.

Johnston said Goeckect, who listed a Garden City address, told a receptionist Sasa was a domestic cat when she left the animal Monday to be spayed and declawed at the Johnston Animal Hospital.

Goeckect said Tuesday that she bought Sasa for \$2,000 from a breeder in Minnesota. She said she planned to raise the animal at her home in Idaho, where lynx can be kept as pets if owners have a health certificate and an Idaho import license.

In Utah, lynx can be kept only by zoos or pelt farms, Division of Wildlife Resources Conservation Officer Kip King said.

Sasa is good-natured, people-friendly, and has never seriously bitten or scratched anyone, Goeckect said.

"She's not afraid of humans," Goeckect said. "She'll come right up and sit on your lap. If she was declawed, she'd be no different from a house cat."

Johnston said Goeckect may be able to control Sasa now, but when she reaches her full size of 30 to 40 pounds she will pose a danger to people and pets.

"This cat would have always been in charge," Johnston said. "The family would have been pretty much hostages to it."

The Division of Wildlife Resources allowed Goeckect to take Sasa home temporarily, but said the lynx eventually will have to be placed in a zoo or a rescue facility.

Sasa bit and scratched Johnston, so she will have to be quarantined at Goeckect's house for at least 10 days to check for rabies.

King said Goeckect could be subject to wildlife charges.

Information from: Standard-Examiner, <http://www.standard.net>

Cordy still trying to get rid of one tiger

By Brandon Stahl

A tiger was granted a stay of execution thanks indirectly to a court ruling Monday.

When he agreed to a plea deal last November, Dr. Roy Alexander Cordy agreed that he would no longer be able to possess any exotic animals and would make all reasonable efforts to transfer those in his possession.

But after a tiger was spotted on his property in rural Pelican Rapids, the Otter Tail County Attorney's office charged him with violating his probation. Because he didn't find a home for the tiger, prosecutor Cherie Clark argued, the 90 days of jail time hanging over Cordy's head as part of the plea bargain should be executed.

But if that happened, Cordy testified on Tuesday, instead of going to jail, "I would have to euthanize the cat."

Cordy, 43, pleaded guilty last year to depriving an animal on his farm of necessary food, water and shelter. He testified that six to eight months before the plea agreement, he was able to find new homes for nearly all of his exotic animals, including a leopard, two camels, a tortoise and a llama.

But he said he has been unsuccessful in finding a home for a Bengal tiger, despite having contacted more than six shelters.

"Minnesota and federal regulations make it difficult to transfer a tiger," said Cordy's attorney, Dave Phillippe. "A cat of this nature is hard to place. You can't just take it to the pond and drop it off."

Judge Waldemar Senyk said that it appeared Cordy was making progress, after he testified that he may have found a home for the tiger in Kellier, Mo.

"I really want to go her out of there," said Cordy, who also testified that he visits the tiger daily when he's in the area, otherwise he has someone else feed and water the tiger.

Cordy said he would be able to transfer the tiger in 30 to 60 days.

He said he did not want to consider euthanization because he had "some emotional attachment to the animal."

"I wanted to give her every opportunity to find a home for her that was safe," he said.

After the hearing, Cordy declined comment.

Jun 25, 2005 8:37 pm US/Central
(WCCO) Minneapolis

Blaine Woman Devastated By Pet Monkey Confiscation

His owner says he's a pet, but the City of Minneapolis says he's a pest.

Tracy Quinn of Blaine, Minn. left the family's pet Capuchin monkey, Muki, with a pet-sitter in Minneapolis while her family went on vacation.

Muki is properly registered with federal and state authorities, Quinn said, but she didn't realize she needed a special permit in order to bring him within Minneapolis city limits.

Quinn just learned that the hard way.

The pet-sitter brought Muki to a park on Friday, where he interacted with some kids and gave one a kiss.

Someone reported the incident to Minneapolis Animal Control, and Muki was confiscated and taken to a shelter in North Minneapolis.

"I don't know why they took him," Quinn said tearfully Saturday. "I take him everywhere I go. He goes in stores, anywhere, as long as he's leashed and contained."

However, it's unlawful to bring an exotic animal into Minneapolis without first clearing it with Animal Control.

"You have to apply for a permit," Minneapolis Animal Control Assistant Manager Tom Doty said. "When an exotic (animal) appears in our city, then we essentially have to make sure the public's safety is being cared for."

Muki will stay with animal control until it can be determined whether he posed any public health hazards. In these cases, officials say exotic animals often have to be quarantined for a while.

"(Animal Control) went down there and confiscated him with the officers," Quinn said, "and wouldn't let us come down (to the shelter) and bring his things down and change his diapers or take his leash off or anything until now, which is 24 hours later."

Quinn said Muki seemed distraught when she went to visit him.

"He was screaming and hugging me and he wouldn't let me go," Quinn said. "He even tried to bite me because I had to put him back in the kennel."

Many monkey owners believe their pets should be treated differently than other exotic animals.

"Not one sweeping bill for all animals," said Bryan Mintz, owner of a monkey named Rudy. "It doesn't work. We're caught in the middle of this."

Mintz said he wasn't aware of the Minneapolis law, even though he regularly travels with Rudy around the metro.

"He's a wonderful little animal," Mintz said.

Quinn said she just wanted to get her pet back, but that won't happen until authorities are sure both the animal and the public are safe.

"Primates are of concern," Doty said. "We want to make sure the people that know there's not going to be a public health risk are guiding us through the quarantine procedure."

Animal Control officials say they make sure exotic animals are properly cared for at their facility, even if they have to bring in outside experts.

The Board of Animal Health will likely take a look at Muki's case, and then it can be determined when he can go home and how long he may have to be quarantined.

<http://wcco.com/video/?id=7948@wcco.dayport.com>



Small Monkey Fact Sheet

Wild Animals are NOT Pets Adopt a Pet, Not a Problem

Problem:

Thousands of small monkeys are bred, bought, sold and traded in the U.S. as part of a growing primate pet trade. While the large canine teeth and shear strength of chimpanzees, gorillas and other Great Apes may be obvious, smaller monkeys also pose a serious threat to public health and safety.

Small monkeys common in the pet trade include: capuchin, squirrel, patas, and spider monkeys, vervets, macaques, tamarins, marmosets and bush babies. Most of these monkeys can carry diseases that are highly contagious to humans. They can also inflict serious injury to their caretakers and members of the public, especially as they become increasingly aggressive with maturity.



