



# COURTROOM ANIMAL ADVOCATE PROGRAMS (CAAP)

Ensuring the Best Interests of Animals  
in the Courtroom

## WHY DO STATES NEED CAAP LAWS?

Courtroom animal advocates help the legal system reach fair outcomes that benefit animals. Everyone involved in the criminal justice system – from defense attorneys, to prosecutors, to judges – faces crowded dockets and scarce resources. Considering the relative complexity of animal crime cases – involving victims who are unable to speak for themselves, forensic challenges usually associated with homicides or sexual assault cases, and living “evidence” who need food, water, socialization, and veterinary care – the needs of the animal victim may not be considered.

Defense attorneys have a duty to their client, prosecutors have a duty to the state, but no one is tasked with directing the court’s attention to the animal’s needs. Animals involved in cruelty cases require special considerations. For example, a dog may languish in a shelter while her abuser awaits trial, kittens born to a cat held as evidence will need to be placed in loving homes, and dogs used in fighting will almost certainly require rehabilitation.

CAAP laws provide animal crime victims with an advocate whose duty is to represent the animal’s interests – properly contextualized within criminal law. CAAP laws do not create any new criminal violations or penalties. Nor do they change which animals are eligible for criminal protection. CAAP laws work within the state’s existing animal cruelty statutes. Additionally, states that have CAAP laws may expand their animal protection laws without amending the CAAP statute.

Dozens of studies document the strong link between animal cruelty and violence against humans, particularly the link between animal abuse and other forms of abuse such as elder abuse, child abuse, and domestic violence. Recognizing this link, the FBI now collects data on animal cruelty crimes alongside other felonies like homicide and arson. The FBI also includes animal cruelty as a category in its National Incident-Based Reporting System. CAAP laws protect both animals and humans by making it more likely that animal abusers will receive effective sentences.

## What are CAAP laws

Courtroom Animal Advocate Program (CAAP) laws allow advocates – supervised law students or volunteer lawyers – to advocate for animal victims in criminal cruelty cases.

Volunteers appear in court and assist the judge by drafting briefs, conducting research, gathering information from veterinarians, animal control officers, and law enforcement officials, and making recommendations on behalf of the animal victim’s interests.



## The History of CAAP Laws

The first CAAP law was enacted in 2016 in Connecticut. Also known as “Desmond’s Law,” Connecticut’s law gives animals a voice in the courtroom. The law is named in honor of a dog, Desmond, who was starved and severely abused before being strangled to death. Desmond’s Law is already making a positive impact. In the years since the law’s enactment, animal cruelty investigations and prosecutions have increased in Connecticut.

Both Professor Jessica Rubin, director of the legal practice program at University of Connecticut Law School who was instrumental in creating Desmond’s Law, and the bill sponsor, Representative Diana Urban were named Top Animal Defenders of 2018 by the Animal Legal Defense Fund.

By providing animal victims with their own in-court advocate, CAAP laws trace their legal DNA back even further to the 2007 Michael Vick dog fighting case. In the Vick case, a federal judge appointed Professor Rebecca Huss of Valparaiso University School of Law as a guardian/special master. Professor Huss was tasked with making independent recommendations to the court for the disposition of each seized dog after considering their well-being. While many dog fighting rings had been prosecuted prior to 2007, this was the first prosecution where an attorney was appointed by the court to advocate for the animal victims. Her appointment made a critical difference – not only were the lives of individual dogs saved, it fundamentally shifted the default for victims of dog fighting from euthanasia to rehabilitation.



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