animal wellness action

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This report documents the history and current state of illegal cockfighting in Arkansas.

OVERVIEW

Cockfighting Cruelty Persists in Arkansas

Arkansas has long been at the crossroads of the national cockfighting trade — with two major monthly cockfighting magazines published from western Arkansas towns; with major supplies of knives, gaffs, drugs, and other tools of the cockfighting trade also based in Arkansas selling their goods to cockfighters; and with dozens of animal-fighting enthusiasts breeding, raising, training, and selling fight birds for battle within the state, across the nation, and throughout the world.

This report documents the state's multi-dimensional and long-standing role of cockfighters in subverting state and federal law against animal fighting. It also lays bare a newly discovered plan to decriminalize cockfighting — a planned offensive starting in January 2025 to gut Act 33 of Arkansas law, which passed the state Senate and House overwhelmingly in 2009 and was signed into law by Governor Mike Beebe in 2009. That law made malicious animal cruelty to dogs, cats, and horses a felony, and it aligned cockfighting with the broad set of prohibitions that have applied to dogfighting. Former Attorney General Dustin McDaniel led the effort to pass that important legislation.

Arkansas a Hub for Animal Fighting

Most states banned cockfighting in the 19th century, including Arkansas. The Natural State adopted its first anti-cruelty law 150 years ago, enacting an anti-cruelty law in 1879. That law was interpreted to include a ban on staging cockfights.

That 19th-century statute, and other, similar laws of that vintage, are now widely viewed as archaic and not sufficiently comprehensive or practically valuable in allowing interdictions of illegal animal fighting ventures. Consequently, most states strengthened their laws in contemporary times, as did Arkansas, to ban not only the fights themselves, but the commingled activities — possessing fighting animals, attending cockfights, and trafficking in the knives and gaffs affixed to the birds' legs to enhance the bloodletting. From the 1980s to the present, Arkansas and more than 40 other states also adopted felony-level penalties for some or all of these animal-fighting crimes to deter future illicit activities related to them and to send a signal that perpetrators would be punished with more force than the issuance of a parking ticket.

In the late 20th century, Arkansas found itself as a regional hub of cockfighting, bordered by states with legal cockfighting. Arkansas cockfighters on the borders of Missouri, Louisiana, and Oklahoma often had to drive just a short way to reach border cities with cockfighting pits, including the Mid-America Game Club in Muldrow, Okla., and the Ark-La-Texas pit at the intersection of the three states but legally situated in the cockfighting refuge of Louisiana.

For decades, two of the three major national cockfighting magazines — The Gamecock, in Hartford, and The Feathered Warrior in DeQueen – were published in Arkansas. Every issue was chock full of advertisements for fighting implements and fighting birds, with rundowns of the results of fighting derbies in the U.S. and abroad chronicled in detail.

Arkansas was also a center of publishing for the dogfighting industry. In 2010, Bill Stewart (a.k.a. "Rushin Bill"), the publisher of the Pit Bull Reporter, shot himself to death after a grass fire broke out on his property in Romance, Ark. When crews arrived to distinguish the blaze, they discovered \$124,000 of marijuana, more than 40 guns, more than a pack of tethered pit bulls, and a dogfighting ring.

Within the last quarter century or so, this animal-fighting publishing apparatus was dismantled due to a provision in the Animal Fighting Prohibition Enforcement Act. That law, passed by the House and Senate in 2007 and signed by President George W. Bush, made animal fighting a federal felony. And it barred using the mail service of the U.S. Postal Service, or any "written, wire, radio, televisions or other form of communications in, or using a facility of, interstate commerce," to advertise an animal for use in an animal fighting venture, or to advertise a knife, gaff, or other sharp instrument designed to be attached to the leg of a bird for us in an animal fighting venture, or to promote or in any other manner further an animal fighting venture except as performed outside the United States.

The magazines were so thoroughly infiltrated with illegal cockfighting content that they couldn't be cleaned up and salvaged. In short order, they shut down, along with the South Carolina-based Grit & Steel.

A second set of hammers fell on the Arkansas cockfighting industry with state-based political activity that shut down the biggest U.S.-based cockfighting pits, which were placed just outside of the Arkansas borders and barely inside Louisiana, Missouri, and Oklahoma.

Political Successes Cripple Cockfighting in the Region

In 1998, Missouri finally banned cockfighting, making it a felony with an overwhelming vote of the people on a ballot initiative (Arizona had a parallel measure in 1998, too.) That next year, Oklahoman residents launched a ballot measure to make cockfighting a crime in what was considered the biggest cockfighting state. Also in 1998, U.S. Senator Wayne Allard, R-Colo., began to attract enormous support for his federal legislation to upgrade a decades-old, unenforceable federal law against animal fighting.

In 2002, Oklahoma voters approved the anti-cockfighting ballot measure, shutting down perhaps more than 40 fighting arenas in that state. And that same year, Congress passed Allard's bill to forbid any interstate transport or exports of fighting animals, barring shipping animals from Arkansas or any other state to any other jurisdiction, including U.S. territories and other nations.

Five years later, Louisiana lawmakers completed the task of banning cockfighting, making it the 50th to outlaw cockfighting. (New Mexico's legislature passed a bill to ban the practice, but implemented its law sooner than Louisiana did.) That shuttered more of the pits on the borders, including the ArkLaTex Game Club and the Three States Game Club on the border with Oklahoma and Texas. The same thing happened with the Poultry Palace and the Mid-America Game Club, right on the border with Oklahoma, with the voters' approval of State Question 687.

With its neighbors making cockfighting a felony (1998-2008), Arkansas quickly went from best to worst in its region in terms of the relative strength of its anti-cockfighting law. The state had to flip the script, since tolerance of cockfighting is seen by many as a marker of archaic thinking and retrograde values. The presence of legal cockfighting is widely acknowledged as a barrier to entry for a new business and a family thinking about a wholesome place to put a stake in the ground.