Facts:

- Whether large or small, primates can potentially transmit to humans dangerous viral diseases such as yellow fever, monkey pox, Ebola and Marburg virus, Herpes simiae (herpes B), and Simian Immunodeficiency Virus, (SIV) the primate form of HIV, viral hepatitis and measles.
- In humans, Herpes-B can be fatal. As many as 25% of macaques, both imported and domestically bred, have antibodies to herpes-B virus. All macaques should be considered potential carriers.
- Bacterial Zoonotic Diseases are easily transmitted when monkeys are kept as a pet-children are especially at risk. Some of these bacteria include Mycobacteria, responsible for Tuberculosis; and Salmonella and Shigella which may result in severe diarrhea, dehydration and can even be fatal in some cases. There is a documented case of a child contracting Shigella after licking an ice cream cone touched by a monkey in a pet shop.
- Campylobacter is one of the leading causes of diarrhea in humans; it is a bacteria found often in primates. The disease causes severe enterocolitis and can cause death in infants, children or immunocompromised adults.
- Environmental contamination from pet primates is of great concern. Poor hygiene and improper disposal of contaminated feces pose a serious problem. Many disease organisms can persist in the environment for long periods of time and may pose a serious threat to humans. Environmental contamination may be a significant danger to the communities where pet primates are kept.
- Primates are highly intelligent and social animals. Most captive environments cannot meet their complex social and psychological needs, and pet primates are typically kept chained or confined in small, sterile enclosures.
- A recent review of primate ads listed dozens of pet monkeys for sale in more than 20 states. All the species listed above are available and ages range from newborns to breeding adult pairs. Prices range from "free to a good home," to \$8,500 for a breeding age female capuchin.
- More than 60% of the recorded primate incidents in the past 10 years involved pet primates. More than 90 children and adults were injured in incidents occurring in 49 different states.
- There are no federal laws in the U.S. banning primate ownership or exotic animal ownership in general. Fourteen states ban private possession of exotic animals, seven states have a partial ban, and fifteen require a license or permit.

Solution

- Never buy a monkey for a pet.
- Do not patronize substandard unaccredited facilities that exhibit monkeys.
- Report suspected dangerous housing or abuse of monkeys to local humane societies or animal control officers.
- Support H.R. 1329 and S. 1509, the Captive Primate Safety Act, and other legislation to regulate the ownership of wild animals as pets.

To learn more about CWAPC

please contact: info@cwapc.org

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Senate

State of Minnesota

S.F. No. 3005 - Crime of Unlawful Conduct Relating to Telephone Abuse

Author: Senator Steve Kelley

Prepared by: Chris Turner, Senate Research (651/296-4350) CT

Date: March 21, 2006

Section 1, Subdivision 1, defines terms for the purposes of the bill.

Subdivision 2 creates a felony for knowingly procuring, selling, or receiving the telephone records of another without that person's authorization or by fraudulent, deceptive, or false means. Graduated penalties are as follow:

- ◆ for one telephone record: 5 years / \$10,000 fine;
- ◆ for two to ten telephone records: 10 years / \$20,000 fine; or
- ◆ for more than ten telephone records: 20 years / \$100,000 fine.

Subdivision 3 makes the following persons exempt from this section:

- ◆ peace officers or law enforcement agents in the course of their duties;
- ◆ individuals acting pursuant to a valid court order, warrant, or subpoena;
- ◆ employees of telephone companies acting: 1) as otherwise authorized by law; 2) with the consent of the individual; 3) as may be necessarily incident to the rendition of the service; 4) in cooperation with a governmental entity in the case of an emergency; 5) in cooperation with the National Center for Missing and Exploited Children; or 6) in connection with the sale or transfer of all or part of the company's business or the migration of a customer from one company to another.

Subdivision 4 provides that violations of this section are enforceable by the attorney general.

CT:rer

Senators Kelley and Neuville introduced-

S.F. No. 3005: Referred to the Committee on Crime Prevention and Public Safety.

1 A bill for an act
2 relating to public safety; establishing the crime of unlawful conduct relating to
3 telephone records; imposing criminal penalties; proposing coding for new law in
4 Minnesota Statutes, chapter 609.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

6 Section 1. [609.8935] UNLAWFUL CONDUCT RELATING TO TELEPHONE
7 RECORDS.

8 Subdivision 1. Definitions. (a) As used in this section, the following terms have
9 the meanings given.

10 (b) "Customer" means a person or other entity that subscribes to telephone service
11 from a telephone company.

12 (c) "Procure" means to obtain by any means, whether electronically, in writing, or in
13 oral form, with or without consideration.

14 (d) "Telephone company" means any person or other entity that provides commercial
15 telephone service to a customer, irrespective of the communications technology used to
16 provide the service, including, but not limited to, traditional wireline or cable telephone
17 service; cellular, broadband PCS, or other wireless telephone service; microwave, satellite,
18 or other terrestrial telephone service; and voice over Internet telephone service.

19 (e) "Telephone records" include information retained by a telephone company that
20 relates to the telephone number dialed from a customer's telephone, or the incoming call
21 directed to a customer's telephone, or other data related to calls typically contained on
22 a customer's telephone bill, including, but not limited to, the time the call started and
23 ended, the duration of the call, the time of day the call was made, and any charges applied.

24 However, for the purposes of this section, any information collected and retained by

2.1 customers utilizing caller ID, or other similar technology, does not constitute a telephone
2.2 record.

2.3 Subd. 2. Crime defined; penalty. (a) A person commits the crime of unlawful
2.4 conduct relating to telephone records if the person:

2.5 (1) knowingly procures a telephone record of another without that person's
2.6 authorization or by fraudulent, deceptive, or false means;

2.7 (2) knowingly sells a telephone record of another without that person's authorization;

2.8 or

2.9 (3) receives a telephone record of another knowing that the record has been obtained
2.10 without that person's authorization or by fraudulent, deceptive, or false means.

2.11 (b) A person who violates this subdivision may be sentenced to:

2.12 (1) imprisonment for not more than five years or to payment of a fine of not more
2.13 than \$10,000, or both, if the violation involves a single telephone record;

2.14 (2) imprisonment for not more than ten years or to payment of a fine of not more
2.15 than \$20,000, or both, if the violation involves at least two and no more than ten telephone
2.16 records; or

2.17 (3) imprisonment for not more than 20 years or to payment of a fine of not more than
2.18 \$100,000, or both, if the violation involves more than ten telephone records.

