

ANIMAL POSSESSION BAN

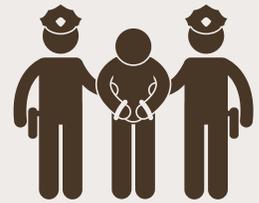
Keep Animals Away from Convicted Abusers



SUPPORT S.2494 — AN ACT RELATIVE TO THE OWNERSHIP OF PETS BY CONVICTED ANIMAL ABUSERS

BARS PEOPLE CONVICTED OF ANIMAL CRUELTY

(INCLUDING TORTURE, MUTILATION, AND DOGFIGHTING) FROM POSSESSING, ADOPTING, OR FOSTERING ANIMALS FOR AT LEAST FIVE YEARS AFTER THEIR RELEASE FROM CUSTODY



Current 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.



S.2494 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. Courts would have the discretion to consider each case individually and extend the possession ban for any greater length of time deemed reasonable to protect animals.

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.



Bill Status: Sponsored by Representative Tram Nguyen, Assistant Minority Leader Bradford Hill, and Senator Dean Tran, this legislation has been referred to the Senate Committee on Ways and Means after receiving a favorable report from the Joint Committee on Judiciary.



WHAT STATES HAVE SIMILAR LAWS?

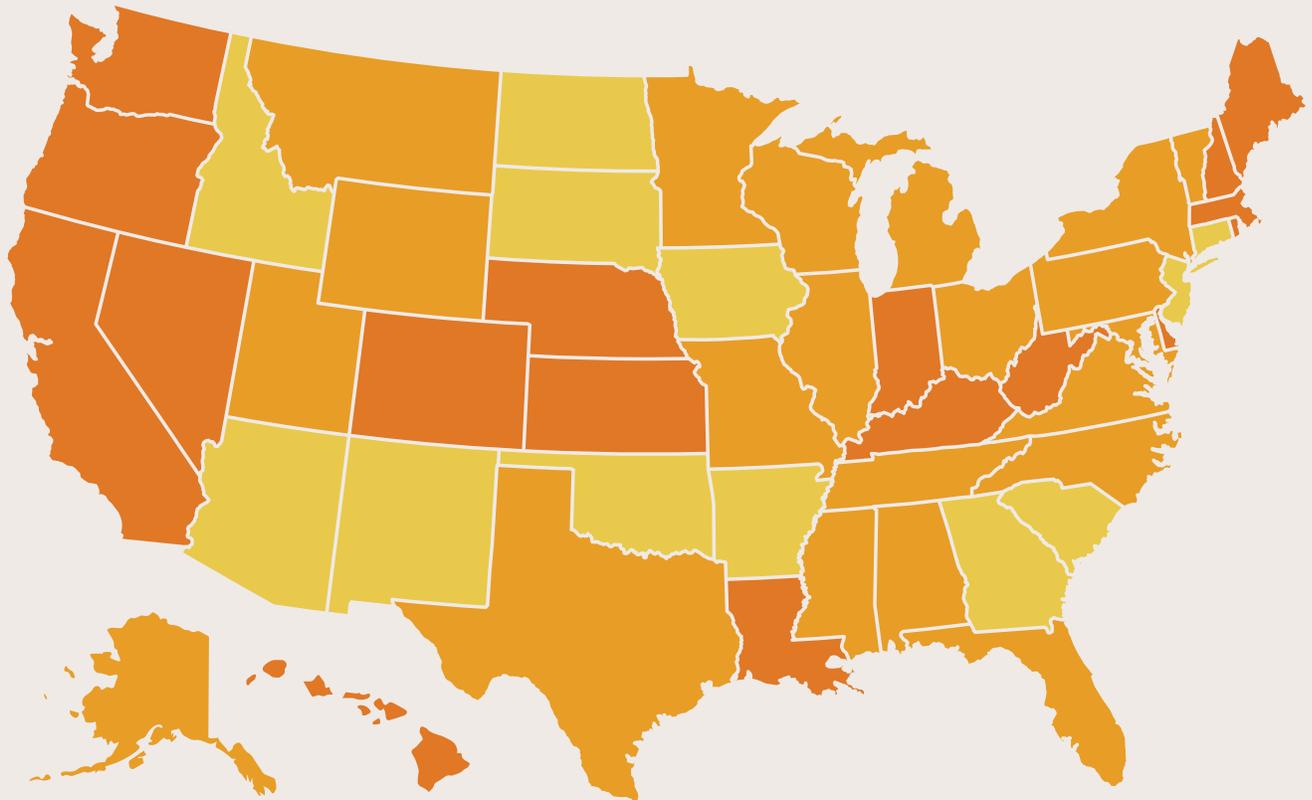
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The National Sheriffs' Association and the FBI recognize that animal cruelty is a reliable indicator of future violence towards people, and are accordingly taking animal cruelty more seriously than ever. Similarly, legislatures across the nation are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

AS OF 2019, 17 STATES MANDATE POSSESSION BANS AFTER A CONVICTION FOR ANIMAL CRUELTY — BUT SEVERAL OF THOSE STATE STATUTES ARE LIMITED TO SPECIFIC SPECIES OR CRIMES, SUCH AS THE SEXUAL ASSAULT OF AN ANIMAL (AS IN MASSACHUSETTS) OR SPECIES.

21 states and D.C. statutorily authorize possession bans, leaving adjudication up to the court's discretion.

Fortunately these numbers are trending upwards—5 states created or strengthened their possession bans in 2019.



POSSESSION BAN ON ANIMAL OWNERSHIP

● MANDATORY ● PERMISSIVE ● NONE