The Senate passed Act 33 unanimously, while there were just five dissenters in the House on the bill. And Congress kept taking swings at the issue, making animal fighting a federal felony in 2007 and banning trafficking in fighting implements. The very next year, Congress strengthened the law again, banning possession of fighting animals and increasing penalties even more substantially. In subsequent years, Congress made it a crime to attend or bring a minor to an animal fight. And in 2019, President Trump signed a bill to ban animal fighting on every inch of soil, outlawing animal fighting in the U.S. territories.

Cockfighting Debate Rekindled

While cockfighting has been a felony offense in Arkansas for 15 years — and 17 years under federal law — the cockfighters in Arkansas never went away. They just went a bit more underground. The pits are no longer advertised, but the cockfighting traffickers are still at work, rebranding themselves as "gamefowl enthusiasts" who happen to ship birds to countries with legal cockfighting.

One of the five dissenters on Act 33 was State Representative Terry Rice, R-Waldron. He's now a state senator, and according to a tape leaked to Animal Wellness Action by an attendee of cockfighters' meeting in Little Rock just weeks ago, Senator Rice is poised to continue his defense of animal fighting syndicates. He's planning to introduce Senate legislation to gut the penalties for cockfighting. State Rep. Justin Gonzales, R-OK, is going to introduce the companion bill in the House.

The recording of the cockfighters' planning session revealed that a newly formed cockfighting group, calling itself the Arkansas Gamefowl Commission, has hired a lobbyist to shepherd its prospective legislation. And it appears the whole campaign has been put in motion at the direction of two cockfighting enthusiasts from eastern Oklahoma — Anthony DeVore and Blake Pearce — who have been trying in vain to weaken that state's strong law against animal fighting. Their effort in the Oklahoma capitol has gained no traction in the past few years, and political observers say their bill is unlikely even to get a hearing in either chamber in 2025. Its prospects for movement are close to nil.

That partly explains the pivot to Arkansas. DeVore and Pearce have worked with Arkansas cockfighter John Slavin to form the Arkansas Gamefowl Commission, modeled after their Oklahoma group. The group's address is the same as Slavin's cockfighting farm, and that group, with money from the Oklahoma contingent, has hired lobbyist Suzanna Watt of Anchor Strategies. She, DeVore, and Pearce spoke to cockfighters about lobbying their lawmakers but they provide strict instructions to attendees to obscure their involvement in cockfighting. "The problem is that the current law lumps responsible breeders together with people who do things, you know, who do things that can be perceived as the reason that they have these laws so harsh," said Watt, at the meeting. "So in that regard, one of the things that we can do to move this forward is to not talk about certain aspects. What these birds could be potentially be used for, other than raising them, selling them and things like that."

In addition to misrepresenting themselves as "breeders" rather than dyed in the wool cockfighters, they also are knowingly misrepresenting the scale of the enterprise. As a way to puff themselves up before a fight — like their roosters — the cockfighters are trotting out the false claim that there are 2,300 "gamefowl breeders" in Arkansas. Mind you, it's an inconvenient truth for them that shipping fighting birds anywhere is a federal crime, and that's exactly what they do – with the birds destined for fighting pits in Mexico, the Philippines, Vietnam, and other nations where cockfighting is still legal. But they've been relying on lax federal enforcement, and sadly, they've bet right so far. Successful federal enforcement actions against cockfighters have been almost non-existent.

Animal Wellness Action has seen this political inflation of cockfighters' numbers in prior legislation skirmishes. Typically, they have inflated their ranks by a factor of 10. With that revised formula, there may be perhaps 100-200 cockfighting enthusiasts who raise birds and fight them in Arkansas and the United States, with a smaller set of them travelling to the major fighting arenas in Mexico and the Philippines. That's plenty of criminal conduct, with animal fighting bound up with illegal gambling, money laundering, and other illicit conduct.

Cockfighting Is Organized Crime in Arkansas

Our latest investigation into illegal cockfighting in Arkansas found plenty of criminality. One cockfighter in El Dorado marketed his birds to Mexican cockfighters in four YouTube videos, touting the fighting prowess of his Arkansas-bred and -raised fighting birds and noting that "they fight into a rooster and through a rooster."

In 2007, Kenny Henderson and his wife, though they were arrested by federal authorities for illegal cockfighting in 2007 in Crawford County, are still at it today. According to their social media posts, they work with their son from Crawford County and participate in international fighting derbies. Their main source of revenue is to ship large numbers of birds to the Philippines, where cockfighting is big business.

In Waldron, where Senator Rice lives, internationally known cockfighter John Slavin has hundreds of fighting birds he raises, fights, and sells to others in the field. In 2019, he hosted a Philippines-based cockfighting television crew at his Crawford County operation and boasted that "we got sold out last year," adding that "our Filipino business has been great."

Slavin adds that his birds "hit so hard, and they cut good and they're game, and that wins you a lot of chicken fights."

On the subsequent pages of this report, you'll find other details about this criminal network.

Congress Can Pass the FIGHT Act to Shut Down Organized Crime Networks

While we expect state lawmakers to steer clear of bowing to the wishes of organized criminals, there is important legislation activity pending on animal fighting: Congress can pass the FIGHT Act, S. 1529 and H.R. 2742.

The FIGHT Act, introduced by Senators John Kennedy, R-La., and Cory Booker, D-N.J., and Don Bacon, R-Neb., and Andrea Salinas, R-Ore., would enhance enforcement of our national anti-animal fighting laws. That bill bans internet gambling on animal fights, but it also creates a private right of action, allowing citizens to initiate civil proceedings if federal or local enforcement agencies don't act to stop known dogfighting and cockfighting operations.

U.S. Representative Rick Crawford, a senior member of the House Agriculture Committee, has cosponsored the bill, with more than 150 other federal lawmakers from both parties. There are more than 750 endorsing agencies and organizations, including just about every major law enforcement agency in America.

The National Sheriffs' Association (NSA) notes in its endorsement that "animal fighting investigations have uncovered intricate criminal networks and connections to organized crime, trafficking narcotics, illegal firearms, and attempted bribery of elected officials." The National District Attorneys' Association, with the NSA representing 5,000 elected county law enforcement personnel, has also endorsed the legislation.