2.19 Subd. 3. Exceptions. The penalties in this section do not apply to:

2.20 (1) peace officers or employees or agents of law enforcement agencies acting in
2.21 the official course of their duties;

2.22 (2) individuals acting pursuant to a valid court order, warrant, or subpoena;

2.23 (3) employees or agents of telephone companies acting:

2.24 (i) as otherwise authorized by law;

2.25 (ii) with the lawful consent of the customer;

2.26 (iii) as may be necessarily incident to the rendition of the service or to the protection
2.27 of the rights or property of the provider of that service, or to protect users of those services
2.28 and other companies from fraudulent, abusive, or unlawful use of, or subscription to,
2.29 these services;

2.30 (iv) in cooperation with a governmental entity, if the telephone company reasonably
2.31 believes that an emergency involving immediate danger of death or serious physical injury
2.32 to any person justifies disclosure of the information;

2.33 (v) in cooperation with the National Center for Missing and Exploited Children,
2.34 in connection with a report submitted to it under United States Code, title 42, section
2.35 13032; or

3.1 (vi) in connection with the sale or transfer of all or part of the company's business,
3.2 or the purchase or acquisition of a portion or all of a business, or the migration of a
3 customer from one company to another.

3.4 Subd. 4. Enforcement. Violations of this section are enforceable by the attorney
3.5 general under section 8.31.

3.6 EFFECTIVE DATE. This section is effective August 1, 2006, and applies to crimes
3.7 committed on or after that date.

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State of Minnesota

**S.F. No. 3140 - Substance Abuse Treatment
Recommendations**

Author: Senator Jane B. Ranum

Prepared by: Chris Turner, Senate Research (651/296-4350) CT

Date: March 21, 2006

Section 1 requires Department of Corrections recidivism studies to include statistics on the percentage of offenders who have been assessed as chemically dependent and maintain separate recidivism rates for persons completing and persons not completing treatment.

Section 2 requires the commissioner, upon release of an offender, to provide the corrections agency that will supervise the offender all records on the offender's prison-based substance abuse assessments, treatments, and other related services.

Section 3 requires the commissioner, by January 15, 2007, and at least once every three years thereafter, to contract for an independent review of the Department's prison-based substance abuse assessment activities.

Section 4 requires the commissioner to cooperate with community-based corrections agencies to determine the substance abuse treatment needs of offenders transitioning from prison to the community.

Section 5 requires the commissioner to keep adequate records regarding inmate participation in substance abuse treatment programs, including noncompliance with assessment recommendations.

Section 6 requires the commissioner, by January 15, 2007, to report recommendations to the Legislature on how to improve the availability and effectiveness of prison-based and community-

Senators Ranum, Skoglund, Betzold, McGinn and Limmer introduced—

S.F. No. 3140: Referred to the Committee on Crime Prevention and Public Safety.

A bill for an act

relating to public safety; implementing certain recommendations of the legislative auditor concerning substance abuse treatment; amending Minnesota Statutes 2004, section 241.016, subdivision 1; Minnesota Statutes 2005 Supplement, section 241.06, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 241.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2004, section 241.016, subdivision 1, is amended to read:

Subdivision 1. **Biennial report.** (a) The Department of Corrections shall submit a performance report to the chairs and ranking minority members of the senate and house committees and divisions having jurisdiction over criminal justice funding by January 15, 2005, and every other year thereafter. The issuance and content of the report must include the following:

(1) department strategic mission, goals, and objectives;

(2) the department-wide per diem, adult facility-specific per diems, and an average per diem, reported in a standard calculated method as outlined in the departmental policies and procedures; and

(3) department annual statistics as outlined in the departmental policies and procedures.

(b) The department shall maintain recidivism rates for adult facilities on an annual basis. In addition, each year the department shall, on an alternating basis, complete a recidivism analysis of adult facilities, juvenile services, and the community services divisions and include a three-year recidivism analysis in the report described in paragraph

(a). When appropriate, the recidivism analysis must include education programs, vocational programs, treatment programs, industry, and employment. In addition, when

2.1 reporting recidivism for the department's adult and juvenile facilities, the department shall
 2.2 report on the extent to which offenders it has assessed as chemically dependent commit
 2.3 new offenses, with separate recidivism rates reported for persons completing and not
 2.4 completing the department's treatment programs.

2.5 **EFFECTIVE DATE.** This section is effective July 1, 2006.

2.6 Sec. 2. Minnesota Statutes 2005 Supplement, section 241.06, is amended by adding a
 2.7 subdivision to read:

2.8 Subd. 3. **Substance abuse information provided to supervising corrections**
 2.9 **agency.** When an offender is being released from prison, the commissioner shall provide
 2.10 to the corrections agency that will supervise the offender prison records relating to that
 2.11 offender's prison-based substance abuse assessments, treatment, and any other substance
 2.12 abuse-related services provided to the offender. If the offender did not participate in
 2.13 the prison-based substance abuse program to which the offender was directed, the
 2.14 commissioner shall provide the supervising agency with an explanation of the reasons.

2.15 **EFFECTIVE DATE.** This section is effective July 1, 2006.

2.16 Sec. 3. **[241.40] PERIODIC REVIEWS OF SUBSTANCE ABUSE ASSESSMENT**
 2.17 **PROCESS.**

2.18 By January 15, 2007, and at least once every three years thereafter, the commissioner
 2.19 shall ensure that an outside entity conducts an independent review of the department's
 2.20 prison-based substance abuse assessment activities.

2.21 **EFFECTIVE DATE.** This section is effective July 1, 2006.

2.22 Sec. 4. **[241.415] RELEASE PLANS; SUBSTANCE ABUSE.**

2.23 The commissioner shall cooperate with community-based corrections agencies to
 2.24 determine how best to address the substance abuse treatment needs of offenders who are
 2.25 being released from prison. The commissioner shall ensure that an offender's prison
 2.26 release plan adequately addresses the offender's needs for substance abuse assessment,
 2.27 treatment, or other services following release, within the limits of available resources.

2.28 **EFFECTIVE DATE.** This section is effective July 1, 2006.

2.29 Sec. 5. **[241.416] SUBSTANCE ABUSE PROGRAMS; RECORD KEEPING.**

3.1 The commissioner shall keep adequate records regarding inmate participation in
3.2 substance abuse treatment programs. For inmates who did not comply with directives to
3.3 participate in substance abuse treatment programs, these records must include the reasons
3.4 why the inmate did not do so.

