



**ANIMAL LEGAL
DEFENSE FUND**

ANIMAL PROTECTION

U.S. STATE LAWS RANKINGS REPORTSM

2019

Comparing overall
strength and
comprehensiveness





ABOUT US

The Animal Legal Defense Fund is a national nonprofit organization dedicated to protecting the lives and advancing the interests of animals through the legal system. Our attorneys work with prosecutors, police, and animal control officers around the country on animal cruelty cases.

U.S. STATE ANIMAL PROTECTION LAWS RANKINGS REPORT MAPS

The Animal Legal Defense Fund has published the 14th annual U.S. State Animal Protection Laws Rankings Report.SM It is the longest-running and most authoritative of its kind, assessing the strength of each state's animal protection laws by examining over 3,400 pages of statutes. Each state is ranked based on 19 different categories of animal protection.

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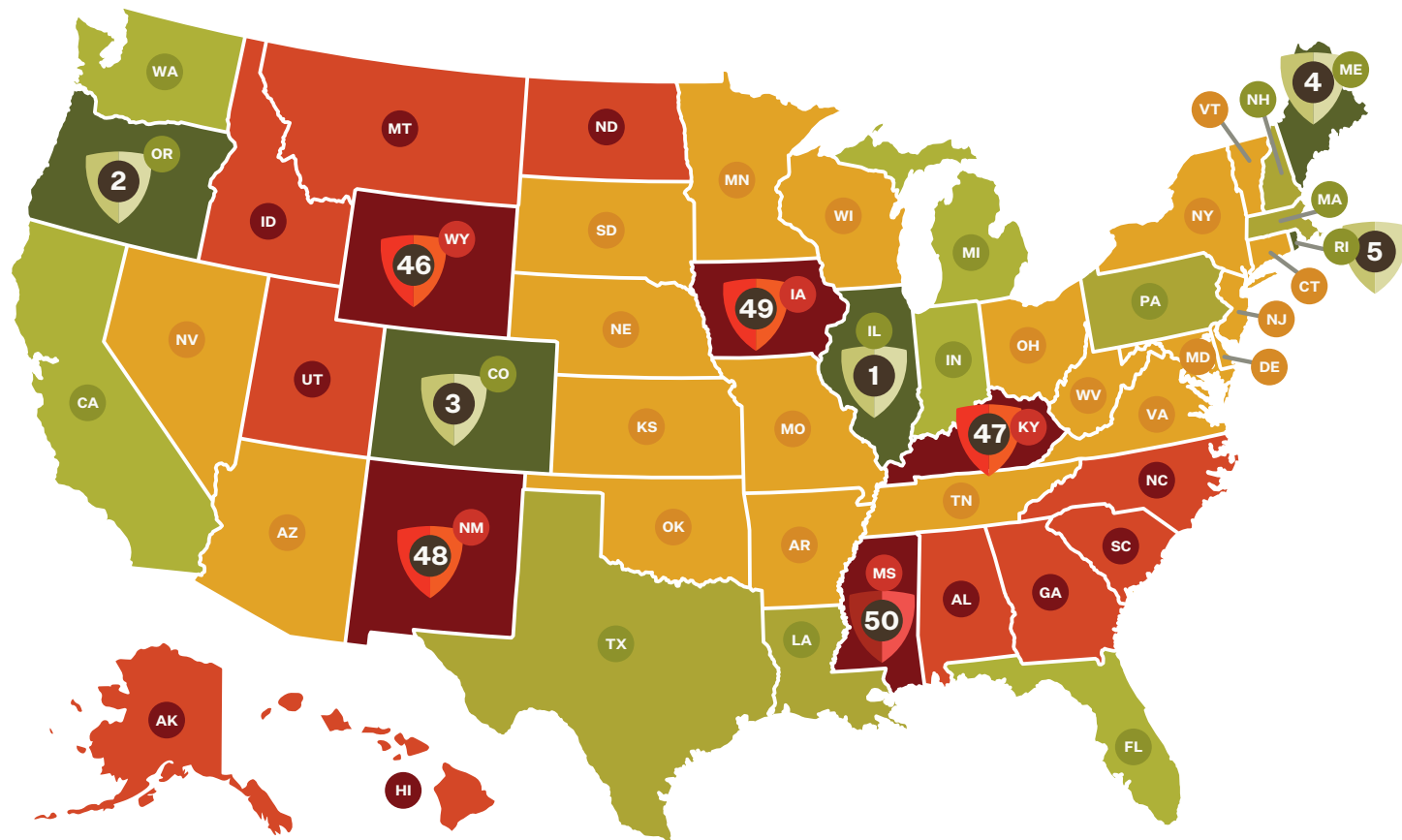
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RANKING MAP



RANKINGS BEST TO WORST

- | | | |
|------------------|------------------|-------------------|
| 1 ILLINOIS | 16 VIRGINIA | 36 ALASKA |
| 2 OREGON | 17 NEW JERSEY | 37 MONTANA |
| 3 COLORADO | 18 WEST VIRGINIA | 38 HAWAII |
| 4 MAINE | 19 NEVADA | 39 NORTH CAROLINA |
| 5 RHODE ISLAND | 20 VERMONT | 40 GEORGIA |
| 6 MASSACHUSETTS | 21 NEBRASKA | 41 NORTH DAKOTA |
| 7 LOUISIANA | 22 KANSAS | 42 SOUTH CAROLINA |
| 8 CALIFORNIA | 23 DELAWARE | 43 UTAH |
| 9 WASHINGTON | 24 TENNESSEE | 44 ALABAMA |
| 10 FLORIDA | 25 CONNECTICUT | 45 IDAHO |
| 11 TEXAS | 26 MINNESOTA | 46 WYOMING |
| 12 INDIANA | 27 ARIZONA | 47 KENTUCKY |
| 13 MICHIGAN | 28 OKLAHOMA | 48 NEW MEXICO |
| 14 NEW HAMPSHIRE | 29 OHIO | 49 IOWA |
| 15 PENNSYLVANIA | 30 WISCONSIN | 50 MISSISSIPPI |
| | 31 MARYLAND | |
| | 32 NEW YORK | |
| | 33 SOUTH DAKOTA | |
| | 34 ARKANSAS | |
| | 35 MISSOURI | |
-
- | Territories | | |
|------------------------|---------------|----------------------------|
| 1 DISTRICT OF COLUMBIA | 3 PUERTO RICO | 5 AMERICAN SAMOA |
| 2 U.S. VIRGIN ISLANDS | 4 GUAM | 6 NORTHERN MARIANA ISLANDS |

ANALYSIS

Animal Legal Defense Fund annual study ranks laws across the country

2019's major trends: possession bans for convicted offenders and banning animal fighting paraphernalia

Most improved states include New Hampshire and Montana

Kentucky breaks its losing streak

Implications of new federal laws for state rankings

JANUARY 2020

The Animal Legal Defense Fund announces the publication of the 2019 U.S. State Animal Protection Laws Rankings Report.SM The longest-running and most authoritative report of its kind, the Rankings Report assesses the relative strengths and weaknesses of each U.S. state's and territory's animal protection laws, and ranks them accordingly. Holding strong at the top for 12 years, Illinois has again maintained its rank as 1st in the nation for animal protection laws, followed by Oregon (2), Colorado (3), Maine (4), and Rhode Island (5). Rhode Island reclaimed its spot in our "Top Five" this year after enacting comprehensive new seizure laws, and Colorado overtook Maine, rising from the 4th to 3rd rank after improving their mental health treatment laws and creating mandatory possession bans. For the first time in 13 years, Kentucky did not rank lowest at number 50, after passing new legislation banning the sexual assault of animals. Mississippi now has the country's weakest animal protection laws on the books, followed closely by Iowa (49), New Mexico (48), Kentucky (47), and Wyoming (46).