U.S. cockfighters, including key players based in Arkansas, smuggle hundreds of thousands of fighting birds to cartel-controlled cockfighting arenas in Mexico for regular bloodletting, high-stakes gambling, and money laundering. The flow of birds also moves in the opposite directione, with the cartels also shipping fighting birds along north-facing routes to their network of criminal operators in our homeland.

In 2018, in DeQueen, there was a major bust that included dozens of illegal aliens involved in cockfighting and narcotics trafficking. "Based on previous investigative work, agents expected 30-40 individuals to attend the event and suspected a portion of those attendees to be illegal aliens," according to an Immigration and Customs Enforcement press release, which reads, "Upon execution of the state search warrant, agents encountered an overwhelming 134 people attending the event, 120 were taken into custody."

The tie-in between cockfighting and illegal immigration has been evident in many raids of cockfights, but especially so in Texas, with its long border with Mexico. Recently, <u>Bexar County</u> law enforcement in Texas arrested 47 people and seized 200 birds, along with illegal weapons. A raid in <u>Goliad County</u> resulted in 60 arrests and illegal weapons seized.

Earlier this year, more than 160 roosters were seized in a <u>Potter County bust</u> where according to the sheriff, "many" participants were "unlawfully in the United States." At a cockfight busted by the <u>San Jacinto Sheriff</u>, suspects were expected to face multiple felony charges, ranging from animal cruelty, cockfighting, illegal gambling, unlawful weapon possession, organized crime, and federal firearm possession by illegal immigrants. And in <u>Lynn</u> County, the sheriff brought felony charges "because of organized criminal activity."

There have been a series of interdictions at the border, including a <u>federal enforcement</u> <u>action</u> where officers "made an unusual discovery, roosters deeply hidden within passenger vehicles."

The cockfighting-related violence in Mexico is chilling in its scale. In 2022, in the Mexican state of Michoacán, cartel members entered a cockfighting arena, sealed off exit routes, and shot and killed 20 people. Three of the victims were Americans, including a mother of four from Illinois. A similar incident occurred at a cockfighting derby in Guerrero in January 2024, where 14 people were wounded and six murdered, including a 16-year-old boy from Washington state.

Cockfighting has also been linked to outbreaks of bird flu (H5N1) in Asia, and there have been 15 outbreaks of another kind of bird flu, virulent Newcastle Disease, in the United States in recent decades. Ten of those 15 outbreaks were linked to fighting birds smuggled across the border from Mexico. The United States indemnifies the farmers and has paid out billions of your tax dollars to reimburse them for birds lost to disease. That's one reason that the United Egg Producers is an enthusiastic backer of the legislation.

Cockfighting plays a central role in the border crisis, and Congress should no longer ignore it. That border crisis is enabled and financed by Arkansas cockfighters. Federal lawmakers should not make the mistake that other public officials have made and diminish the threats from an industry entangled with Mexican drug cartels and threatening America's poultry industry.

Only the FIGHT Act, with its core its provisions intact, can pull up cockfighting and dogfighting networks at the root. There is nothing storied about the tradition of animal fighting in Arkansas. It is a long, ugly chapter in the state's history, with that narrative not yet complete. Its organized criminal network is now boldly appealing to lawmakers to give them a get-out-of-jail card. Federal and state lawmakers, along with local and federal law enforcement authorities, should not give them a legislative free pass; rather, they should present them with a search warrant instead.

PROFILES ON SELECT INDIVIDUALS INVOLVED IN ILLEGAL COCKFIGHTING ACTIVITIES IN ARKANSAS

TODD DICKSON

5235 Champagnolle Road El Dorado, AR 71730 870-918-7892

Todd's Facebook page



Todd's property, roosters tied out

Victor Bugarin interviews Todd on his property in Arkansas in this set of four youtube videos on his channel. (Buagarin youtube Channel)

Bugarin is located in Jalisco Mexico and is a cockfighter. He also sells gaffs, short and long knives and other paraphernalia and supplements for cockfighting. (Bugarin's website)

In this interview (part I), with Bugarin, Todd talks about his bloodlines. (2023)

- ☐ "These here they go forward and then they got a shifty move and then they hit back real good, a lot of game."
- ☐ "I kill the culls, if I can't use 'em I don't keep 'em'."

Interview (part II)

- ☐ "They're breaking chickens, they fight into a rooster and through a rooster."
- ☐ Host says, "so you want to start aggressive and then smart." And Todd says, "and then game on the floor."

Interview (part III)

- "You want the power and the game from the daddy, and the athletic ability from the momma."
- "They want to start good and finish strong."
- ☐ "When they hit the ground, they always do good for us on the ground."
- "When i pitted for myself or for anybody else i've always done very very well with dirty footed chickens...when i was pitting for people.
- Three way chickens always stood out when i pitted for people and dirty footed chickens always stood out to me."
- ☐ "Like, the hatch kelsos we used to make, that we did so good with through the years, they all came dirty footed."
- "If they're not tame and mentally stable I don't think they can win." (talking about nervous roosters and abilities)

Interview (part IV)

☐ "They been very good to me." (answering the host about cutting ability and gameness)



Trophy looks like it's a 6-Cock Invitational Derby Winner

In another set of interviews between Victor Bugarin and Todd Dickson, they discuss the following.

Youtube video, part 1; part 2; part 3, of Todd Dickson interview about cockfighting and raising birds. (2024)

- ☐ Talk about how to win derbies. How many they've won and lost and why.
- ☐ Fighting with gaffs (a kind of knife).
- ☐ They talk about supplements they use.
- ☐ After cockfighting they would sacrifice the rooster, slitting their throats and putting them in the trash while still alive.
- ☐ How to buy and find good chickens nowadays.
- u "solid chickens win tournaments" (as opposed to off colored chickens).
- ☐ Todd talks about how he's learned lots of lessons and now breeds a certain type of rooster and how he breeds so they are consistent.