3.5 EFFECTIVE DATE. This section is effective July 1, 2006.

3.6 Sec. 6. SUBSTANCE ABUSE TREATMENT; RECOMMENDATIONS,
3.7 REPORT.

3.8 (a) The commissioner of corrections shall make recommendations to:

3.9 (1) improve the availability of prison-based substance abuse treatment programming
3.10 and related services; and

3.11 (2) better ensure that offenders released from prison receive appropriate
3.12 community-based substance abuse treatment and services.

3.13 These recommendations must include an estimate of the financial costs associated with
3.14 implementing them.

3.15 (b) The commissioner shall recommend changes in prison-based programs or release
3.16 plans to improve the postprison release outcomes of:

3.17 (1) inmates who are directed to complete prison-based short-term substance abuse
3.18 programs; and

3.19 (2) inmates who fail the prison-based substance abuse programs they start.

3.20 (c) By January 15, 2007, the commissioner shall report to the chairs and ranking
3.21 minority members of the senate and house committees and divisions having jurisdiction
3.22 over criminal justice policy and funding on the commissioner's recommendations under
3.23 paragraphs (a) and (b).

3.24 EFFECTIVE DATE. This section is effective the day following final enactment.

**Senate Counsel, Research,
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State of Minnesota

**S.F. No. 3139 - Department of Corrections Mental Health
Program Reporting**

Author: Senator Jane B. Ranum

Prepared by: Chris Turner, Senate Research (651/296-4350) *CT*

Date: March 21, 2006

The bill requires the Department of Corrections to include information about prison-based mental health programs in its biennial performance report.

CT:rer

Senators Ranum, Betzold, McGinn and Limmer introduced-

S.F. No. 3139: Referred to the Committee on Crime Prevention and Public Safety.

A bill for an act

1.2 relating to public safety; requiring the Department of Corrections to report
1.3 information on mental health programs to the legislature; amending Minnesota
1.4 Statutes 2004, section 241.016, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2004, section 241.016, subdivision 1, is amended to read:

1.7 Subdivision 1. **Biennial report.** (a) The Department of Corrections shall submit a
1.8 performance report to the chairs and ranking minority members of the senate and house
1.9 committees and divisions having jurisdiction over criminal justice funding by January
1.10 15, 2005, and every other year thereafter. The issuance and content of the report must
1.11 include the following:

1.12 (1) department strategic mission, goals, and objectives;

1.13 (2) the department-wide per diem, adult facility-specific per diems, and an average
1.14 per diem, reported in a standard calculated method as outlined in the departmental policies
1.15 and procedures; ~~and~~

1.16 (3) department annual statistics as outlined in the departmental policies and
1.17 procedures; and

1.18 (4) information about prison-based mental health programs, including, but not
1.19 limited to, the availability of these programs, participation rates, and completion rates.

1.20 (b) The department shall maintain recidivism rates for adult facilities on an annual
1.21 basis. In addition, each year the department shall, on an alternating basis, complete a
1.22 recidivism analysis of adult facilities, juvenile services, and the community services
1.23 divisions and include a three-year recidivism analysis in the report described in paragraph

1.24 (a). When appropriate, the recidivism analysis must include education programs,

2.1 vocational programs, treatment programs, including mental health programs, industry, and
2.2 employment.

2.3 **EFFECTIVE DATE.** This section is effective July 1, 2006.



March 21, 2006

Dear Members of the Crime Prevention and Public Safety Committee:

The National Alliance on Mental Illness of Minnesota (NAMI-MN) is writing to support S.F. 3139. This bill would require the Department of Corrections to include information about prison-based mental health programs in their biennial report to the legislature and mental health treatment in recidivism analysis.

In Minnesota, approximately 25% of prison inmates have a mental illness. For many, their untreated or undertreated mental illness led to their committing a crime and ultimately becoming incarcerated. Unfortunately, there is very little accessible information on how treatment programs are implemented, which inmates receive these services, or the effectiveness of these treatment programs.

As policy makers, it is important that you receive information about the provision of mental health services in the prison system. In studying recidivism rates, it will be helpful for you to know the number of inmates receiving treatment and the impact of this treatment. NAMI-MN knows that offenders with mental illness who are untreated or receive inappropriate treatment, as well as offenders who discharge without a plan for continued access to treatment, often return to prison.

NAMI-MN launched the Building Bridges Project this past fall. This project will aid correctional facilities in recognizing and responding to mental illness and promote discharge planning for offenders with mental illness. S.F. 3139 would make vital information about prison mental health treatment more accessible and support NAMI-MN's efforts to ensure offenders receive appropriate mental health services.

NAMI Minnesota urges support for S.F. 3139.

Sincerely,

Sue Abderholden
Executive Director

Member



Community
Solutions Fund

NAMI-MN National Alliance for the Mentally Ill of Minnesota

800 Transfer Road, Suite 7A, St. Paul, MN 55114 Tel: 651-645-2948 or 1-888-473-0237 Fax 651-645-7379

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Senate

State of Minnesota

S.F. No. 2642 - Imposing Double Fine For Moving Violations While Operating Mobile Telephone

Author: Senator D. Scott Dibble

Prepared by: Krista Boyd, Fiscal Analyst (651/296-7681)
Bonnie Berezovsky, Senate Counsel (651/296-9191)

Date: March 21, 2006

This bill amends the statute on traffic-related penalties, requiring an additional surcharge for a moving violation conviction if the violation is committed while operating a mobile telephone. This fine shall equal the amount of the moving violation fine, but must be at least \$25.

Exceptions to the fine may be made if the telephone was being used to contact emergency services.

KB/BB:rer

Senators Dibble, Ranum, McGinn, Jungbauer and Chaudhary introduced—
S.F. No. 2642: Referred to the Committee on Transportation.

1 A bill for an act
2 relating to traffic regulations; doubling fine for moving violation committed
3 while operating mobile phone; providing affirmative defense to doubled fine;
4 amending Minnesota Statutes 2004, section 169.89, by adding a subdivision.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

6 Section 1. Minnesota Statutes 2004, section 169.89, is amended by adding a
7 subdivision to read:

8 Subd. 6. Violation committed while operating mobile phone. (a) A person
9 convicted of a moving violation, which does not include a parking violation, a vehicle
10 equipment violation, or a warning citation, who, during the commission of the violation,
11 was operating a cellular or wireless telephone, is assessed an additional surcharge equal to
12 the amount of the fine imposed for the moving violation, but not less than \$25.

