

Court looks at ban of animal cruelty video

by UPI

WASHINGTON -- The U.S. Supreme Court agreed Monday to decide whether the First Amendment allows the federal government to ban the sale of depictions of animal cruelty.

The case could have major implications for the First Amendment, as well as the fight against animal cruelty. The high court has not recognized a new exception to the free speech guarantees of the amendment in a quarter-century.

A federal appeals court in Philadelphia earlier held that the federal law banning such depictions was "an unconstitutional infringement on free speech rights."

In 2004, a federal grand jury in Pennsylvania indicted Robert Stevens of Pittsville, Va., on three counts of knowingly selling depictions of animal cruelty for interstate commerce. The videos had been advertised in *Sporting Dog Journal*, which court documents describe as an underground publication for illegal dogfighting. Two of the videos depicted dogfighting; one featured attacks by pit bulls on wild boars or domestic pigs.

Stevens was convicted, but the appeals court threw out the verdict.

The U.S. Supreme Court probably will hear the case sometime next fall. (U.S. vs. Stevens, No. 08-769)

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