Iron Creek posted this to Todd's page, saying that Jay Gentry and Todd Dickson made it all possible

KENNY & CODY HENDERSON

Crawford County Gamefarm 3523 Kenner Chapel Road Rudy, AR 72952 (479) 276-8341 Codyhenderson29@yahoo.com

Facebook pages: Crawford County Gamefarm and Crawford County gamefarm – Kenny Cody henderson



Henderson Property

Kenny and his wife, Susan Henderson were arrested in 2007 for cockfighting. (article)

Charges included, operating a gambling house, criminal use of property, animal cruelty and engaging in gambling.

Kenny and Cody Henderson are listed as participating in the Intercontinental Derby in 2021, one of the largest cockfighting derbies in the world. This is shared on the Facebook page:





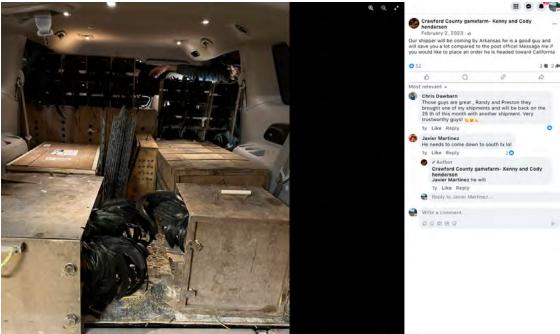




Participating in a cockfight, location unknown. Posted on Facebook on June 10, 2024.

Reel of Cody saying this rooster is going to the Philippines.





Shipping roosters, depicted on Facebook post.





Henderson is a longtime cockfighter. Cody is the child in this picture in the magazine The Gamecock.

These were shared on their Facebook page.

JOHN SLAVIN

Black Hatch Farm 21075 Widow Maker Road Waldron, Arkansas 72958 479-637-5200

Slavin's Facebook page.



Slavin's gamefarm

Slavin was interviewed by BNTV which is a cockfighting broadcasting station in the Philippines. Their hosts came to the United States and visited over 50 different gamefarms considered the best breeders for fighting. This YouTube channel containing their interviews was deleted once we publicized its contents, but we've downloaded all of them.

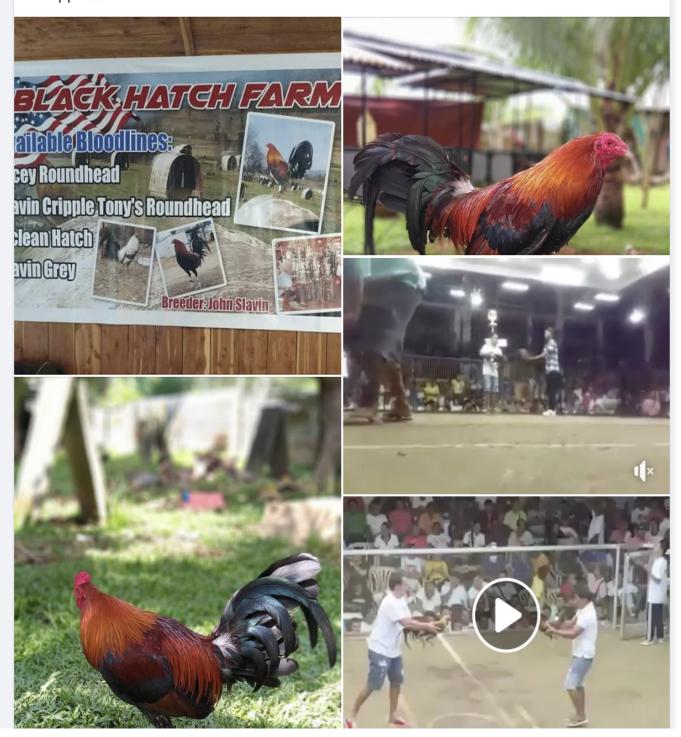
BNTV Interview (password: Rooster!)

- ☐ The host introduces John as "One of the most famous breeders here in the United States. He's famous for the chickens he's breeding and winning in the Philippines."
- ☐ John says, "we got sold out last year, our Filipino business has been great."
- ☐ "We sell out every year because of what our chickens do."
- Describing his birds, "they're probably the best athletic, all-around athletic family, and game and hard hitting family that i've ever seen." (Birds that are inbred are "families.")
- ☐ "They hit so hard, and they cut good and they're game, and that wins you a lot of chicken fights."



• • •

John Slavin of The Black Hatch Farm bred these deep cutting and smart Lacy Roundhead... Father and Son whipping their nemesis at the toughest pit in the Philippines....

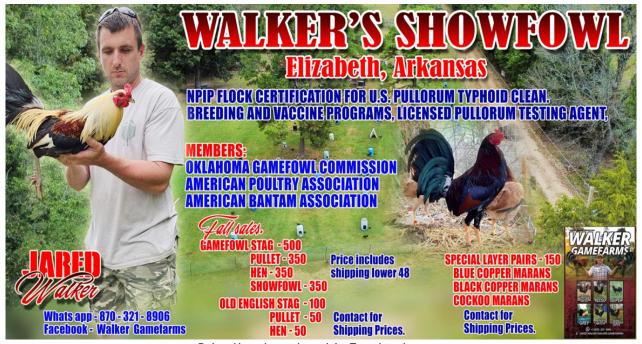


Slavin sells his roosters to fight in the Philippines and they are described as "deep cutting and smart — whipping their nemesis at the toughest pit."

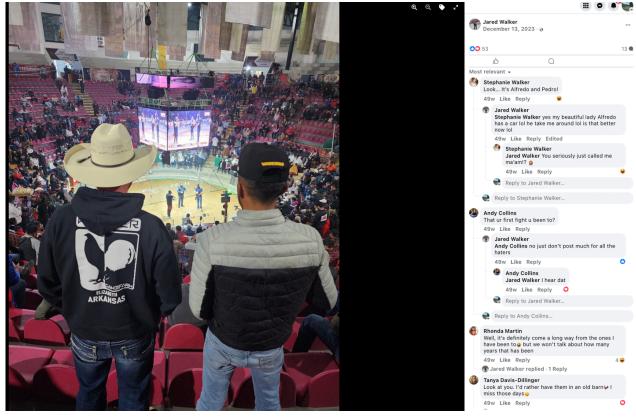
JARED WALKER

Walker's Showfowl Elizabeth, Arkansas 870-321-8906

Facebook pages: Jared Walker and Jared Walker (Walker Gamefarms)



Price list shared on his Facebook page.