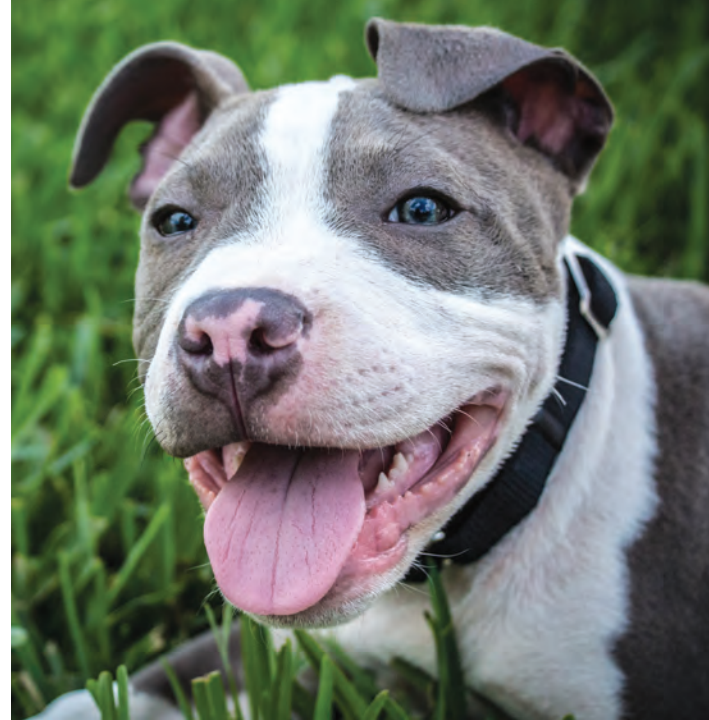
Major trends

For the second year in a row, possession bans continue to be a major legislative trend. “Possession ban” is a broad term used to describe prohibitions the court places on convicted animal abusers, preventing them from owning, possessing, or residing with an animal for a specified period of time. Currently 38 states and D.C. have some form of possession bans for convicted offenders.

In 2018, seven states enacted new possession ban statutes, or strengthened their existing laws. In 2019, five more states followed suit. Colorado and Indiana enacted possession ban statutes for the first time ever. Maine and New Hampshire already had *permissive* possession bans, meaning that the judge in each case could decide whether or not to impose the ban. In 2019, both Maine and New Hampshire made possession bans mandatory for felony-level cruelty. Both states also added provisions allowing judges to add any reasonable conditions onto a possession ban, such as restricting the individual from being employed at an animal shelter or other place involving care or contact with animals. Finally, Kentucky created possession bans for the first time ever, which are mandatory for those who are convicted of sexual assault against animals.

A new trend in 2019 was laws that define animal fighting paraphernalia and prohibit possession of those objects. Animal fighting paraphernalia refers to any equipment used in an animal fighting venture, such as: gaffs (blades attached to roosters’ legs for cockfighting); breaking sticks (sticks used to pry apart dogs’ jaws in dog fighting); steroids; and other training instruments like treadmills.

In 2019, four states — New Hampshire, New Jersey, Tennessee, and Washington — added definitions for animal fighting paraphernalia and prohibited the possession or sale of such objects. New Jersey also added a list of factors which a judge or jury can consider when determining if the item was used for animal fighting, such as: the proximity of the object in space and time to a violation of the animal fighting laws; any oral or written instructions for the use of the object; and circumstantial evidence that the person buying or selling the object knew of its intended use.



“One of the most effective ways to prevent future animal cruelty is to restrict known offenders’ access to new victims. Possession bans play a vital role in keeping animals and our communities safe.”

Lora Dunn
Director of the Animal Legal Defense Fund’s Criminal Justice Program

“These animal fighting paraphernalia laws are important because often most of the evidence of animal fighting is circumstantial, like the presence of paraphernalia and animals whose injuries correspond with common fighting wounds. Without laws making these connections explicit, prosecutors have a much harder time proving their case against animal fighters.”

Kathleen Wood
Animal Legal Defense Fund Staff Attorney

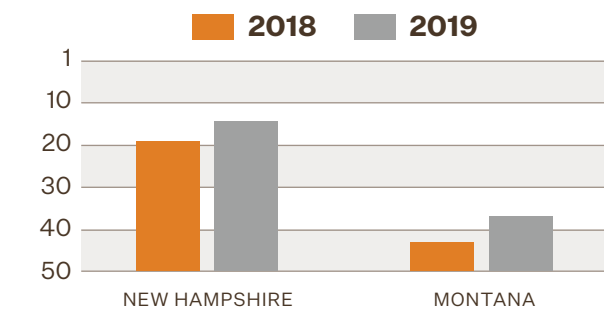
Most improved states: New Hampshire and Montana

New Hampshire rejoined the top tier after falling in 2018, and although Montana remains in the bottom tier in 37th place, these improvements are important steps in the right direction.

New Hampshire enacted new laws making possession bans mandatory and prohibiting the possession, manufacturing, and sale of animal fighting paraphernalia. In addition to these advancements, New Hampshire also prohibited the sale and loaning of animals to be used in animal fights and created new procedures for post-seizure hearings. After an animal has been seized from an allegedly cruel environment, post-seizure hearings are typically used to: assess the validity of the seizure; determine whether the owner must pay costs of care while the animal remains in custody; and/or determine whether the animal should be immediately forfeited. Unfortunately, New Hampshire still does not have an avenue for pre-conviction forfeiture of cruelly treated animals. However, its new post-seizure hearing laws place a great deal of emphasis on the best interests of the animal while ensuring that the defendant’s constitutional rights are upheld.

Montana previously had a permissive “bond-or-forfeit” scheme, in which judges used their discretion to decide whether or not to order the defendant to post a security or bond to cover the cost of caring for an animal while in the custody of the state or county. As of this year, Montana now requires defendants to post a bond to cover the costs of care if cruelty is proven by a preponderance of the evidence. The costs of caring for an animal can be enormous, especially if the animal requires extensive medical treatment.

This year, both New Hampshire and Montana took several steps to improve their animal protection laws and climbed five and six places in rank, respectively.



Montana rose from 43rd to 37th place in 2019, also largely due to new post-seizure procedures.

Most improved states: New Hampshire and Montana

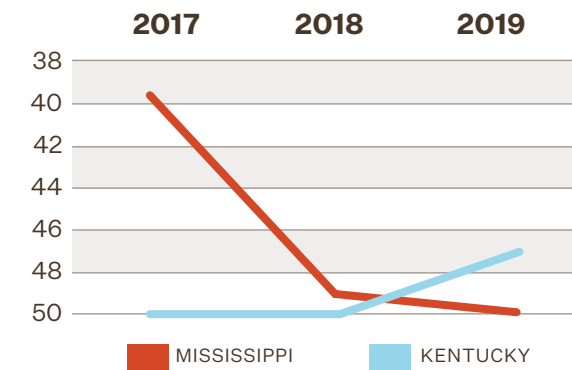
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The prospect of shouldering that cost alone can deter animal control agencies from seizing some animals. Having a guarantee in place that the owner will be held accountable for those costs is vital to ensure consistent enforcement of animal cruelty laws. Another seemingly small but hugely significant change that Montana made was to permit the seizure of an animal without an arrest. If an animal is discovered in poor condition but the owner is not present, law enforcement officers may still seize the animal and render necessary care.

Finally, although Maine slipped one rank when it was surpassed by Colorado, it deserves an honorable mention for the many improvements instituted this year. Not only did Maine create mandatory possession bans, but it also expanded the crime of giving drugs to animals. Maine further instructed that pre-conviction forfeiture hearings are to be given court-calendar priority because, unlike most non-sentient evidence, an animal who was seized in connection with a cruelty case “is a living animal requiring proper care and nourishment.”



Since 2007, Kentucky has consistently ranked as having the weakest animal protection laws in the nation.



Mississippi now ranks lowest at 50th place, having the weakest animal protection laws.

Kentucky breaks its losing streak

In 2019, Kentucky became the 46th state to enact legislation prohibiting sexual assault of animals (the remaining four states without bestiality laws are Hawaii, New Mexico, West Virginia, and Wyoming). As a result, Kentucky has risen to 47th place. Two other states updated their antiquated bestiality laws in 2019: California and Maryland.

In addition to criminalizing sexual assault of animals, Kentucky’s new statute has comprehensive sentencing provisions. If a defendant is convicted of sexual assault of animals, he or she is required to forfeit the animal, is prohibited from owning or possessing any animals for at least five years after conviction, and must submit to a psychological evaluation, and, if necessary, mental health treatment. These sentencing measures are critical for addressing the root causes of the offense and preventing recidivism, and ought to be adopted for all animal cruelty crimes.