13 (b) It is an affirmative defense against a charge of violating paragraph (a) that the
14 mobile telephone was used for the purpose of contacting the following in response to
15 an emergency:

16 (1) a first responder by use of a 911 or other emergency telephone number;

17 (2) a hospital, clinic, or doctor's office;

18 (3) an ambulance service provider;

19 (4) a fire department or law enforcement agency; or

20 (5) a first aid squad.

1.1 Senator moves to amend S.F. No. 2642 as follows:

1.2 Page 1, delete section 1 and insert:

1.3 "Section 1. Minnesota Statutes 2004, section 169.89, is amended by adding a
1.4 subdivision to read:

1.5 Subd. 6. Violation committed while engaging in distracted driving. (a) As used
1.6 in this subdivision, "distracted driving" includes, but is not limited to, driving while
1.7 reading a newspaper, map, or book; while operating a cellular or wireless telephone; while
1.8 applying makeup; or while watching a television or a video or DVD recording.

1.9 (b) A person convicted of a moving violation, which does not include a parking
1.10 violation, a vehicle equipment violation, or a warning citation, who, during the commission
1.11 of the violation, was engaged in distracted driving, is assessed an additional surcharge
1.12 equal to the amount of the fine imposed for the moving violation, but not less than \$25.

1.13 (c) It is an affirmative defense against a charge of violating paragraph (b) involving
1.14 the use of a cellular or wireless telephone that the mobile telephone was used for the
1.15 purpose of contacting the following in response to an emergency:

- 1.16 (1) a first responder by use of a 911 or other emergency telephone number;
- 1.17 (2) a hospital, clinic, or doctor's office;
- 1.18 (3) an ambulance service provider;
- 1.19 (4) a fire department or law enforcement agency; or
- 1.20 (5) a first aid squad.

1.21 **EFFECTIVE DATE.** This section is effective August 1, 2006, and applies to acts
1.22 committed on or after that date."

1.23 Amend the title accordingly.



Insurance Information Institute

110 William Street, New York, NY 10038 Tel. 212 346-5500

Cell Phones and Driving

THE TOPIC

JANUARY 2006

In the United States over 200 million people used cell phones as of December 2005, compared with approximately 4.3 million in 1990, according to the Cellular Telecommunications & Internet Association.

Increased reliance on cell phones has led to a rise in the number of people who use the devices while driving. There are two dangers associated with driving and cell phone use. First, drivers must take their eyes off the road while dialing. Second, people can become so absorbed in their conversations that their ability to concentrate on the act of driving is severely impaired, jeopardizing the safety of vehicle occupants and pedestrians. Since the first law was passed in New York in 2001 banning hand-held cell phone use while driving, there has been debate as to the exact nature and degree of hazard. At first safety experts focused on the problem as part of the larger one of driver distractions in general. These can include anything that reduces driver concentration on road hazards from drinking coffee to talking with another passenger. Now there is increasing evidence that the dangers associated with cell-phone use outweigh those of other distractions. Safety experts also acknowledge that the hazard posed by cell phone conversations is not eliminated, and may even be increased, by the use of hands-free sets.

RECENT DEVELOPMENTS

- **Studies:** In December 2005 the National Highway Traffic Safety Administration (NHTSA) and the National Center for Statistics and Analysis released the results of their National Occupant Protection Use Survey (NOPUS), which found that in 2005, 6 percent of drivers used handheld cell phones, up from 5 percent in 2004. The survey also found that the jump was most noticeable among women (up to 8 percent from 6 percent in 2004) and young drivers ages 16 to 24 (up to 10 percent from 8 percent in 2004). The percentage of men using cell phones rose from 4 to 5 percent over the same period. Finally, the survey found that the number of drivers using headsets rose from 0.4 percent in 2004 to 0.8 percent in 2005. The NOPUS is a probability-based observational survey. Data on driver cell phone use were collected at random stop signs or stoplights only while vehicles were stopped and only during daylight hours.



- Motorists who use cell phones while driving are four times as likely to get into crashes serious enough to injure themselves, according to a study of drivers in Perth, Australia, conducted by the Insurance Institute for Highway Safety. The results, published in July, 2005, suggest that banning hand-held phone use won't necessarily improve safety if drivers simply switch to hands-free phones. The study found that injury crash risk didn't vary with type of phone.



- A government study released in June 2005 indicates that the distraction of cell phones and other wireless devices was far more likely to lead to crashes than other distractions faced by drivers. Researchers for the Virginia Tech Transportation Institute and the National Highway Traffic Safety Administration (NHTSA) tracked 100 cars and their drivers for a year and concluded that talking on cell phones caused far more crashes, near-crashes and other incidents than other distractions.

- These findings seem to contradict an August 2003 report from the AAA Foundation for Traffic Safety that concluded that drivers are far less distracted by their cell phones than other

common activities, such as reaching for items on the seat or glove compartment or talking to passengers. The study was based on the analysis of three hour videotapes from cameras installed in the vehicles of 70 drivers in North Carolina and Pennsylvania.