At a cockfight. Jared says this is not the first derby he's been to; he just doesn't post them much.



He also attended this fight and said, "This was with my friend Chris Copas when he won 3rd at the intercontinental in Mexico." (2023)



At another derby, where he says that he'll also be at the Intercontinental derby later.



Shipping birds using USPS



Many posts on Facebook of knives and scales

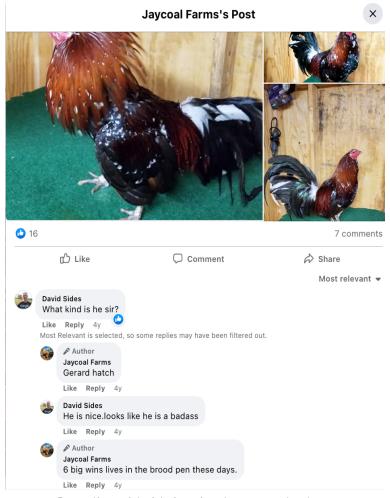
JAYCOAL BOWLING

Jaycoal Farms Van Buren, Arkansas

Facebook pages: Jaycoal Bowling and Jaycoal Farms



Jaycoal's profile picture on Facebook



Describes this bird as having won six times



Trophy says, "Big H Pit 1st Place"



Fighting or sparring roosters, hard to tell which

Video promoting the legalization of cockfighting





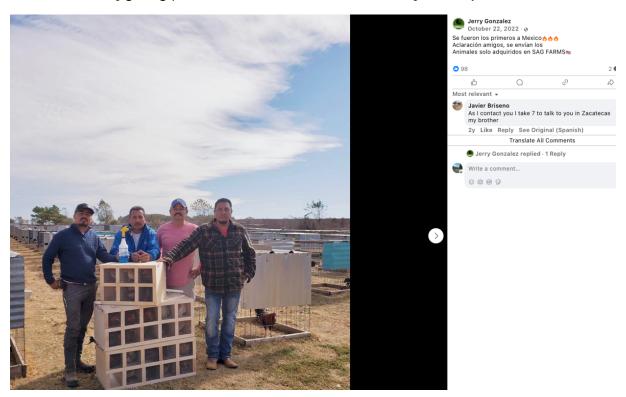
JERRY GONZALEZ

SAG FARMS
Bentonville, Arkansas
(could be Centerton, Arkansas)
479-224-9223

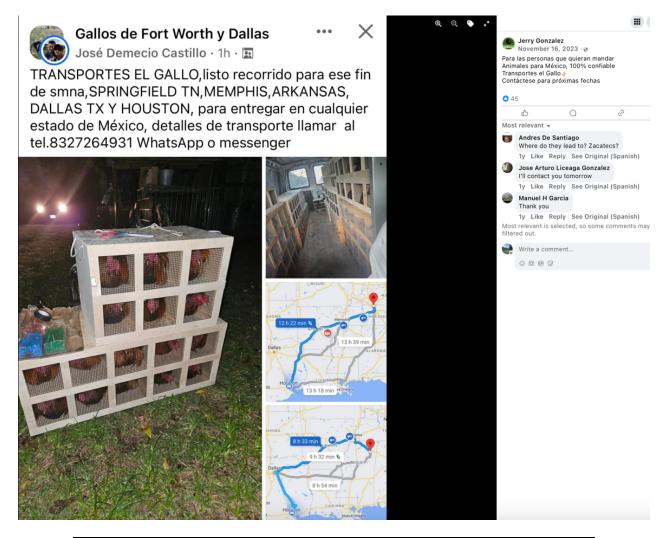
Facebook page: Jerry Gonzalez



This is a cockfighting pit and the comments indicate a bird from Jerry at SAG Farm won



Shipping birds via USPS, to Mexico and other states per his Facebook page







Jerry Gonzalez SAG FARMS - Big Farm in Arkansas

905K views • 2 years ago

♦ Farm Philippines Mexico & USA

Important Information No Fowls For Illegal Purposes | This Video Content For Breeding Purposes and Show Only Jerry Gonzalez ...



Jerry Gonzalez Yellow Leg Hatch Sweater Kelso Albany Roundhead SAG FARMS - Big

Farm in Arkansas

146K views • 1 year ago

Farm Philippines Mexico & USA

Important Information No Fowls For Illegal Purposes | This Video Content For Breeding Purposes and Show Only Jerry Gonzalez ...



ARKANSAS!! SAG FARMS Jerry Gonzalez | Beautiful Birds Big Farm

3.9K views • 2 years ago

Farm Philippines Mexico & USA

Important Information No Fowls For Illegal Purposes | This Video Content For Breeding Purposes and Show Only Jerry Gonzalez ...



ARKANSAS Jerry Gonzalez Sag Farms Beautiful Birds Big Farm USA

2K views • 8 months ago

Farm Philippines Mexico & USA

Important Information No Fowls For Illegal Purposes | This Video Content For Breeding Purposes and Show Only Jerry Gonzalez ...

On youtube, there are many videos of his property advertising his birds

PAUL WOOD, OWNER OF WOOD ENTERPRISES

870.387.7611 info@wood-enterprises.com Website

Paul Wood's Facebook page

Wood Enterprises is a company selling cockfighting equipment and other paraphernalia.