Even though Kentucky is no longer in the lowest position, the state still has a long way to go before animals are adequately protected. One of the biggest remaining issues is that Kentucky is still the only state which actually prohibits veterinarians from reporting suspected animal cruelty.

Mississippi now ranks lowest at 50th place, having the weakest animal protection laws. Mississippi’s only felony laws for first-time animal abusers are for dogfighters and for those who maliciously injure or kill “livestock.” Such livestock laws tend to be motivated by concern for the animals’ owners who might have sustained an economic loss, rather than concern for the animals themselves. Mississippi’s general animal cruelty laws are meager and ill-defined, with all crimes — even torture — capped as a misdemeanor. The only exception to these critiques is Mississippi’s statute protecting dogs and cats, which does contain some more detailed provisions. However, even under the “cruelty to dogs or cats” law, first-time cruelty convictions are misdemeanors.

Implications of new federal laws for state rankings

Historically there have been virtually no animal cruelty laws at the federal level, and everything concerning animal cruelty was regulated by individual states and municipalities. This meant that animals only received protection to the extent that state and local laws afforded, and animals living in bottom tier states were woefully unprotected. This is part of the reason the Animal Legal Defense Fund's Rankings Report has been so impactful — it shows the great disparity in the strengths of animal protection laws across the nation. Recently, however, progress has been made at the federal level: In 2018 and 2019 the federal government passed three pieces of legislation that improved animal protection throughout the nation: the PAWS Act, the PACE Act, and the PACT Act.

In December 2018 the federal government enacted the "Pet and Women Safety" or "PAWS" Act, which addresses The Link between animal cruelty and domestic violence. More than half of women in domestic violence shelters have reported that they delayed their escape out of fear that their companion animals could be harmed. To remedy this issue, 34 states explicitly allow animals to be included in protection orders (Rhode Island and Wyoming joined this group in 2019). The PAWS Act established a grant program for animal shelters that provide temporary shelter for the pets of domestic violence survivors and it also includes companion animals in interstate protection orders.

Also in December 2018, the federal government passed the "Parity in Animal Cruelty Enforcement" or "PACE" Act. Before this law, the federal animal fighting law only applied to states, and it exempted U.S. territories. As a result, cockfighting was not only legal, but was (and is) a major industry in Guam, Puerto Rico, and the U.S. Virgin Islands. Though Puerto Rico's governor has vowed to challenge this new law in court, the PACE Act criminalized all animal fighting in U.S. territories beginning December 19, 2019.

Finally, in 2019 the federal government enacted its first-ever general animal cruelty statute, the "Prevention of Animal Cruelty and Torture" or "PACT" Act. This act prohibits "animal crushing" affecting interstate commerce. Despite the term, this law is much broader than activity commonly depicted in "crush videos." In the PACT Act, "crushing" includes "actual conduct" where an animal is "purposely crushed, burned, drowned, suffocated, impaled, or otherwise subjected to serious bodily injury." Therefore this Act addresses many common forms of abuse, though it is important to note that the law does not protect fish and does not prohibit animal neglect.

These new federal laws are undoubtedly significant steps forward. However, the fact remains that the vast majority of animal cruelty crimes are criminalized and prosecuted at the state level. Therefore the comparison of states' animal protection laws remains a valuable tool to assess the varying degrees of protection afforded to animals.

For the past 14 years, the Animal Legal Defense Fund's Rankings Report has shed light on both the failings and advancements in states' animal protection laws. While we celebrate the great progress that has been made in that time, every state still has room to improve.





MAP TRENDS

The Animal Legal Defense Fund has tracked improvements and innovations in animal protection laws for the past 14 years. Each year, the Rankings Report reveals new or continuing legislative trends as different types of laws spread across the nation. Our Map Trends help illustrate those progressions.

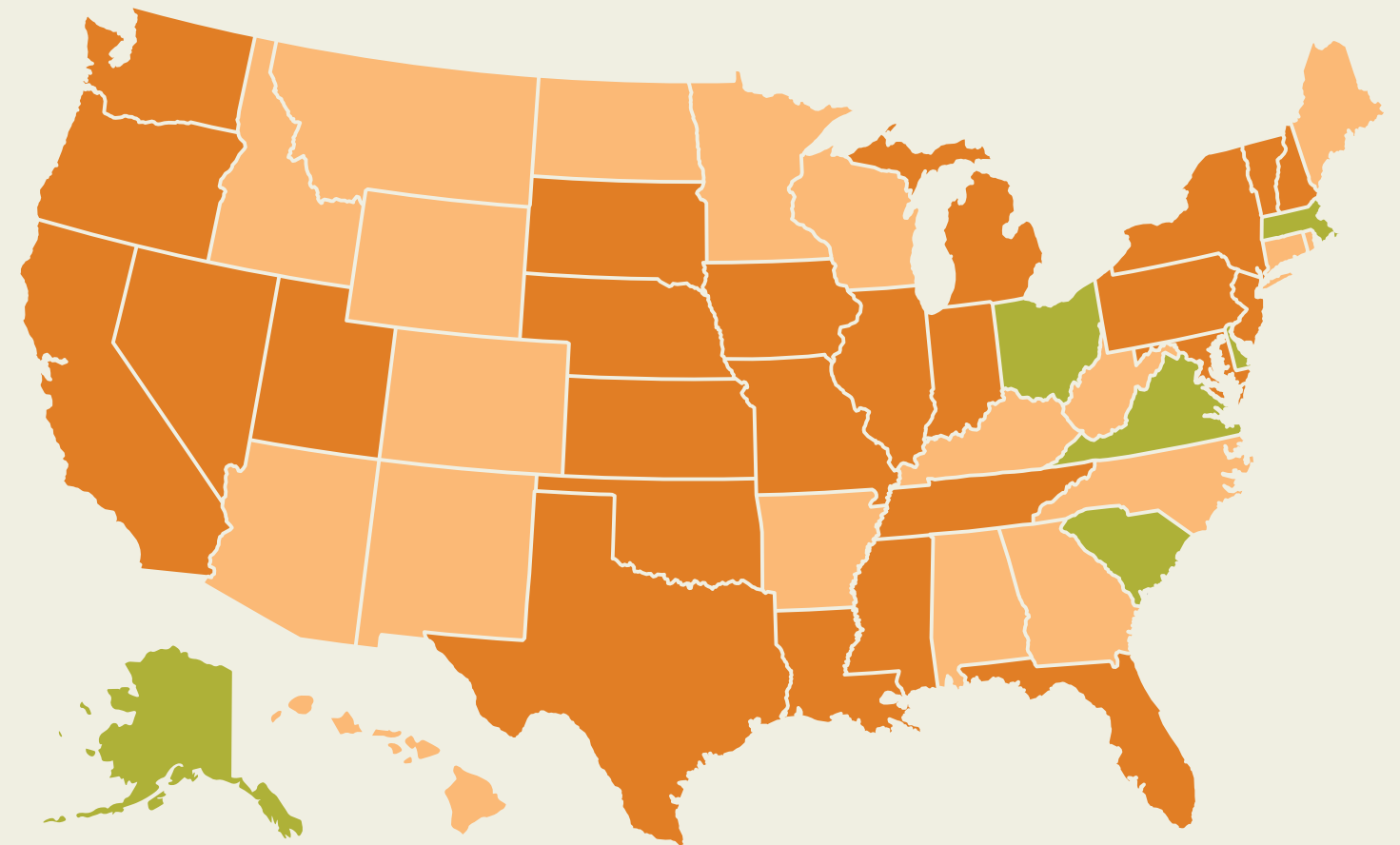
In 2019, the two major legislative trends were Possession Bans and Animal Fighting Paraphernalia Laws. Other trends which have been steadily continuing for the past several years are: Psychological Evaluations, Veterinary Reporting, Dogs in Hot Cars, and Sexual Assault Laws.

The patchwork nature of these maps shows just how dramatically state laws can vary from issue to issue, and just how far we as a nation still have to go before animals are afforded the protections they deserve.