- Many studies have shown that using hand-held cell phones while driving can constitute a hazardous distraction. However, the theory that hands-free sets are safer has been challenged by the findings of several studies. A September 2004 study from the NHTSA found that drivers using hand-free cell phones had to redial calls 40 percent of the time, compared with 18 percent for drivers using hand held sets, suggesting that hands free sets may provide drivers with a false sense of ease.
- A study from the University of Utah published in the winter 2004/2005 issue of Human Factors, the quarterly journal of the Human Factors and Ergonomics Society, found that motorists who talked on hands-free cell phones were 18 percent slower in braking and took 17 percent longer to regain the speed they lost when they braked. An earlier University of Utah study by the same researchers found that drivers talking on hands-free cell phones were less likely to recall seeing pedestrians, billboards or other roadside features.
- A study published in the March 2003 issue of The Journal of Experimental Psychology: Applied, found that the distraction risk is as high for drivers who use hands-free cell phones, as for drivers who use hand-held devices.
- **State and Federal Initiatives:** The number of state legislatures debating measures that address the problem of cell-phone use while driving and other driver distractions continues to rise. According to the National Conference of State Legislatures, over two-thirds of states looked at bills that would restrict the use of cell phones while driving in the first part of 2005. Four states -- Colorado, Delaware, Maryland and Tennessee -- banned their use by young drivers in 2005. In May, the city of Chicago banned the use of hand held cell phones while driving, imposing penalties of \$50 or \$200 (the latter if the driver is involved in an accident).
- In October 2005 a Connecticut law banning the use of hand-held cell phones while driving went into effect. The measure goes further than some similar laws in other states and municipalities. Drivers in Connecticut can be fined \$100 not only for using a cell phone, but those pulled over for speeding or other moving violations can be fined for other driving distractions such as putting on makeup or turning to discipline children in the back seat. In January 2004 New Jersey passed a bill prohibiting the use of cell phones while driving and in April of that year the District of Columbia (DC) followed suit. In New Jersey fines range between \$100 and \$250; in DC fines are \$100. New York was the first state to enact such legislation in 2001. Drivers there face fines of \$100 for the first violation, \$200 for the second and \$500 thereafter.
- In June 2003 federal and state highway safety agencies issued new guidelines for reporting crashes caused by distracted drivers. The authorities are asking police across the nation to note whether a driver was distracted and the source of the distraction, such as cell phone, radio, passenger, or another vehicle.
- **Businesses:** Businesses are increasingly prohibiting workers from using cell phones while driving to conduct business. In July 2004, the California Association of Employers recommended that employers develop a cell phone policy that requires employees to pull off the road before conducting business by cell phone.
- **Court Decisions:** In December 2004 a civil case involving a car crash caused by a driver using a cell phone for business reasons was dismissed when the driver's employer, Beers Skanska Inc., agreed to pay the plaintiff \$5 million. The plaintiff in the case being heard in Georgia's Fulton County Superior Court was severely injured in the crash. The suit is among the most recent of several cases where an employer has been held liable for an accident caused by a driver using a cell phone. See background section on Employer and Manufacturer Liability.

- In mid-October 2004 in the case of Yoon v. Wagner a Virginia jury awarded \$2 million in damages to the family of a young girl who was killed by a driver using a cell phone at the time of the accident. The plaintiff also filed a suit against the driver's employer after it became clear through an examination of phone records that the driver had been talking to a client when she hit the girl.

BACKGROUND

Cell phones play an integral role in our society. However, the convenience they offer must be judged against the hazards they pose. Inattentive driving accounted for 6.4 percent of crash fatalities in 2003 — the latest data available — according to the U.S. Department of Transportation. Inattentive driving includes talking, eating, putting on make up and attending to children. Using cell phones and other wireless or electronic units are also considered distractions.

As many as 40 countries may restrict or prohibit the use of cell phones while driving. Countries reported to have laws related to cell phone use include Australia, Austria, Belgium, Brazil, Botswana, Chile, the Czech Republic, Denmark, Egypt, Finland, France, Germany, Greece, Hungary, India, Ireland, Israel, Italy, Japan, Jordan, Kenya, Malaysia, the Netherlands, Norway, the Philippines, Poland, Portugal, Romania, Russia, Singapore, the Slovak Republic, Slovenia, South Africa, South Korea, Spain, Sweden, Switzerland, Taiwan, Turkey, Turkmenistan, the United Kingdom and Zimbabwe. Most countries prohibit the use of hand-held phones while driving. Drivers in the Czech Republic, France, the Netherlands and the United Kingdom may use cell phones but can be fined if they are involved in crashes while using the phone. Drivers in the United Kingdom and Germany also can lose insurance coverage if they are involved in a crash while talking on the phone.

Supporters of restrictions on driving while using a cell phone say that the distractions associated with cell phone use while driving are far greater than other distractions. Conversations using a cell phone demand greater continuous concentration, which diverts the driver's eyes from the road and his mind from driving. Opponents of cell phone restrictions say drivers should be educated about the effects of all driver distractions. They also say that existing laws that regulate driving should be more strictly enforced.

Employer and Manufacturer Liability: Although only a handful of high-profile cases have gone to court, employers are still concerned that they might be held liable for accidents caused by their employees while driving and conducting work-related conversations on cell phones. Under the doctrine of vicarious responsibility, employers may be held legally accountable for the negligent acts of employees committed in the course of employment. Employers may also be found negligent if they fail to put in place a policy for the safe use of cell phones. In response, many companies have established cell phone usage policies. Some allow employees to conduct business over the phone as long as they pull over to the side of the road or into a parking lot. Others have completely banned the use of all wireless devices.

In an article published in the June 2003 edition of the North Dakota Law Review, attorney Jordan Michael proposed a theory of cell phone manufacturer liability for auto accidents if they fail to warn users of the dangers of driving and talking on the phone at the same time. The theory holds that maker liability would be similar to the liability of employers who encourage or demand cell phone use on the road. Holding manufacturers liable would cover all persons who drive and use cell phones for personal calls. Michael notes that some car rental agencies have already placed warnings on embedded cell phones in their cars.

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**S.F. No. 2963 - Counterfeiting of Currency And Other
Provisions**

Author: Senator Satveer Chaudhary

Prepared by: Chris Turner, Senate Research (651/296-4350) CT

Date: March 21, 2006

Section 1 modifies the career offender sentencing law by providing that the court need not make a finding that a sixth felony was committed as part of a pattern of criminal conduct in order for it to presume an aggravated durational sentencing departure.

Section 2, Subdivision 1, makes counterfeiting United States Postal money orders, United States currency, or Federal Reserve notes a 20-year felony under state law.

Subdivision 2 makes use, possession, or transfer of counterfeiting equipment a 20-year felony under state law.

Subdivision 3 makes uttering (offering) or possessing with the intent to utter counterfeit currency a felony under state law.

Subdivision 4 provides penalty provisions. Violations of subdivisions 1 and 2 are 20-year felonies. Violations of subdivision 3 have the following graduated penalties:

- ▶ counterfeit item more than \$35,000 aggregate: 20 years / \$100,000 fine
- ▶ counterfeit item more than \$2,500 aggregate: 10 years / \$20,000 fine
- ▶ counterfeit item more than \$250 aggregate: 5 years / \$10,000 fine
- ▶ counterfeit item under \$250 aggregate with prior offense: 5 years / \$10,000
- ▶ counterfeit item under \$250 aggregate with no prior offense: gross misdemeanor

Senators Chaudhary, Neuville, Skoglund, Limmer and Foley introduced—
S.F. No. 2963: Referred to the Committee on Crime Prevention and Public Safety.