Short Neoprene Hitches From \$2.00



Mexican Short Gauge \$17.95



Short Knife Block (Botana Tiburon) style #05 \$39.95



Spur Gauge & Holder \$17.00





Grommet & Washer, BRASS, SIZE #1

From \$0.12







Short knife block (botana de tope) style #09

\$29.95



Gaff gauge \$14.95

Short knife, gaff equipment for sale



Wortham Derby Rules 1961 \$5.00



Wortham Derby Rules 2005 Edition \$5.00



Breeders Record Book \$11.95

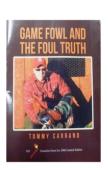


Old Gamecock, Grit and Steel, and Feathered Warrior magazines From \$18.95

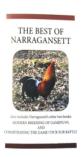


Best of Fulldrop, Best of Narragansett, and Scientific Breeding of Gamefowl

\$93.50 \$110.00



Game Fowl and the Foul Truth \$10.00 \$25.00



The Best of Narragansett \$40.00

Cockfighting magazines, derby rules, etc for sale

APPENDICES

APPENDIX A

Poultry industry in Arkansas and HPAI bird flu H5N1 outbreaks in Arkansas

According to the USDA, Arkansas is a top U.S. poultry producer of broilers (chicken meat, ranked #3 after Georgia and Alabama), turkeys (meat, ranked number #3 after Minnesota and North Carolina) and layers (eggs, ranked #8, with lowa #1). About 6,500 Arkansas farms produce some type of poultry. Poultry is the number one agricultural product in Arkansas, accounting for about 50% of agricultural cash receipts. The focus of the poultry industry is northwest Arkansas, especially Benton and Washington counties. However, commercial poultry production occurs in 53 of 75 Arkansas counties. In 2020, the poultry industry was responsible for about \$35.70 billion in total economic activity throughout the state.

Poultry type	Broilers	Turkeys	Layers
No. of birds	1.03 billion	27 million	15.7 million; produce
Production	7.44 billion lb (7.2 lb per bird)	542.7 million lb (20.1 lb per bird)	4.152 billion eggs (264 eggs/laying hen)
Farm gate value	\$5.31 billion	\$510.1 million	\$843 million
Jobs (avg pay)	157,000 (\$55K)	17,000 (\$48K)	1,140 (\$45K)
State rank	#3 (after Georgia & Alabama)	#3 (after Minnesota & North Carolina)	#2 (after Texas)

Predictably, the Highly Pathogenic Avian Influenza (HPAI, "bird flu") H5N1 outbreak that emerged in the U.S. in February 2022 has impacted both backyard and commercial poultry flocks as well as wild birds in Arkansas. As of November 2024, there have been eight HPAI H5N1 outbreaks in Arkansas poultry flocks: three in backyard flocks, one commercial turkey flock (33K birds) and four commercial broiler flocks, resulting in the death or euthanasia of 312K poultry in the state. There have also been 76 detections of HPAI H5N1 in wild birds in Arkansas.

APPENDIX B

State Animal Fighting Statutes Reference in Report, Along with Federal Animal Fighting Law

Arkansas Animal Fighting Law

Arkansas Code Annotated. Title 5. Criminal Offenses. Subtitle 6. Offenses Against Public Health, Safety, or Welfare (Chapters 60 to 79). Chapter 62. Animals. Subchapter 1. Cruelty to Animals.

§ 5-62-120. Unlawful animal fighting

- (a)(1) A person commits the offense of unlawful animal fighting in the first degree if he or she knowingly:
- (A) Promotes, engages in, or is employed at animal fighting;

- (B) Receives money for the admission of another person to a place kept for animal fighting; or
- (C) Sells, purchases, possesses, or trains an animal for animal fighting.
- (2) Unlawful animal fighting in the first degree is a Class D felony.
- (b)(1) A person commits the offense of unlawful animal fighting in the second degree if he or she knowingly:
- (A) Purchases a ticket of admission to or is present at an animal fight; or
- (B) Witnesses an animal fight if it is presented as a public spectacle.
- (2) Unlawful animal fighting in the second degree is a Class A misdemeanor.
- (c) Upon the arrest of any person for violating a provision of this section, the arresting law enforcement officer or animal control officer may seize and take custody of all animals in the possession of the arrested person.
- (d)(1) Upon the conviction of any person for violating a provision of this section, any court of competent jurisdiction may order the forfeiture by the convicted person of all animals the use of which was the basis of the conviction.
- (2) Any animal ordered forfeited under a provision of this subsection shall be placed with an appropriate place of custody or an animal control agency.
- (e) In addition to the fines, penalties, and forfeitures imposed under this section, the court may require the defendant to make restitution to the state, any of its political subdivisions, or an appropriate place of custody for housing, feeding, or providing medical treatment to an animal used for unlawful animal fighting.
- (f) As used in this section, "animal fighting" means fighting between roosters or other birds or between dogs, bears, or other animals.

CREDIT(S)

Acts of 1981, Act 862, § 1; Acts of 1987, Act 26, § 1; Acts of 1989, Act 528, § 1; Acts of 2009, Act 33, § 6, eff. July 31, 2009.

Oklahoma Animal Fighting Law

Oklahoma Statutes Annotated. Title 21. Crimes and Punishments. Part VII. Crimes Against Property. Chapter 67. Injuries to Animals.

§ 1692.1. Definitions

As used in this act:

- A. "Cockfight" or "cockfighting" is a fight between birds, whether or not fitted with spurs, knives, or gaffs, and whether or not bets or wagers are made on the outcome of the fight, and includes any training fight in which birds are intended or encouraged to attack or fight with one another.
- B. "Equipment used for training or handling a fighting bird" includes knives or gaffs, cages, pens, feeding apparatuses, training pens and other related devices and equipment, and is hereby declared contraband and subject to seizure.

CREDIT(S)

State Question No. 687, Initiative Petition No. 365, § 1, adopted at general election held on November 5, 2002.

§ 1692.2. Instigating or encouraging cockfight

Every person who willfully instigates or encourages any cockfight, upon conviction, shall be guilty of a felony. The penalty for a violation of this section shall be as provided in Section 8 of this act. [FN1] [FN1] Title 21, § 1692.8.

