SUPPORT MASSACHUSETTS H.3772 (REPRESENTATIVE NYUGEN) – AN ACT RELATIVE TO PROTECTING ANIMALS FROM ABUSERS

BARS PEOPLE CONVICTED OF ANIMAL CRUELTY

Massachusetts law prohibits convicted animal abusers from working with animals. However, it only explicitly allows courts to prohibit ownership or contact with animals after a conviction of animal sexual abuse.

H.3772 addresses this gap by extending the existing prohibition to other animal cruelty convictions. This would prevent a person convicted of animal cruelty from possessing or exercising control over animals for at least five years after their release from custody.

WHY ARE THEY NEEDED?

Possession bans are one of the most effective ways to ensure a person convicted of animal cruelty does not reoffend. These laws restrict an abuser’s access to animals, drastically limiting the pool of potential victims. Possession bans also help stifle the high rates of recidivism associated with certain types of animal abuse. Many convicted animal abusers demonstrate through their actions that they are not fit to possess or have contact with animals.

By preventing future cruelty to animals, possession bans help save local agencies and shelters resources (large-scale cruelty cases can cost hundreds of thousands of taxpayer dollars during lengthy trials). They also offer law enforcement officials an additional tool to monitor and quickly intervene to protect at-risk animals and prevent animal abuse in their communities.

In addition to H.3772, two other bills restricting abusers’ access to animals are pending: H.1435 (Representative Hill) and S.1037 (Senator Tran). All three bills have been referred to the Joint Committee on the Judiciary.
AS OF JANUARY 2019, 13 STATES MANDATE POSSESSION BANS AFTER A CONVICTION FOR ANIMAL CRUELTY — BUT SEVERAL OF THOSE STATE STATUTES ARE LIMITED TO SPECIFIC CRIMES (AS IN MASSACHUSETTS) OR SPECIES.

23 states and D.C. statutorily authorize permissive possession bans, leaving adjudication up to the court’s discretion.

7 states created or strengthened their possession bans in 2018.

The National Sheriffs’ Association and the FBI recognize that animal cruelty is a reliable indicator of future violence towards people, and are accordingly taking animal cruelty more seriously than ever. Similarly, legislatures across the nation are passing stronger laws against animal crimes, knowing that doing so will protect animals, children, and entire communities.

WHAT STATES HAVE SIMILAR LAWS?

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POSSESSION BAN

- MANDATORY
- PERMISSIVE
- NONE

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