1 A bill for an act
1.2 relating to public safety; modifying the career offender sentencing law;
1.3 establishing the crime of counterfeiting federal currency; updating the definition
1.4 of federal law enforcement officer; imposing criminal penalties; amending
1.5 Minnesota Statutes 2004, section 626.77, subdivision 3; Minnesota Statutes
1.6 2005 Supplement, section 609.1095, subdivision 4; proposing coding for new
1.7 law in Minnesota Statutes, chapter 609.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2005 Supplement, section 609.1095, subdivision 4,
1.10 is amended to read:

1.11 Subd. 4. **Increased sentence for offender who commits a sixth felony.** Whenever
1.12 a person is convicted of a felony, and the judge is imposing an executed sentence based
1.13 on a Sentencing Guidelines presumptive imprisonment sentence, the judge may impose
1.14 an aggravated durational departure from the presumptive sentence up to the statutory
1.15 maximum sentence if the factfinder determines that the offender has five or more prior
1.16 felony convictions ~~and that the present offense is a felony that was committed as part~~
1.17 ~~of a pattern of criminal conduct.~~

1.18 **EFFECTIVE DATE.** This section is effective August 1, 2006, and applies to crimes
1.19 committed on or after that date.

1.20 Sec. 2. **[609.632] COUNTERFEITING OF CURRENCY.**

1.21 Subdivision 1. **Manufacturing; printing.** Whoever, with the intent to defraud,
1.22 falsely makes, alters, prints, scans, images, or copies any United States Postal money
1.23 order, United States currency, Federal Reserve note, or other obligation or security of the
1.24 United States so that it purports to be genuine or has different terms or provisions than that

2.1 of the United States Postal Service or United States Treasury is guilty of counterfeiting
2.2 and may be sentenced as provided in subdivision 4.

2.3 Subd. 2. Means for false reproduction. Whoever, with intent to defraud, makes,
2.4 engraves, possesses, or transfers a plate or instrument, computer, printer, camera, software,
2.5 paper, cloth, fabric, ink, or other material for the false reproduction of any United States
2.6 Postal money order, United States currency, Federal Reserve note, or other obligation or
2.7 security of the United States is guilty of counterfeiting and may be sentenced as provided
2.8 in subdivision 4.

2.9 Subd. 3. Uttering or possessing. Whoever, with intent to defraud, utters or
2.10 possesses with intent to utter any counterfeit United States Postal money order, United
2.11 States currency, Federal Reserve note, or other obligation or security of the United States,
2.12 having reason to know that the money order, currency, note, or obligation or security is
2.13 forged, counterfeited, falsely made, altered, or printed, is guilty of offering counterfeited
2.14 currency and may be sentenced as provided in subdivision 4.

2.15 Subd. 4. Penalty. (a) A person who is convicted of violating subdivision 1 or 2
2.16 may be sentenced to imprisonment for not more than 20 years or to payment of a fine of
2.17 not more than \$100,000, or both.

2.18 (b) A person who is convicted of violating subdivision 3 may be sentenced as
2.19 follows:

2.20 (1) to imprisonment for not more than 20 years or to payment of a fine of not more
2.21 than \$100,000, or both, if the counterfeited item is used to obtain or in an attempt to obtain
2.22 property or services having a value of more than \$35,000, or the aggregate face value of
2.23 the counterfeited item is more than \$35,000;

2.24 (2) to imprisonment for not more than ten years or to payment of a fine of not more
2.25 than \$20,000, or both, if the counterfeited item is used to obtain or in an attempt to obtain
2.26 property or services having a value of more than \$2,500, or the aggregate face value of the
2.27 counterfeited item is more than \$2,500;

2.28 (3) to imprisonment for not more than five years or to payment of a fine of not
2.29 more than \$10,000, or both, if:

2.30 (i) the counterfeited item is used to obtain or in an attempt to obtain property or
2.31 services having a value of more than \$250, or the aggregate face value of the counterfeited
2.32 item is more than \$250; or

2.33 (ii) the counterfeited item is used to obtain or in an attempt to obtain property
2.34 or services having a value of no more than \$250, or the aggregate face value of the
2.35 counterfeited item is no more than \$250, and the person has been convicted within the
2.36 preceding five years for an offense under this section, section 609.24; 609.245; 609.52;

3.1 609.53; 609.582, subdivision 1, 2, or 3; 609.625; 609.63; or 609.821, or a statute from
3.2 another state or the United States in conformity with any of those sections, and the person
3 received a felony or gross misdemeanor sentence for the offense, or a sentence that was
3.4 stayed under section 609.135 if the offense to which a plea was entered would allow the
3.5 imposition of a felony or gross misdemeanor sentence; or

3.6 (4) to imprisonment for not more than one year or to payment of a fine of not more
3.7 than \$3,000, or both, if the counterfeited item is used to obtain or in an attempt to obtain
3.8 property or services having a value of no more than \$250, or the aggregate face value of
3.9 the counterfeited item is no more than \$250.

3.10 Subd. 5. Aggregation; venue. In any prosecution under this section, the value of the
3.11 counterfeited United States Postal money orders, United States currency, Federal Reserve
3.12 notes, or other obligations or securities of the United States, offered by the defendant in
13 violation of this section within any six-month period may be aggregated and the defendant
3.14 charged accordingly in applying the provisions of this section. When two or more offenses
3.15 are committed by the same person in two or more counties, the accused may be prosecuted
3.16 in any county in which one of the counterfeited items was forged, offered, or possessed,
3.17 for all of the offenses aggregated under this subdivision.

3.18 EFFECTIVE DATE. This section is effective August 1, 2006, and applies to crimes
3.19 committed on or after that date.

3.20 Sec. 3. Minnesota Statutes 2004, section 626.77, subdivision 3, is amended to read:

3.21 Subd. 3. **Definition.** As used in this section, "federal law enforcement officer"
22 means an officer or employee whether employed inside or outside the state of the Federal
3.23 Bureau of Investigation, the Drug Enforcement Administration, the United States Marshal
3.24 Service, the Secret Service, the Bureau of Alcohol, Tobacco, and Firearms, ~~or the~~
3.25 ~~Immigration and Naturalization Service,~~ the Department of Homeland Security, or the
3.26 United States Postal Inspection Service, or their successor agencies, who is responsible for
3.27 the prevention or detection of crimes or for the enforcement of the United States Code and
3.28 who is authorized to arrest, with or without a warrant, any individual for a violation of
3.29 the United States Code.