CREDIT(S)

State Question No. 687, Initiative Petition No. 365, § 2, adopted at general election held on November 5, 2002.

§ 1692.3. Keeping place, equipment or facilities for cockfighting

Every person who keeps any pit or other place, or knowingly provides any equipment or facilities to be used in permitting any cockfight, upon conviction, shall be guilty of a felony. The penalty for a violation of this section shall be as provided in Section 8 of this act. [FN1]

[FN1] Title 21, § 1692.8.

CREDIT(S)

State Question No. 687, Initiative Petition No. 365, § 2, adopted at general election held on November 5, 2002.

§ 1692.4. Servicing or facilitating cockfight

Every person who does any act or performs any service in the furtherance of or to facilitate any cockfight, upon conviction, shall be guilty of a felony. Such activities and services specifically prohibited by this section include, but are not limited to: promoting or refereeing of birds at a cockfight, advertising a cockfight, or serving as a stakes holder of any money wagered on any cockfight. The penalty for a violation of this section shall be as provided in Section 8 of this act. [FN1]

[FN1] Title 21, § 1692.8.

CREDIT(S)

State Question No. 687, Initiative Petition No. 365, § 2, adopted at general election held on November 5, 2002.

§ 1692.5. Owning, possessing, keeping or training bird for fighting

Every person who owns, possesses, keeps, or trains any bird with the intent that such bird shall be engaged in a cockfight, upon conviction, shall be guilty of a felony. The penalty for a violation of this section shall be as provided in Section 8 of this act. [FN1]

[FN1] Title 21, § 1692.8.

CREDIT(S)

State Question No. 687, Initiative Petition No. 365, § 2, adopted at general election held on November 5, 2002.

§ 1692.6. Spectators

Every person who is knowingly present as a spectator at any place, building, or other site where preparations are being made for a cockfight with the intent to be present at such preparation or cockfight, or is knowingly present at such cockfight, upon conviction shall be guilty of a misdemeanor.

CREDIT(S)

State Question No. 687, Initiative Petition No. 365, § 2, adopted at general election held on November 5, 2002.

§ 1692.7. Seizure, destruction, or forfeiture of cockfighting equipment or facilities

Following the conviction of a person for Sections 2, 3, 4, or 5 of this act, [FN1] the court entering the judgment shall order that the birds and knives or gaffs used in violation of this act [FN2] be forfeited to the state, and may order that any and all equipment described in Section 1 used in violation of this act be forfeited to the state.

[FN1] Title 21, \$\$ 1692.2 to 1692.5.

[FN2] Title 21, \$ 1692.1 et seq.

CREDIT(S)

State Question No. 687, Initiative Petition No. 365, § 2, adopted at general election held on November 5, 2002.

§ 1692.8. Punishment

A. Every person who is guilty of a felony under any of the provisions of Sections 2, 3, 4, or 5 of this act [FN1] shall be punished by imprisonment in the state penitentiary for not less than one (1) year nor more than ten (10) years, or shall be fined not less than Two Thousand Dollars (\$2,000.00) nor more than Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and imprisonment.

B. Every person who upon conviction is guilty of any of the provisions of Section 6 of this act [FN2] shall be punished by imprisonment in the county jail for not more than one (1) year, or shall be fined not more than Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

[FN1] Title 21, §§ 1692.2 to 1692.5.

[FN2] Title 21, § 1692.6.

CREDIT(S)

State Question No. 687, Initiative Petition No. 365, § 2, adopted at general election held on November 5, 2002.

§ 1692.9. Exemption

Nothing in this act [FN1] shall prohibit any of the following:

A. Hunting birds or fowl in accordance with Oklahoma regulation or statute, including but not limited to the sport of hunting game with trained raptors.

B. Agricultural production of fowl for human consumption.

[FN1] Title 21, § 1692.1 et seq.

CREDIT(S)

State Question No. 687, Initiative Petition No. 365, § 2, adopted at general election held on November 5, 2002.

Louisiana Animal Fighting Law

Title 14. Criminal Law. Chapter 1. Criminal Code. Part VI. Offenses Affecting The Public Generally. Subpart B. Offenses Affecting The Public Sensibility

§ 102.23. Cockfighting

A. It shall be unlawful for any person to:

- (1) Organize or conduct any commercial or private cockfight wherein there is a display of combat or fighting among one or more domestic or feral chickens and in which it is intended or reasonably foreseeable that the chickens would be injured, maimed, mutilated, or killed; or
- (2) Possess, train, purchase, or sell any chicken with the intent that the chicken shall be engaged in an unlawful commercial or private cockfight as prohibited in Paragraph (1) of this Subsection.
- B. As used in this Section, the following words and phrases have the following meanings ascribed to them:
- (1) "Chicken" means any game fowl or rooster whether domestic or feral normally used in a cockfight.
- (2) "Cockfight" means a contest wherein chickens are set against one another with the intention that they engage in combat.
- C. Possessing, manufacturing, buying, selling, or trading of paraphernalia such as spurs, gaffs, knives, leather training spur covers, and other items or substances normally used in cockfighting with the intent that they shall be used in a cockfight together with evidence that the paraphernalia is being used or intended for use in the unlawful training of a chicken to fight with another chicken, shall be admissible as evidence of a violation of this Section. Whoever violates the provisions of this Subsection, upon conviction shall be fined not more than five hundred dollars, or imprisoned for not more than six months, or both. However, the provisions of this Section shall not be construed to prohibit the possessing, buying, selling, or trading of any spurs, gaffs, knives, leather training spur covers, or any other items normally used in cockfighting which are at least five years old and have historical value.
- D. (1) Whoever violates the provisions of this Section, on conviction of a first offense, shall be fined not less than seven hundred fifty dollars, nor more than two thousand dollars, or imprisoned, with or without hard labor, for not less than six months nor more than one year, or both. In addition to any other penalty imposed, on a conviction of a first offense, the offender shall be ordered to perform fifteen eight-hour days of court-approved community service. The community service requirement shall not be suspended.
- (2) On a conviction of a second offense, the offender shall be fined not less than one thousand dollars, nor more

than two thousand dollars, and shall be imprisoned, with or without hard labor, for not less than one year nor more than three years. At least six months of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence.