For more information, check out our website – all the states are posted with their state animal laws!

aldf.org/staterankings 

ANIMAL FIGHTING PARAPHERNALIA



FIGHTING PARAPHERNALIA AND POSSESSION LAWS

-  CRIMINALIZES POSSESSION OF FIGHTING PARAPHERNALIA
-  HAS LAW REGARDING SEIZURE AND/OR FORFEITURE OF FIGHTING PARAPHERNALIA
-  DOES NOT HAVE LAWS REGARDING PARAPHERNALIA

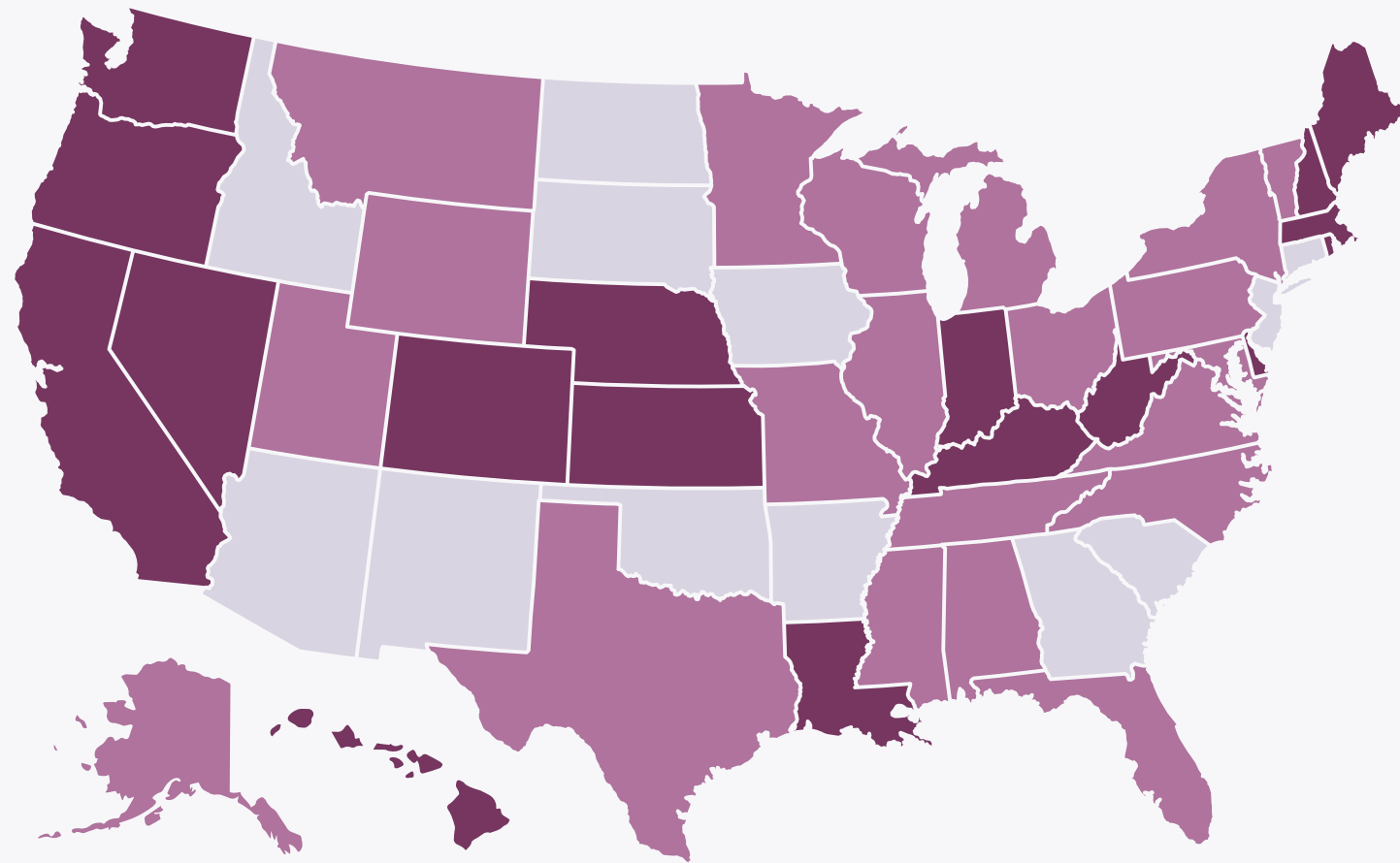
“Animal fighting paraphernalia” refers to equipment and implements used to further animal fighting, such as gaffs (blades attached to roosters’ legs for cockfighting), breaking sticks (used to pry open dogs’ jaws in dogfights), as well as objects used for training animals to fight (such as treadmills and hot walkers).

Half of all states, plus the U.S. Virgin Islands, have laws criminalizing the possession of animal fighting paraphernalia, if possessed with the intent to be used in fights. Some of these states, such as Mississippi and New Jersey, also include a list of factors which a judge may consider when determining if something is animal fighting paraphernalia, including the object’s proximity in space and time to the animal fighting venture. An additional six

states, plus Puerto Rico, do not have a specific prohibition on possessing fighting paraphernalia, but they do have statutes addressing the seizure and/or forfeiture of such objects.

The evidence in animal fighting cases is often circumstantial, consisting primarily of animal fighting paraphernalia and the presence of animals who have wounds consistent with common fighting injuries. Additionally, some individuals manufacture and/or sell animal fighting paraphernalia for profit, contributing to cruel treatment of animals without being physically present at animal fights. Therefore it is important for the law to recognize the connections between the presence of fighting paraphernalia and the cruel exploitation of animals.

