

ANIMAL PROTECTION LAWS OF AMERICAN SAMOA

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This chapter contains American Samoa's general animal protection and related statutes enacted prior to September 1, 2017. It begins with an overview of the provisions contained in these laws, followed by the full text of the statutes themselves. The various provisions are organized into categories. Within the first thirteen of these categories, the relevant part of each statute is italicized. Category 14 provides a non-italicized version of each of the previously referenced statutes, in numerical order. The penalties and related provisions for categories 12 and 13 are generally located within each of those respective sections.

American Samoa may employ similar provisions within other non-animal-specific criminal and civil statutes; may have other more specific statutes in addition to those included; and may have a variety of animal-related regulations in effect. Because the law is continually evolving, always review an official source for the most current language of any statute.

AMERICAN SAMOA

1. <u>GENERAL PROHIBITIONS</u> *	Confinement areas for animals must be kept sanitary. AM. SAMOA CODE ANN. § 25.1605
<i>Animals Covered in Definition</i>	-----
<i>Classification of Crimes</i>	Class C misdemeanor AM. SAMOA CODE ANN. §§ 25.0107, 25.0110
2. <u>MAXIMUM PENALTIES</u> **	15 days imprisonment AM. SAMOA CODE ANN. § 46.2301 <i>and/or</i> \$300 fine AM. SAMOA CODE ANN. § 46.2102
3. <u>EXEMPTIONS</u> ***	-----
4. <u>COUNSELING / EVALUATIONS</u> ^H	-----
5. <u>PROTECTIVE ORDERS</u> ^H	-----
6. <u>RESTITUTION / REIMBURSEMENT OF COSTS / BONDING & LIENS</u> ^H	-----
7. <u>SEIZURE / ON-SITE SUPERVISION</u>	-----
8. <u>FORFEITURE / POSSESSION</u> ^H	-----
9. <u>CROSS ENFORCEMENT / REPORTING</u>	-----
10. <u>VETERINARIAN REPORTING / IMMUNITY</u>	-----

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11. <u>LAW ENFORCEMENT POLICIES</u>	-----
12. <u>SEXUAL ASSAULT</u>	-----
13. <u>FIGHTING</u>	-----
<i>Other Felony Provisions Affecting Animals</i>¹	-----

* Jurisdictions may have other more specific statutes in addition to the general animal protection statutes referenced in this table.
 ** Despite statutory maximums, states and territories may employ sentencing guidelines that may significantly alter the allowable sentence.
 *** Exemptions: 1-veterinary practice, 2-research animals, 3-wildlife, 4-traditional farm animal husbandry practices, 5-slaughter, 6-pest control, 7-rodeo, 8-zoos/circuses, 9-other.
 H This table generally references only those provisions that are within each jurisdiction’s animal protection statutes. Jurisdictions may employ similar provisions within other non-animal-specific criminal and civil statutes, and may also have a variety of animal-related regulations in effect.
 I This list is not exhaustive; states and territories may authorize felony penalties for other crimes involving animals not included in this table.

1. GENERAL PROHIBITIONS

AM. SAMOA CODE ANN. § 25.1605 (2017). Confinement areas for animals to be kept sanitary.

All poultry houses, yards, coops, pigeon runs, rabbit hutches, dog kennels, pens, barns, stables, or other structures or enclosures for any fowl or animal shall be kept clean and free from any accumulation of excreta decayed food and filth of every kind. All such structures and enclosures shall be maintained in a clean and sanitary condition.

2. PENALTIES

AM. SAMOA CODE ANN. § 25.0107 (2017). Penalty for maintaining or allowing public nuisance after notice to abate.

Every person who maintains a public nuisance or allows one to exist upon property or premises which he owns or occupies, after 10 days notice in writing to discontinue or abate the same has been personally served upon him, is guilty of a class C misdemeanor and upon conviction, shall be sentenced accordingly. The existence of such nuisance for each day beyond the tenth day after the service of such notice shall be deemed a separate and distinct offense.

AM. SAMOA CODE ANN. § 25.0110 (2017). Violation—Penalty.

Any person who violates any provision of this title, any valid rule promulgated under this title, or any village regulation for health and sanitation adopted in accordance with this Code, or refuses or neglects to comply with any lawful order issued by the director of health, the director of ASEPA or the solid waste official in carrying out the provisions of this title, the penalty for which is not otherwise prescribed in this title, is guilty of a class C misdemeanor and upon conviction, sentenced accordingly.

AM. SAMOA CODE ANN. § 46.2102 (2017). Misdemeanors and infractions.

(a) Except as otherwise provided for an offense outside this part, a person who has been convicted of a misdemeanor or infraction may be sentenced to pay a fine not exceeding:

* * * * *

3) \$300 for a class C misdemeanor;

* * * * *

(b) In lieu of a fine imposed under subsection (a), a person who has been convicted of a misdemeanor or infraction through which he derived “gain”, as defined in 46.2101, may be sentenced to a fine which does not exceed 2 times the amount of gain from the commission of the offense. An individual offender may be fined not more than \$20,000 under this provision.

AM. SAMOA CODE ANN. § 46.2301 (2017). Authorized terms.

The authorized terms of sentences of imprisonment, including both prison terms and parole terms are:

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(7) for a class C misdemeanor, a term not to exceed 15 days.

3. EXEMPTIONS

4. COUNSELING / EVALUATIONS

5. PROTECTIVE ORDERS

6. RESTITUTION / REIMBURSEMENT OF COSTS / BONDING & LIENS

7. SEIZURE / ON-SITE SUPERVISION

8. FORFEITURE / POSSESSION

9. CROSS ENFORCEMENT / REPORTING

10. VETERINARIAN REPORTING / IMMUNITY

11. LAW ENFORCEMENT POLICIES

12. SEXUAL ASSAULT

13. FIGHTING

14. REFERENCED STATUTES

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AM. SAMOA CODE ANN. § 25.0110 (2017). Violation—Penalty.

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AM. SAMOA CODE ANN. § 46.2102 (2017). Misdemeanors and infractions.

(a) Except as otherwise provided for an offense outside this part, a person who has been convicted of a misdemeanor or infraction may be sentenced to pay a fine not exceeding:

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(3) \$300 for a class C misdemeanor;

* * * * *

(b) In lieu of a fine imposed under subsection (a), a person who has been convicted of a misdemeanor or infraction through which he derived “gain”, as defined in 46.2101, may be sentenced to a fine which does not exceed 2 times the amount of gain from the commission of the offense. An individual offender may be fined not more than \$20,000 under this provision.
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The authorized terms of sentences of imprisonment, including both prison terms and parole terms are:

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