3.30 EFFECTIVE DATE. This section is effective August 1, 2006.

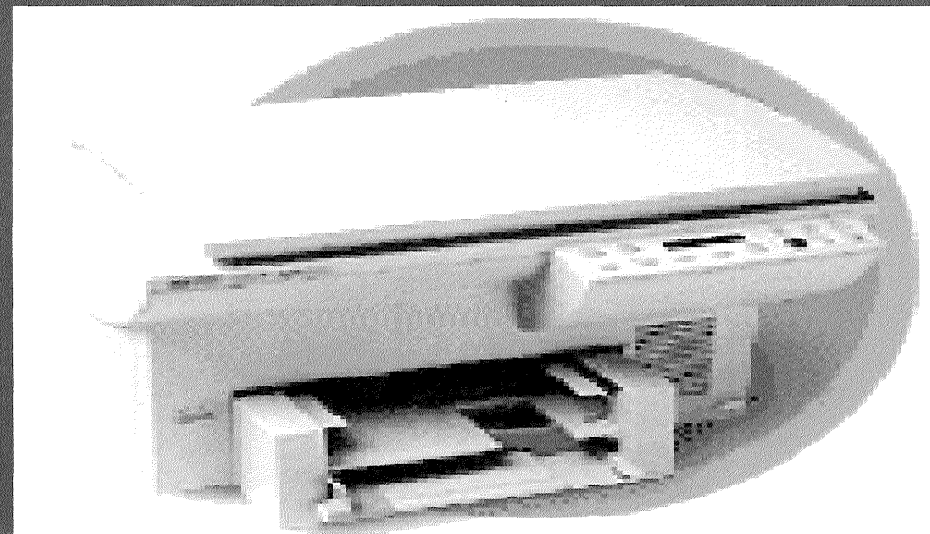
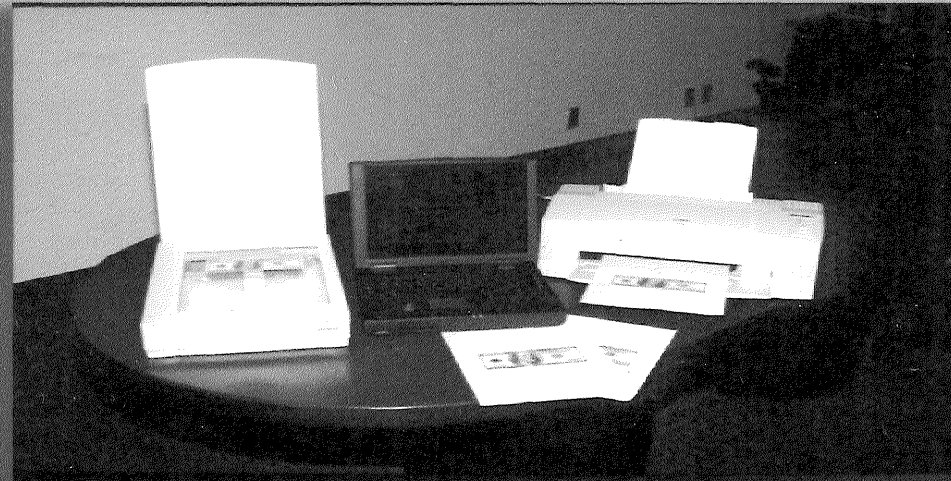
Contemporary Counterfeit Operation

- **Computer**

- **Scanner**

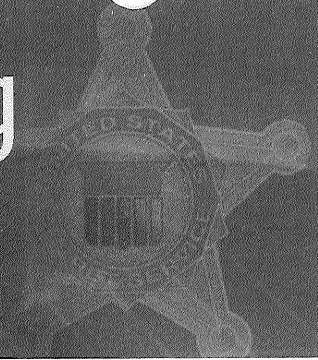
- **Ink Jet Printer**

- **Multifunction Device**



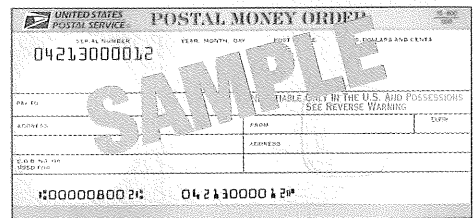
Changes in Counterfeiting

YESTERDAY



LOOK BEFORE YOU CASH!

U.S. Postal money orders are among the most secure financial instruments in the world. Genuine postal money orders contain design features to maximize their security.



UNITED STATES POSTAL SERVICE® POSTAL MONEY ORDER

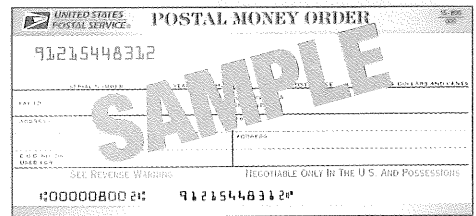
04213000012

PAID TO: PAYEE'S NAME AND ADDRESS

SEE REVERSE WRAPAROUND

⑆00000800⑆ 04213000012⑆

Point of Service (POS) Money Order



UNITED STATES POSTAL SERVICE® POSTAL MONEY ORDER

91215448312

PAID TO: PAYEE'S NAME AND ADDRESS

SEE REVERSE WRAPAROUND

RECOVERABLE ONLY BY THE U.S. AND POSSESSORS

⑆00000800⑆ 91215448312⑆

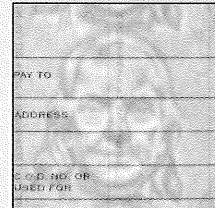
Postal Money Order (PMO)

Security Features of U.S. Postal Money Orders

Notice 299
May 2005

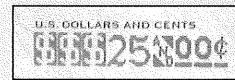
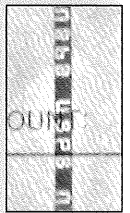
Security Features for U.S. Postal Money Orders

Genuine postal money orders have security features that protect your investment. Be sure to check for these features before you accept or cash a postal money order:



When held to the light, a watermark of Benjamin Franklin is repeated from top to bottom on the left side.

When held to the light, a dark line (security thread) runs from top to bottom with the word "USPS" repeated.



There should be no discoloration around the dollar amounts, which might indicate the amounts were changed.

Domestic postal money orders may not exceed \$1,000, and international postal money orders may not exceed \$700.

If you have questions about postal money orders, call your nearest U.S. Postal Inspection Service office or Post Office™. Call 1-800-ASK-USPS or visit www.usps.com/postalinspectors to locate your nearest Postal Inspector.