POSSESSION BAN



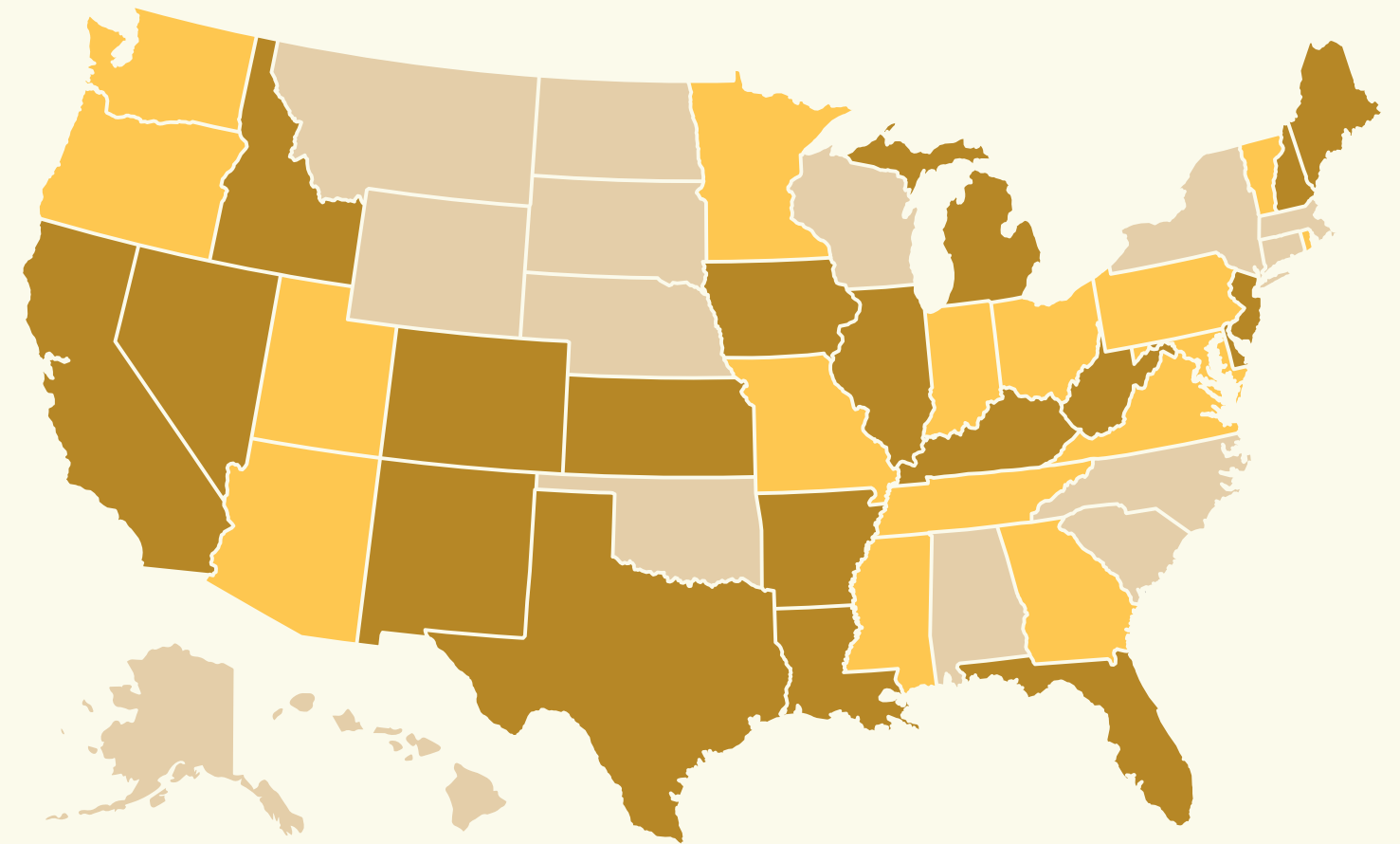
POSSESSION BAN ON ANIMAL OWNERSHIP

● MANDATORY ● PERMISSIVE ● NONE

After a person is convicted of animal cruelty, the court may prohibit the defendant from owning or possessing any animal for a period of time. In many states, this prohibition is statutorily authorized or even mandated. These possession bans are one of the most effective ways to prevent repeat offenses. They restrict an abuser’s access to animals, drastically limiting the pool of potential victims. They also allow law enforcement to intervene quickly to protect at-risk animals.

As of 2019, only 17 states mandate possession bans after a conviction for animal cruelty — and several of those state statutes are limited to specific species or crimes, such as the sexual assault of an animal. Additionally, 21 states and D.C. statutorily authorize possession bans, but those are ultimately left up to the court’s discretion. Fortunately these numbers are trending upwards — five states created or strengthened their possession bans in 2019.

PSYCHOLOGICAL EVALUATION



COURT-ORDERED PSYCHOLOGICAL EVALUATION AND, IF NECESSARY, TREATMENT

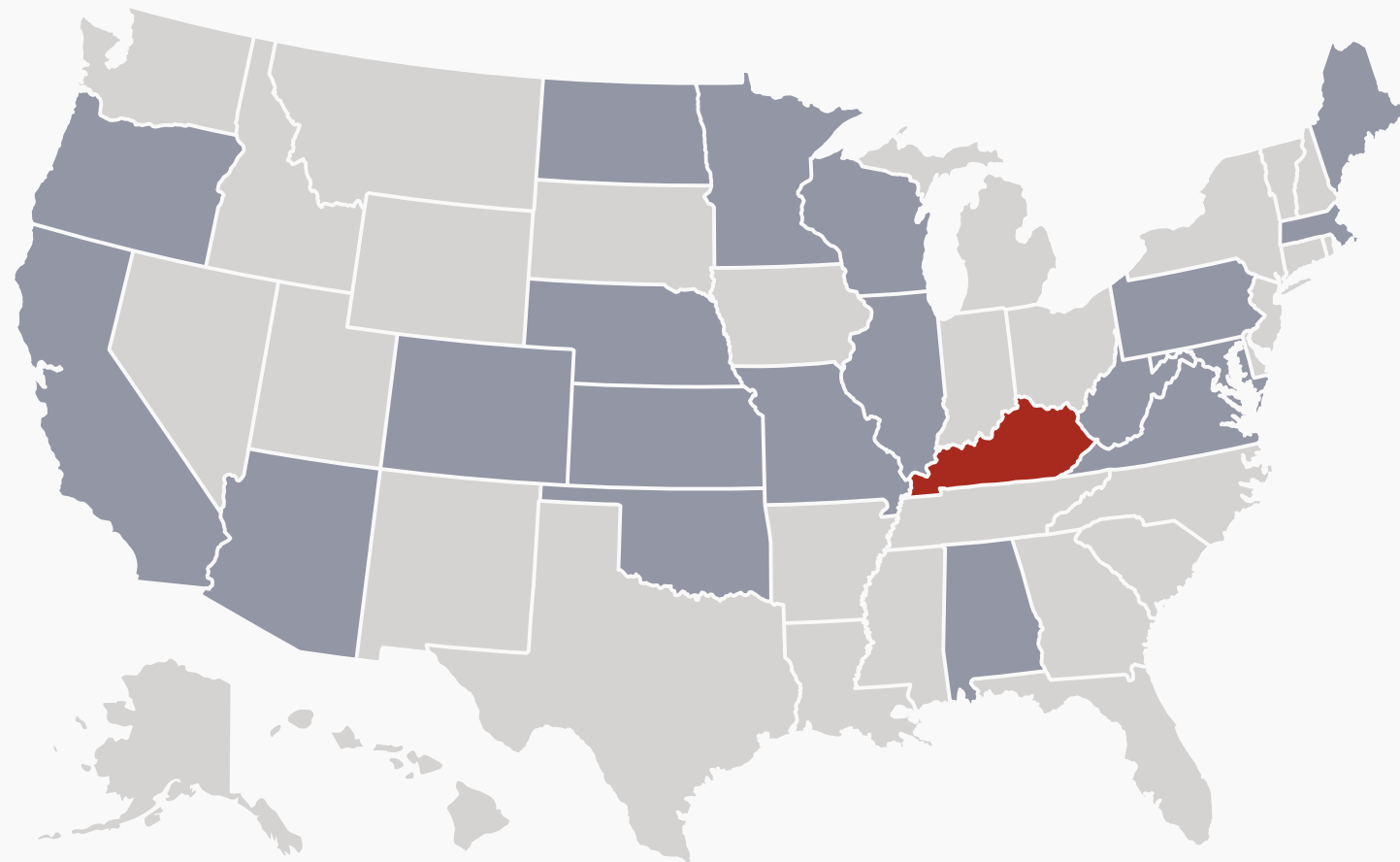
● MANDATORY ● PERMISSIVE ● NONE

Court-ordered treatment is an effective way to address the roots of animal cruelty and provide sustainable solutions and rehabilitation for convicted offenders. Such treatment will often entail a psychological evaluation and, if deemed necessary, further counseling. Treatment may also take the form of anger management or educational courses.

As of 2019, 16 states statutorily authorize the court in its discretion to order psychological evaluation and, if

necessary, treatment for convicted animal abusers. An additional 19 states and the U.S. Virgin Islands require psychological evaluation/treatment for certain convicted animal abusers. However almost every one of those 19 states limits its mandatory counseling statute to certain abusers — typically people who committed torture or sexual assault of an animal, or those who were a juvenile at the time of the offense.