- E. For the purposes of this Section, when more than one chicken is subject to an act that would constitute cockfighting, each chicken involved shall constitute a separate offense.
- F. The provisions of this Section shall not be construed to prohibit the raising of any chicken, rooster, or game-fowl for the purposes of personal enjoyment, exhibition, or agricultural pursuits as long as the purpose of such pursuits are legal.

Missouri

Vernon's Annotated Missouri Statute. Title XXXVIII. Crimes and Punishment; Peace Officers and Public Defenders. Chapter 578. Miscellaneous Offenses. Title XXXVIII. Crimes and Punishment; Peace Officers and Public Defenders. Chapter 566. Sexual Offenses. 566.111. Unlawful sex with an animal, crime, penalty.

578.050. Bullbaiting and cockfighting--penalty

- 1. A person commits the offense of bullbaiting or cockfighting if he or she:
- (1) Keeps, uses, or in any way is connected with or interested in the management of, or receives money for the admission of any person to, any place kept or used for the purpose of fighting or baiting any bull, bear, cock, or other creature, except dogs;
- (2) Encourages, aids, assists, or is present at any place kept or used for such purpose; or
- (3) Permits or suffers any place belonging to him or her, or under his or her control, to be so kept or used.
- 2. The offense of bullbaiting or cockfighting is a class A misdemeanor.

Credits

(R.S.1939, § 4789. Amended by L.1984, H.B. No. 1210, p. 759, § 1; L.2014, S.B. No. 491, § A, eff. Jan. 1, 2017.)

Federal Animal Fighting Law

7 U.S. Code § 2156 - Animal fighting venture prohibition

- a) Sponsoring or exhibiting an animal in, attending, or causing an individual who has not attained the age of 16 to attend, an animal fighting venture
- (1) Sponsoring or exhibiting

It shall be unlawful for any person to knowingly sponsor or exhibit an animal in an animal fighting venture.

(2) Attending or causing an individual who has not attained the age of 16 to attend

It shall be unlawful for any person to--

- (A) knowingly attend an animal fighting venture; or
- (B) knowingly cause an individual who has not attained the age of 16 to attend an animal fighting venture.
- (b) Buying, selling, delivering, possessing, training, or transporting animals for participation in animal fighting venture

It shall be unlawful for any person to knowingly sell, buy, possess, train, transport, deliver, or receive any animal for purposes of having the animal participate in an animal fighting venture.

(c) Use of Postal Service or other interstate instrumentality for promoting or furthering animal fighting venture

It shall be unlawful for any person to knowingly use the mail service of the United States Postal Service or any instrumentality of interstate commerce for commercial speech for purposes of advertising an animal, or an in-

strument described in subsection (d), for use in an animal fighting venture, promoting 1 or in any other manner furthering an animal fighting venture except as performed outside the limits of the States of the United States.

(d) Buying, selling, delivering, or transporting sharp instruments for use in animal fighting venture It shall be unlawful for any person to knowingly sell, buy, transport, or deliver in interstate or foreign commerce a knife, a gaff, or any other sharp instrument attached, or designed or intended to be attached, to the leg of a bird for use in an animal fighting venture.

(e) Investigation of violations by Secretary; assistance by other Federal agencies; issuance of search warrant; forfeiture; costs recoverable in forfeiture or civil action

The Secretary or any other person authorized by him shall make such investigations as the Secretary deems necessary to determine whether any person has violated or is violating any provision of this section, and the Secretary may obtain the assistance of the Federal Bureau of Investigation, the Department of the Treasury, or other law enforcement agencies of the United States, and State and local governmental agencies, in the conduct of such investigations, under cooperative agreements with such agencies. A warrant to search for and seize any animal which there is probable cause to believe was involved in any violation of this section may be issued by any judge of the United States or of a State court of record or by a United States magistrate judge within the district wherein the animal sought is located. Any United States marshal or any person authorized under this section to conduct investigations may apply for and execute any such warrant, and any animal seized under such a warrant shall be held by the United States marshal or other authorized person pending disposition thereof by the court in accordance with this subsection. Necessary care including veterinary treatment shall be provided while the animals are so held in custody. Any animal involved in any violation of this section shall be liable to be proceeded against and forfeited to the United States at any time on complaint filed in any United States district court or other court of the United States for any jurisdiction in which the animal is found and upon a judgment of forfeiture shall be disposed of by sale for lawful purposes or by other humane means, as the court may direct. Costs incurred for care of animals seized and forfeited under this section shall be recoverable from the owner of the animals (1) if he appears in such forfeiture proceeding, or (2) in a separate civil action brought in the jurisdiction in which the owner is found, resides, or transacts business.

(f) Definitions

In this section--

- (1) the term "animal fighting venture" means any event, in or affecting interstate or foreign commerce, that involves a fight conducted or to be conducted between at least 2 animals for purposes of sport, wagering, or entertainment, except that the term "animal fighting venture" shall not be deemed to include any activity the primary purpose of which involves the use of one or more animals in hunting another animal;
- (2) the term "instrumentality of interstate commerce" means any written, wire, radio, television or other form of communication in, or using a facility of, interstate commerce;
- (3) the term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States; 2
- (4) the term "animal" means any live bird, or any live mammal, except man.

(g) Relationship to other provisions

The conduct by any person of any activity prohibited by this section shall not render such person subject to the other sections of this chapter as a dealer, exhibitor, or otherwise.

(h) Conflict with State law

(1) In general

The provisions of this chapter shall not supersede or otherwise invalidate any such State, local, or municipal legislation or ordinance relating to animal fighting ventures except in case of a direct and irreconcilable conflict between any requirements thereunder and this chapter or any rule, regulation, or standard hereunder.

(2) Omitted

(i) Criminal penalties

The criminal penalties for violations of subsection (a), (b), (c), or (d) are provided in section 49 of Title 18.