VETERINARY REPORTING



VETERINARY REPORTING OF ANIMAL CRUELTY

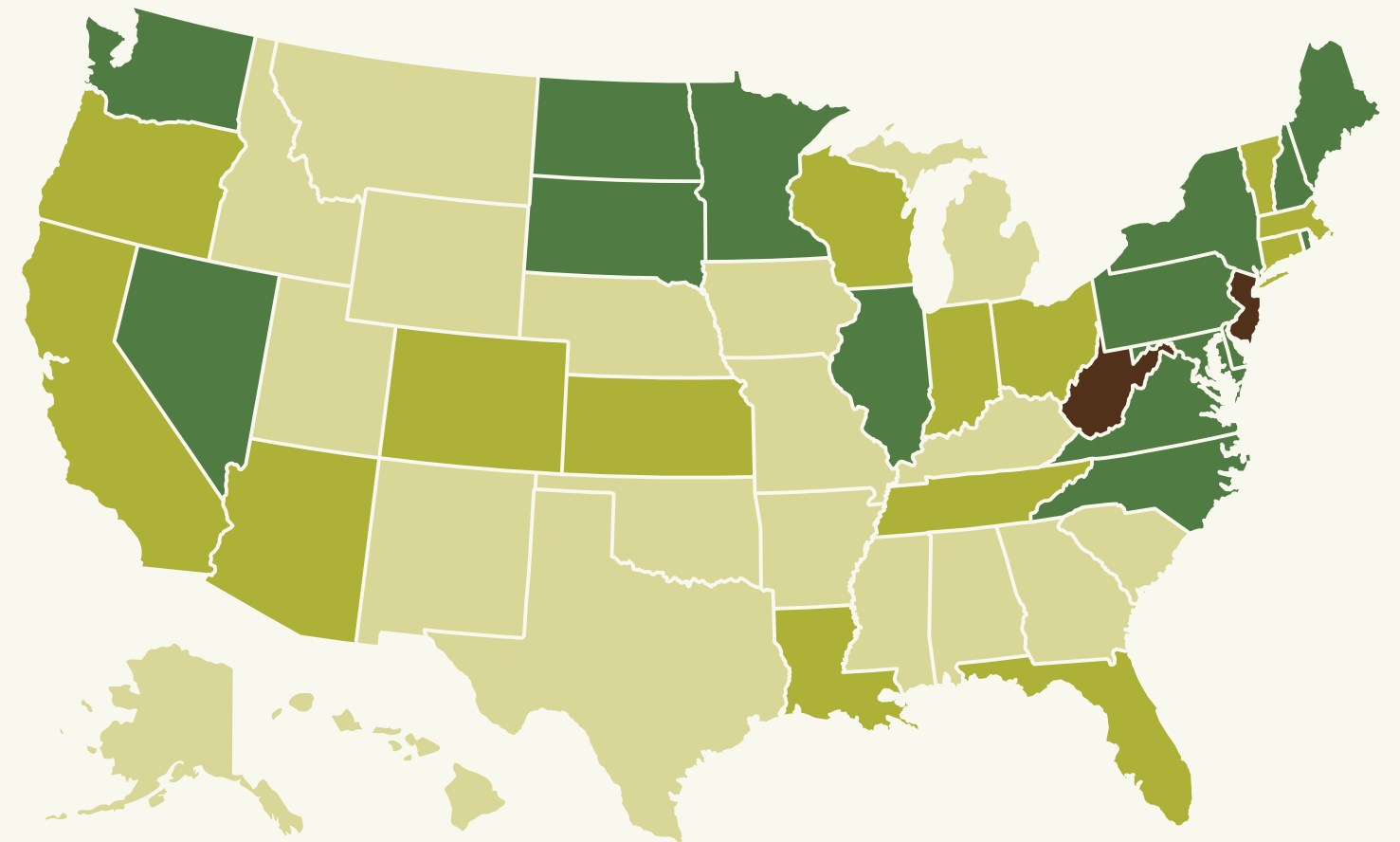
- MANDATORY
- PERMISSIVE
- PROHIBITED

It is crucial that the law empower veterinarians to report suspected animal cruelty when they encounter signs of abuse in their practice. Not only are veterinarians often the only witnesses to animal abuse, but they are uniquely qualified to identify the signs of cruelty.

As of 2019, 19 states require veterinarians to report suspected animal cruelty, and most of those states also

grant civil immunity to veterinarians who report. Thirty states, either explicitly or implicitly, permit veterinarians to report suspected animal cruelty. Only one state — Kentucky — actually prohibits veterinarians from reporting suspected abuse. In 2019, Florida passed a much-needed law clarifying that veterinarians may report suspected cruelty without violating confidentiality laws.

DOGS IN HOT CARS



ANIMALS LEFT UNATTENDED IN HOT CAR LAWS

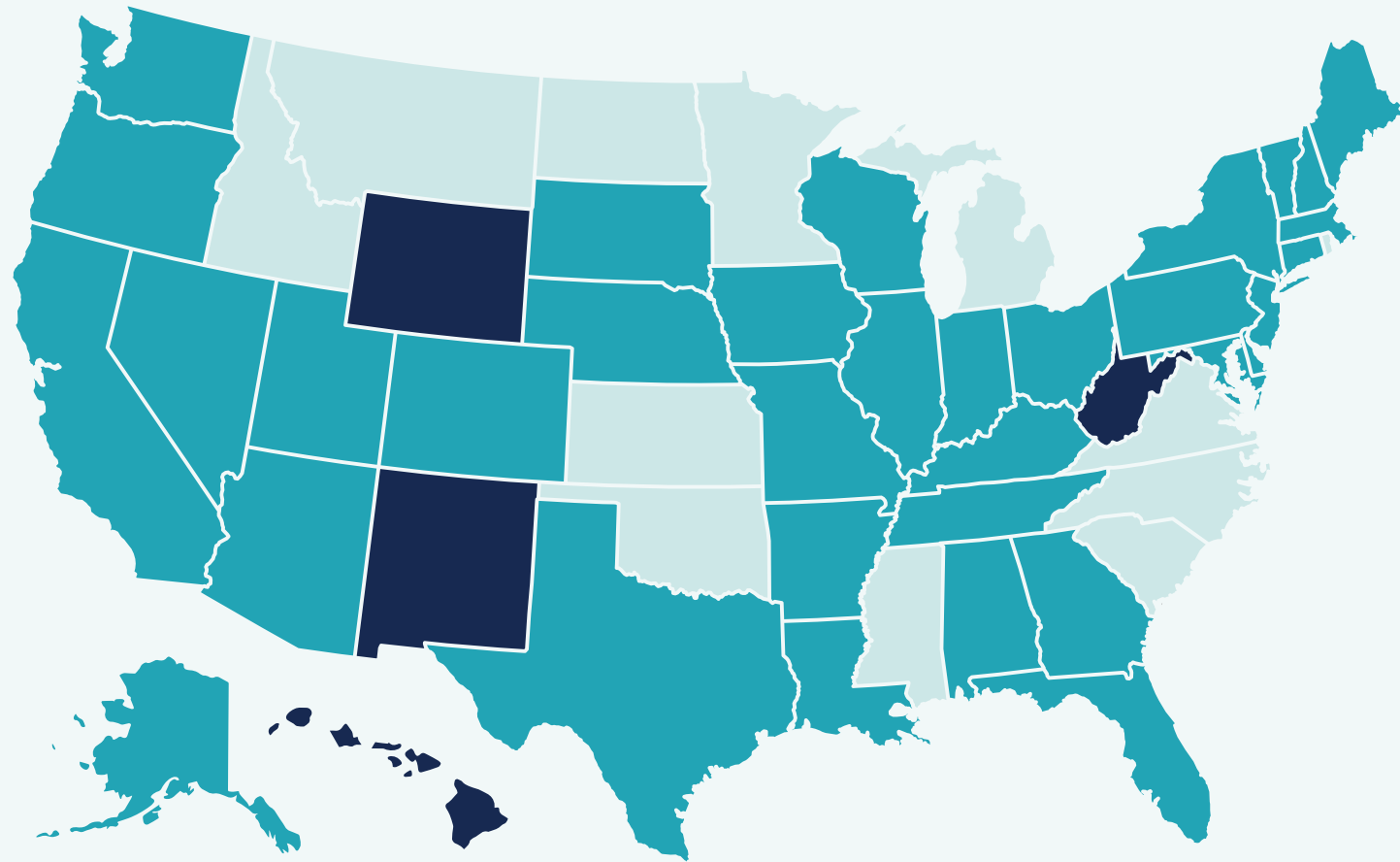
- CRIME TO LEAVE AN ANIMAL UNATTENDED IF RISK OF SERIOUS INJURY/DEATH, BUT NO ONE CAN RESCUE
- LAW ENFORCEMENT CAN BREAK IN TO RESCUE AN ANIMAL
- STATES WITH “GOOD SAMARITAN” LAWS
- NO LAWS

These laws address the issue of animals left unattended in motor vehicles. People often leave their companion animals locked in their car while they run an errand, not realizing that temperatures inside vehicles can rise quickly. Even on a cloudy day with the windows cracked, conditions inside a car may turn lethal for any animals trapped inside within a matter of minutes.

As of 2019, 31 states and the District of Columbia have some kind of “hot car” law. In West Virginia and New Jersey, it is

a crime to leave an animal unattended in a vehicle under inhumane conditions, but no one is statutorily authorized to enter the vehicle to rescue a trapped animal. Fifteen states provide immunity only for law enforcement, first responders, or animal control officers who enter a vehicle to rescue an animal. Fourteen states have “Good Samaritan” laws which grant civil immunity for civilians rescuing an animal from an unattended vehicle under certain circumstances — like contacting law enforcement before entering the car.

SEXUAL ASSAULT



ANIMAL SEXUAL ASSAULT AND CRUELTY

- HAS A LAW BANNING SEXUAL ABUSE OF ANIMALS
- HAS A LAW CRIMINALIZING "CRIMES AGAINST NATURE" OR SOMETHING SIMILAR
- HAS NO LAW ADDRESSING SEXUAL ASSAULT OF ANIMALS

Laws prohibiting the sexual assault of animals vary widely from state to state. Four states — Hawaii, New Mexico, West Virginia, and Wyoming — still do not have any laws prohibiting the sexual assault of animals. In those states, sexual assault could still be prosecuted as animal cruelty if the animal suffers some physical harm, but that is still grossly insufficient to address the issue.

Even if the state prohibits sexual assault of animals, the laws may be weak. Twelve states have antiquated laws which prohibit vague, undefined crimes such as the “abominable crime against nature.” Not only are such statutes difficult to enforce due to their vagueness, but they are also usually closely tied to unconstitutional sodomy laws.

A growing number of states are updating and strengthening their bestiality laws, bringing them into the 21st century. In 2019, California and Maryland passed bills strengthening their laws addressing the sexual assault of animals. This update was sorely needed in California because a drafting error had caused some courts to find that the only animals who could be victims of sexual assault under the law were those who had previously been abandoned or neglected. Also in 2019, Kentucky enacted a statute banning the sexual assault of animals for the first time ever; that law not only includes thorough definitions, but also addresses related crimes and provides additional sentencing tools.



TABLES

“TOP FIVE” STATES

Select Provisions	1 Illinois	2 Oregon	3 Colorado	4 Maine	5 Rhode Island
Felony penalties available: Cruelty (C), Neglect (N), Fighting (F), Abandonment (A), Sexual Assault (S)	C, N, F, A, S	C, N, F, S	C, N, F, A	C, N, F, A	C, N, F, A, S
Adequate definitions/standards of basic care	●	●	●	●	●
Full range of statutory protections (cruelty, neglect, abandonment, sexual assault, fighting)	●	●	●	●	●
Increased penalties for repeat abusers and/or animal hoarders	●	●	●	●	●
Increased penalties when abuse is committed in the presence of a minor	●	●			
Courts may order forfeiture of abused animals	●	●	●	●	●
Mandatory forfeiture of animals upon conviction	●*	●*			●*
Mandatory reporting of suspected cruelty by veterinarians and/or select non-animal-related agencies/professionals	●	●	●		●
Police officers have an affirmative duty to enforce animal protection laws		●		●	●
Broad measures to mitigate and recover costs of care for abused animals seized by animal welfare agencies	●	●	●	●	●
Court may restrict ownership of animals after a conviction	●	●	●	●	●
Mental health evaluations and/or counseling for offenders	●	●	●	●	●
Animals may be included in domestic violence protective orders	●	●	●	●	●
Courtroom Animal Advocate Program					●
“Hot car” law	●*	●*	●*	●*	●
Animal cruelty is an abatable civil nuisance		●			

*Limited to select species or crimes

“WORST FIVE” STATES

Select Provisions	46 Wyoming	47 Kentucky	48 New Mexico	49 Iowa**	50 Mississippi
Felony penalties available: Cruelty (C), Neglect (N), Fighting (F), Abandonment (A), Sexual Assault (S)	C, F*	C*, F*, S	C, F*	C*, F	C*, F*, S
Adequate definitions/standards of basic care					●*
Full range of statutory protections (cruelty, neglect, abandonment, sexual assault, fighting)		●		●	
Increased penalties for repeat abusers and/or animal hoarders	●	●	●	●	●
Increased penalties when abuse is committed in the presence of a minor					
Courts may order forfeiture of abused animals	●	●*	●	●	●*
Mandatory forfeiture of animals upon conviction		●*	●	●*	
Mandatory reporting of suspected cruelty by veterinarians and/or select non-animal-related agencies/professionals		◇			
Police officers have an affirmative duty to enforce animal protection laws					
Broad measures to mitigate and recover costs of care for abused animals seized by animal welfare agencies	●		●	●	●*
Court may restrict ownership of animals after a conviction	●	●*			●*
Mental health evaluations and/or counseling for offenders		●*	●	●	●*
Animals may be included in domestic violence protective orders	●			●	
Courtroom Animal Advocate Program					
“Hot car” law					
Animal cruelty is an abatable civil nuisance					

*Limited to select species or crimes

**Ag-Gag state

◇ Veterinarians prohibited from reporting suspected animal cruelty

“TOP FIVE” STATES

1

Illinois



Existing Strengths	Potential Improvements
Felony penalties for cruelty, neglect, fighting, abandonment, and sexual assault	More comprehensive definitions/standards of basic care
Inclusive definition of “animal”	Stronger felony provisions for neglect and abandonment
Adequate definitions/standards of basic care	Increased penalties for offenders with prior domestic violence offenses
Increased penalties for repeat animal abusers	Broader cost mitigation and recovery measures
Mental health evaluations prior to sentencing	Mandatory forfeiture of any type of animal upon conviction
Mandatory counseling/anger management for certain offenders	Mandatory restrictions on future ownership or possession of animals following a conviction
Protective orders may include animals	Animal fighting as RICO* predicate offense
Some mandatory cost-recovery measures for impounded animals	Court-calendar priority when animals are in custody
Pre-conviction forfeiture allowed	Courtroom Animal Advocate Program
Court may order forfeiture of animals on conviction	Animal cruelty declared an abatable nuisance
Court may order restrictions on future ownership or possession of animals upon conviction	Immunity for civilians rescuing animals from hot cars
Mandatory reporting of suspected animal cruelty by veterinarians	
Law enforcement officers may rescue animals trapped in hot cars	

*Racketeer influenced and corrupt organizations

“TOP FIVE” STATES

2

Oregon

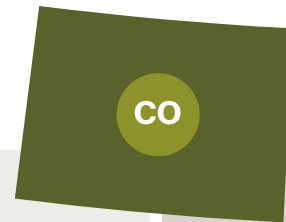


Existing Strengths	Potential Improvements
Felony penalties for cruelty, neglect, and fighting	Felony penalties for abandonment
Thorough definitions/standards of basic care	Broader pre-sentence mental health evaluations
Inclusive definition of “animal”	Mandatory cost mitigation and recovery measures for impounded animals
Increased penalties for repeat animal abusers, repeat domestic violence offenders, when abuse committed in the presence of a minor, and cases involving multiple animals	Mandatory forfeiture on conviction
Limited pre-sentence mental health evaluations	Mandatory reporting of suspected animal cruelty by select non-animal-related agencies
Permissive court order for counseling/anger management	Mandatory reporting of all suspected animal cruelty by veterinarians
Protective orders may include animals	Court-calendar priority when animals are in custody
Court may order cost mitigation and recovery measures for impounded animals	Courtroom Animal Advocate Program
Pre-conviction forfeiture allowed	
Court may order forfeiture of animals on conviction	
Mandatory restrictions on future ownership or possession of animals upon conviction	
Mandatory reporting of suspected aggravated animal cruelty by veterinarians	
Peace officers have an affirmative duty to enforce animal protection laws	
Animal fighting is a predicate offense under state RICO* laws	
Strong animal fighting provisions	
Comprehensive sexual assault of animals law	
Animal cruelty is an abatable nuisance	
Civilians have civil immunity for rescuing animals trapped in unattended vehicles	

*Racketeer influenced and corrupt organizations

“TOP FIVE” STATES

3 Colorado



Existing Strengths	Potential Improvements
Felony penalties for cruelty, neglect, fighting, and abandonment	Peace officers have an affirmative duty to investigate animal protection law violations
Inclusive definition of “animal”	Stronger felony provisions for neglect
Adequate definitions/standards of basic care	Increased penalties for crimes involving multiple animals, offenders with prior domestic violence offenses, and when abuse is committed in the presence of a minor
Increased penalties for repeat animal abusers	Mandatory forfeiture of an animal upon conviction
Mandatory mental health evaluation following a conviction, statutes recognize that mental health treatment should target root causes of the offense	Mandatory reporting of suspected animal cruelty by select non-animal-related agencies
Protective orders may include animals	Court-calendar priority when animals are in custody
Court may order cost recovery measures on conviction	Felony penalty on first-offense sexual assault
Pre-conviction forfeiture allowed	Animal fighting as RICO* predicate offense
Court may order forfeiture on conviction	Courtroom Animal Advocate Program
Permissive reporting of animal cruelty by select non-animal related agencies	Animal cruelty as an abatable nuisance
Mandatory reporting of suspected animal cruelty by veterinarians	
Civilians have civil immunity for rescuing animals trapped in unattended vehicles	
Mandatory restrictions on future ownership or possession of animals following a conviction	
Mandatory cost mitigation and recovery measures for impounded animals, and restitution upon conviction	

*Racketeer influenced and corrupt organizations

“TOP FIVE” STATES

4 Maine



Existing Strengths	Potential Improvements
Felony penalties for cruelty, neglect, fighting, and abandonment	Stronger felony provisions for neglect
Inclusive definition of “animal”	Increased penalties for crimes involving multiple animals, offenders with prior domestic violence offenses, and when abuse is committed in the presence of a minor
Thorough definitions/standards of basic care	Mandatory cost mitigation and recovery measures for impounded animals, and restitution upon conviction
Increased penalties for repeat animal abusers	Mandatory forfeiture of an animal upon conviction
Limited pre-sentence mental health evaluations	Mandatory reporting of suspected animal cruelty by select non-animal-related agencies
Permissive court order for counseling/ anger management	Mandatory reporting of all suspected animal cruelty by veterinarians
Protective orders may include animals	Felony penalty on first-offense sexual assault
Court may order cost recovery measures on conviction	Stronger animal fighting provisions
Pre-conviction forfeiture allowed	Animal fighting as RICO* predicate offense
Court may order forfeiture on conviction	Courtroom Animal Advocate Program
Permissive reporting of animal cruelty by select non-animal related agencies	Animal cruelty as an abatable nuisance
Mandatory reporting of suspected aggravated animal cruelty by veterinarians	
Peace officers have an affirmative duty to investigate animal protection law violations	
Mandatory restrictions on future ownership or possession of animals following a conviction	

*Racketeer influenced and corrupt organizations

“TOP FIVE” STATES

5 Rhode Island



Existing Strengths	Potential Improvements
Felony penalties for cruelty, neglect, abandonment, sexual assault, and fighting	Increased penalties when abuse committed in the presence of a minor
Principal protections apply to most animals	Mandatory mental health evaluation and/or counseling
Full range of statutory protections	Permissive of costs of care pre-conviction
Mandatory forfeiture of animals who were seized by RISPCA** upon conviction	Mandatory forfeiture of animals who were seized by law enforcement or animal control upon conviction
Peace officers have an affirmative duty to enforce animal protection laws	Mandatory seizure of abused animals
Humane agents have broad law enforcement authority	Court-calendar priority when animals are in custody
Permissive post-conviction ownership and possession ban	Animal fighting as RICO* predicate offense
Mandatory restitution	
Permissive court order for counseling/anger management	
Mandatory post-conviction cost of care	
Prohibits breed-specific legislation	
Mandatory post-conviction ownership and possession ban	

*Racketeer influenced and corrupt organization

**Rhode Island SPCA (society for the prevention of cruelty to animals)

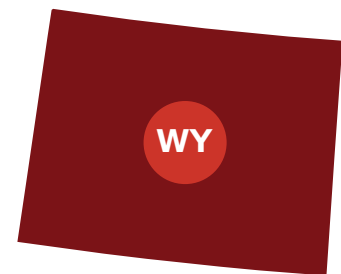


“WORST FIVE” STATES

Major areas needing improvement

46

Wyoming



Felony provisions available only for fighting select animals

No felony neglect or abandonment provisions

Inadequate definitions/standards of basic care

No increased penalties when abuse is committed in the presence of a minor or for repeat domestic violence offenders

No mental health evaluations or counseling for offenders

Pre-conviction restitution only available for certain species

No mandatory forfeiture of animals upon conviction

No provisions for veterinarians or other select non-animal-related agencies/professionals to report suspected animal abuse

No duty for peace officers to enforce animal protection laws

No provisions for sexual assault

“WORST FIVE” STATES

Major areas needing improvement

47

Kentucky



Felony provisions for cruelty and fighting only available when perpetrated against only select species

No felony provisions for neglect or abandonment

Inadequate definitions/standards of basic care

No increased penalties when abuse is committed in the presence of a minor or involves multiple animals

No mental health evaluations or counseling for offenders except for those convicted of sexually abusing animals

No statutory authority to allow protective orders to include animals

No cost mitigation or recovery provisions for impounded animals, except for horses and sexually abused animals

No provisions for forfeiture of cruelly treated animals, other than horses and sexually abused animals

No restrictions on future ownership or possession of animals following a conviction except for sexually abused animals

No provisions for select non-animal-related agencies/professionals to report suspected animal abuse

Veterinarians are prohibited from reporting suspected cruelty or fighting

“WORST FIVE” STATES

Major areas needing improvement

48

New Mexico



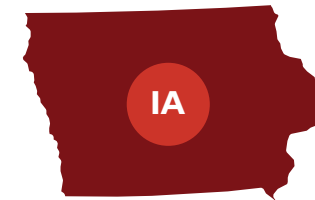
Felony provisions for fighting only available for crimes against select species
No felony neglect or abandonment provisions
Inadequate definitions/standards of basic care
No increased penalties when abuse is committed in the presence of a minor, or for repeat domestic violence offenders, or cases involving multiple animals
No statutory authority to allow protective orders to include animals
No provisions for possession or ownership bans after a conviction
No provisions for veterinarians or other select non-animal-related agencies/professionals to report suspected animal abuse
No duty for peace officers to enforce animal protection laws
No provisions for sexual assault

“WORST FIVE” STATES

Major areas needing improvement

49

Iowa



Ag-Gag law
No felony provisions for first offense cruelty to animals, except for fighting
Felony animal abuse provisions available only for second or subsequent offenses against select species
No felony neglect or abandonment provisions
Inadequate definitions/standards of basic care
No increased penalties when abuse is committed in the presence of a minor or involves multiple animals
No mandatory forfeiture of animals upon conviction, except for dogfighting
No restrictions on future ownership or possession of animals following a conviction
No provisions for veterinarians or other select non-animal-related agencies/professionals to report suspected animal abuse
No duty for peace officers to enforce animal protection laws
Sexual assault statute poorly defined

“WORST FIVE” STATES

Major areas needing improvement

50

Mississippi



Felony provisions available only for cruelty against select animals and fighting select animals
No felony neglect or abandonment provisions
Inadequate definitions/standards of basic care for most species
No increased penalties when abuse is committed in the presence of a minor or involves multiple animals
No statutory authority to allow protective orders to include animals
No mandatory forfeiture of animals upon conviction, and permissive forfeiture only available for select animals
Pre-conviction restitution only available for select animals
Restrictions on future ownership or possession of animals following a conviction only available for select animals
No mandatory reporting for veterinarians or other select non-animal-related agencies/professionals who suspect animal abuse
No duty for peace officers to enforce animal protection laws
Sexual assault statute poorly defined
Mental health evaluation and treatment only available in cases involving select species



METHODOLOGY SUMMARY

The 56 jurisdictions included in the 2019 U.S. State Animal Protection Laws Rankings ReportSM were numerically ranked based on their cumulative scores to 49 study questions covering 19 distinct animal protection laws categories. The report analyzed enacted laws only and did not review the separate issue of how these laws are enforced. Answers to the study questions were based primarily on the statutory data contained in the 3,400+ page compilation Animal Protection Laws of the United States (Fourteenth Edition).SM The study questions were close-ended and the choices exhaustive and mutually exclusive. The questions were limited to the following categories:

SUBSTANTIVE PROHIBITIONS

1. Definition of “animal”
2. General cruelty
3. Exemptions
4. Fighting and racketeering
5. Sexual assault

PROCEDURAL MATTERS

6. Maximum penalties and statute of limitations
7. Cross enforcement and reporting
8. Veterinarian reporting and immunity
9. Law enforcement policies
10. Seizure
11. Courtroom animal advocate program
12. Protection orders
13. Restitution
14. Forfeiture and possession bans
15. Mental health treatment sentencing

MISCELLANEOUS PROVISIONS

16. Hot cars
17. Civil nuisance abatement
18. Ag-Gag laws
19. Breed-specific legislation





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